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land reform

LAND SETTLEMENT AND COOPERATIVES

réforme agraire

COLONISATION ET COOPÉRATIVES AGRICOLES

reforma agraria

COLONIZACIÓN Y COOPERATIVAS



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Preface

The second issue of *Land Reform, Land Settlement and Cooperatives* for 2006 covers a wide range of technical areas, reflecting in many ways the diversity of activity under the broad heading of land tenure. It continues the tradition of allowing space for submitted articles (authors wishing to propose articles on relevant themes are encouraged to propose them to the editor). One issue a year remains a special themed edition (issue 2006/1 was on the importance of land tenure data in policy-making), which generally highlights a particular area of activity of the Land Tenure Service in its regular programme of work, enabling the publication of elements of the background materials that go into generating final publications in the following series:

- FAO Land Tenure Policy Series provides policy information on land tenure that is easily accessible for policy-makers and their advisers.
- FAO Land Tenure Studies provide guidance on various aspects of land tenure, especially as they relate to food security, poverty alleviation and rural development.
- FAO Land Tenure Manuals provide detailed guidance and technical materials to support field implementation and training activities.
- FAO Land Tenure Notes contain land tenure information that can be used by grassroots organizations that work with farmers.

Further information regarding these publications is available through the FAO Web site (www.fao.org/sd) or by contacting the Land Tenure Service at Land-Tenure@fao.org.

Under its planned programme of work for the period 2006-09, the Land Tenure Service is involved in the following areas, several of which will form the subject of future themed issues of the journal:

- Land tenure in emergency work
- Compulsory purchase of land and compensation
- State land management
- Low-cost land tenure security
- Good governance in land administration
- Designing post-emergency land tenure institutions
- Making land information accessible for the poor

The eight articles in the present issue range from Pisani's survey of economic consequences of the green revolution to an assessment of the consequences of financial dependency in producers' organizations by Lindemann, to Idowu's identification of the impact of Nigeria's National Agricultural Land Development Programme on farm incomes. The remaining articles are more directly related to land tenure issues; they look at key aspects of dynamic change in land, its markets and administration in widely differing contexts, from Darfur to the Philippines. These articles address the impact of stress on customary tenure in conflict situations, land registration and security, good governance in land administration, land market development in customary areas of Africa and appropriate strategies for communications in land registration projects.

Paul Munro-Faure

Chief, Land Tenure Service
FAO Rural Development Division

Préface

Le deuxième numéro de *Réforme agraire, colonisation et coopératives agricoles* pour 2006 traite d'une vaste gamme de sujets techniques reflétant à maints égards la diversité des activités réalisées sous le thème général des régimes fonciers. Il continue, comme de tradition, à publier certains articles présentés à la revue (les auteurs souhaitant présenter des articles sur des thèmes pertinents sont encouragés à les proposer à l'éditeur). Un numéro par an reste consacré à un thème spécial (le numéro 2006/1 était consacré à l'importance des données sur les régimes fonciers pour la prise de décisions), qui met en relief un domaine d'activité particulier du Service des régimes fonciers lié à son programme de travail ordinaire; ce numéro spécial permet également de publier certains documents d'information utilisés pour produire les publications des collections ci-après:

- Collection FAO sur les politiques foncières, qui met à la portée des décideurs et de leurs conseillers des informations sur les politiques foncières.
- Études foncières de la FAO, qui fournissent des orientations sur les différents aspects des régimes fonciers, notamment en ce qui concerne leur rapport avec la sécurité alimentaire, la lutte contre la pauvreté et le développement rural.
- Manuels fonciers de la FAO, qui fournissent des orientations détaillées et du matériel technique pour appuyer l'action sur le terrain et les activités de formation.
- Notes FAO sur les régimes fonciers, qui contiennent des informations relatives au régime foncier qui peuvent être utilisées par les organisations locales travaillant avec les agriculteurs.

Des informations complémentaires concernant ces publications peuvent être consultées sur le site Web de la FAO (www.fao.org/sd) ou en contactant le Service des régimes fonciers à l'adresse Land-Tenure@fao.org.

Selon le programme de travail prévu pour la période 2006-09, le Service des régimes fonciers est à l'oeuvre dans les domaines ci-après, qui feront parfois l'objet des prochains numéros thématiques de la revue:

- Les régimes fonciers et les secours d'urgence
- Achats obligatoires de terres et compensations
- Gestion des terres domaniales
- Sécurité à faible coût des régimes fonciers
- Bonne gouvernance en matière d'administration des terres
- Mise en place d'institutions chargées des régimes fonciers après la phase d'urgence
- Les informations foncières mises à la portée des pauvres

Les huit articles du présent numéro vont de l'enquête de Pisani sur les conséquences économiques de la révolution verte à une évaluation des conséquences de la dépendance financière des organisations de producteurs, réalisée par Lindemann, en passant par l'identification des effets du Programme nigérian de mise en valeur des terres agricoles sur les revenus agricoles, effectuée par Idowu. Les autres articles sont plus directement liés aux questions foncières; ils passent en revue des aspects fondamentaux des changements dynamiques intervenus au niveau des terres, des marchés fonciers et de l'administration des terres dans des contextes très variés, du Darfour aux Philippines. Ces articles examinent les effets des pressions exercées sur les régimes fonciers traditionnels dans des situations de conflit, sur l'enregistrement et la sécurité des biens

fonciers, la bonne gouvernance en matière d'administration des terres, le développement des marchés fonciers dans des zones d'Afrique où s'applique le droit coutumier et les stratégies appropriées de communication dans les projets d'enregistrement des terres.

Paul Munro-Faure

Chef du Service des régimes fonciers
Division du développement rural de la FAO

Prefacio

Los artículos del segundo número de *Reforma Agraria, Colonización y Cooperativas* de 2006 abarcan una vasta gama de ámbitos técnicos, reflejando de diversas maneras la gran variedad de actividades comprendidas en la esfera de la tenencia agraria. Como es habitual, se ha reservado un espacio a las colaboraciones recibidas (se alienta a los autores que deseen proponer artículos sobre temas de interés a que los remitan a nuestro editor). Cada año se edita un número temático especial (el primer número de 2006 se dedicó a la importancia de la tenencia de la tierra en la formulación de políticas), que por lo general se centra en una esfera particular de actividades del programa de trabajo ordinario del Servicio de Tenencia de la Tierra. Esto permite editar elementos de los materiales que sirven de base a las publicaciones de las siguientes series:

- Serie de políticas de la FAO relativas a la tenencia de la tierra: proporciona información sobre las políticas en materia de tenencia de la tierra en forma accesible para los encargados de formular políticas y sus asesores.
- FAO - Estudios sobre tenencia de la tierra: brinda orientación sobre distintos aspectos de la tenencia de la tierra, sobre todo en relación con la seguridad alimentaria, la reducción de la pobreza y el desarrollo rural.
- FAO - Manuales sobre tenencia de la tierra: proporciona orientación detallada y materiales técnicos en apoyo de la aplicación de medidas sobre el terreno y las actividades de capacitación.
- FAO - Notas sobre tenencia de la tierra: contienen información sobre tenencia de la tierra utilizable por las organizaciones de base que trabajan con los agricultores.

Para más información sobre estas publicaciones es posible visitar el sitio Web de la FAO (www.fao.org/sd) o ponerse en contacto con el Servicio de Tenencia de la Tierra en la siguiente dirección electrónica: Land-Tenure@fao.org.

En el marco de su programa de trabajo para 2006-09 el Servicio de Tenencia de la Tierra se ocupará de los temas que se enumeran a continuación, varios de los cuales serán objeto de números especiales de *Reforma Agraria, Colonización y Cooperativas*.

- La tenencia de la tierra en las actividades de emergencia
- Compra obligatoria de tierras y compensación
- Ordenación de tierras públicas
- Seguridad de la tenencia de tierras a bajo costo
- Buen gobierno y administración de las tierras
- Diseño de las instituciones encargadas de la tenencia de la tierra después de situaciones de emergencia
- Cómo lograr que la información sobre la tierra resulte accesible para los pobres

Los temas tratados en los ocho artículos de este número van desde una encuesta de E. Pisani sobre las repercusiones económicas de la revolución verde hasta una evaluación de T. Lindemann sobre las consecuencias de la dependencia financiera para las organizaciones campesinas, pasando por un análisis de E.O. Idowu sobre el impacto del Programa nacional de fomento de tierras agrícolas de Nigeria en los ingresos agrícolas. Los restantes artículos, que guardan una relación más directa con cuestiones de tenencia de la tierra, abordan aspectos fundamentales de la evolución dinámica de las tierras, sus mercados y su administración en contextos sumamente distintos, de Darfur a Filipinas. En ellos se examinan los efectos de la tensión sobre la tenencia

consuetudinaria en situaciones de conflicto, el registro de tierras y la seguridad, el buen gobierno en la administración de tierras, el desarrollo del mercado de la propiedad agraria en zonas de África donde imperaba la tenencia consuetudinaria, y las estrategias de comunicación apropiadas para los proyectos de registro de tierras.

Paul Munro-Faure

Jefe del Servicio de Tenencia de la Tierra
Dirección de Desarrollo Rural de la FAO



Dynamique des régimes fonciers coutumiers et de la gestion des ressources naturelles dans le Darfour

Exactement deux décennies après une famine dévastatrice, le Darfour attire à nouveau l'attention internationale, en tant que région connaissant la plus grave crise humanitaire du monde entier. Cette fois-ci, cette crise est due à la poursuite de la guerre civile qui a divisé la population du Darfour en deux groupes ethniques: les africains et les arabes. Étant donné que la majeure partie des populations africaines du Darfour sont des agriculteurs sédentaires alors que les populations arabes du Darfour sont, pour l'essentiel, des pasteurs nomades, une question peut légitimement être posée: dans quelle mesure le conflit actuel est-il lié, d'une façon ou d'une autre, à la concurrence pour l'utilisation des ressources naturelles – notamment la terre? Le présent article passe en revue le régime foncier du Darfour du point de vue des pratiques coutumières en vigueur, notamment dans le nord du Darfour, afin de comprendre comment il est possible, avec ce système séculaire, de faire face aux défis nés de la nouvelle conjoncture matérielle et sociale.

La dinámica de la tenencia de tierras y la ordenación de recursos naturales en Darfur

Exactamente dos decenios después de una devastadora carestía, Darfur vuelve a ocupar los titulares de la prensa por la peor crisis humanitaria del mundo actual. Esta vez, la crisis es consecuencia de una guerra civil que ha polarizado a la población de Darfur en dos grupos étnicos indistintos: los africanos y los árabes. Puesto que en Darfur la mayoría de los africanos son agricultores sedentarios y la mayoría de los árabes son pastores nómadas, es legítimo preguntarse hasta que punto el conflicto en curso se relaciona de alguna forma con la competencia por los recursos naturales, en concreto la tierra. En este artículo se examina la situación de la tenencia de la tierra en Darfur desde el punto de vista de las prácticas consuetudinarias imperantes especialmente en el norte de Darfur, para tratar de entender cómo hace frente este sistema secular a los retos que entrañan las nuevas situaciones, tanto desde el punto de vista físico como social.

The dynamics of customary land tenure and natural resource management in Darfur

Musa Adam Abdul-Jalil

Associate Professor of Social Anthropology, University of Khartoum, Sudan.

Exactly two decades after the devastating famine, Darfur has hit the news again as the worst humanitarian crisis in the world today. This time the crisis has resulted from the ongoing civil war, which has polarized Darfurian people into two non-exclusive (not easily distinguishable from each other) ethnic groups: Africans and Arabs. Since most African Darfurians are settled cultivators and most Arab Darfurians pursue various forms of pastoralism, a legitimate question arises regarding the extent to which the current conflict is somehow related to competition over natural resources – notably, land. This article reviews the situation of land tenure in Darfur from the point of view of the prevailing customary practices, with the aim of understanding how the age-old system is coping with the challenges presented by new situations, both physical and social.

INTRODUCTION

Land has always been an important aspect in defining and reshaping relationships between human beings, whether they are individuals or groups. Anthropologists studying small-scale societies in Africa in the first half of the twentieth century considered the occupation of a specific territory to be the most important criterion for defining a political system (Fortes and Evans-Pritchard, 1940). Thus, the value attached to land does not only derive from its function of supporting livelihoods, but also from its symbolic value as a criterion for group identification. For this reason, land tenure in most pre-colonial African societies was based on communal ownership of land, which was congruent with the prevailing subsistence economy and a political system centred around the tribe.

In many cases, the colonial powers did little to introduce a countrywide reform of the traditional land-tenure systems they found. They only altered them where it served the interests of the colonial economy.

Colonial administrations in Africa started most of the important large-scale farming – for example, cotton growing in the irrigated Gezira region of the Sudan, rubber growing on plantations in Liberia and coffee growing in Côte d'Ivoire, Ethiopia and Kenya. Independent national governments of the Sudan followed the same policy. They introduced more mechanized agricultural schemes in the central savannah grasslands – leading to the alienation of traditional farmers and nomadic pastoralists from their original lands, mostly in total denial of their traditional tenure rights (because of confiscation and blockage of livestock migration routes).

Agricultural activity in Darfur has been left, without much alteration, to its traditional land-use practices. Limited attempts at modernizing traditional agriculture were started with the Jebel Marra Rural Development Scheme, the consolidated phase of which started in 1980. It was followed immediately by the Western Savannah Development Corporation in 1981. Both schemes were

established in areas that are considered environmentally the most hospitable parts of the region, the Jebel Marra plateau and the rich savannah plains in the southern part of Darfur. On the other hand, northern Darfur, which is the most arid part of the region, remained firmly entrenched in the traditional land-tenure system inherited from prehistoric times and later altered by the Keira sultans (1640–1916).

As time goes on, there is a growing demand for more productivity in order to feed an ever-increasing population. One of the problems facing many African societies today is that the communal form of land tenure they still cherish is not easily adaptable to development. As one author puts it, “land-use planning, farm planning and the introduction of better farming systems are rendered difficult by this form of land tenure” (Webster and Wilson, 1980, p. 101). Although traditional land-tenure systems may be flexible enough in terms of allocation of plots and resolution of disputes between land users, they have less elasticity regarding the development of modern agricultural practices (e.g. seed improvement, introduction of new varieties, use of new tools and marketing facilities). This relates not only to plot sizes and their irregular shapes but, most importantly, to the absence of the legal documents of ownership that are crucial for introducing agricultural credit facilities. From a conflict management point of view, traditional tenure systems can be seen as having a clear advantage, so there is an incentive to keep them – especially in conflict prone areas. On the other hand, they can be seen as an obstacle to development.

Keeping the delicate balance regarding land use becomes more difficult because customary land-tenure systems have less elasticity to enable them to cope with changing conditions. Furthermore, new changes can play an important role in turning an otherwise peaceful coexistence between groups into a hostile confrontation, or even a full-scale war. For that matter, some researchers tend to consider ecology as a major factor explaining many conflicts

in Africa today (chiefly Suliman, 1999; Kuznar and Sedlmeyer, 2005). When there is a negative change in the environment (e.g. drought) the capacity of land to sustain people’s livelihoods shrinks, and when that is combined with population increase, a recipe for conflict is already present. In fact there is a dialectical relationship between environmental degradation and conflict because they are both mediated by human action, which can be a cause and an effect at the same time. On the other hand, traditional agricultural systems in Africa are mostly associated with two interrelated features: shifting cultivation and customary land tenure.

Drought is one common feature of environmental change that has been associated with conflicts in many African countries. The severe drought of the early 1970s that hit African Sahel countries instigated a series of changes that seriously affected the lives of millions of people. The western part of the Sudan was among the deeply affected areas, which culminated with the infamous 1984 famine. The Darfur region (which has subsequently been divided into three administrative units/states: Northern, Western and Southern) was the worst-affected area in the country. Ecologically, Darfur is diverse, ranging from a typical desert environment in the north to rich savannah marshland in the south. Two decades after the devastating famine, Darfur has drawn global attention as the worst humanitarian crisis of the present. This time the crisis has resulted from the ongoing civil war, which has polarized the Darfurian people. Because most African Darfurians are settled cultivators and most Arab Darfurians are nomadic pastoralists, a legitimate question arises regarding the extent to which the current conflict is somehow related to competition over natural resources – notably land.

This article reviews the situation of land tenure in Darfur from the point of view of prevailing customary practices and tries to understand how the age-old system is coping with the challenges presented by new situations – both physical and social.

CUSTOMARY LAND TENURE IN DARFUR

Land tenure in the pre-state period

The history of Darfur before the ascendancy of the Keira dynasty to the leadership of the sultanate in the mid-seventeenth century is largely unknown. Therefore, any detailed information on land tenure for that period is unavailable. Nonetheless, it is reasonable to assume that in this developmental stage the tribe was the overarching organizing principle. Membership in tribal groups was essential to the make-up of local communities. As is generally known from similar communities in Africa, groups living in a given territory owned the surrounding land communally in the pre-state period. That would have entailed the allocation of land to each extended family (not to individuals) according to its need within the territory belonging to a given lineage or clan. Lineages and clans of a particular tribe occupied contiguous territories. Families had usufructory rights on their farmland as long as it was continuously utilized. Under this system, when a family stops cultivating the land for any reason, it reverts back to the community and can be utilized by another family. Normally, a community leader (probably also the village headman) is responsible for land allocation or recognition of new occupancy.

Uncultivated land was simultaneously utilized by all members of the community for various purposes, ranging from wood-cutting to collection of wild fruits and hunting. Non-members, i.e. newcomers, had to be accepted first into the community before they could be given access to natural resources. Because security was an important concern for these communities, they only accepted newcomers after a level of trust had been created. It is important to remember that revenue from land was not expected in the pre-state period; hence, competition over land was not expected either. Land was abundant, the population was small and people had very limited expectations, because their basic needs were satisfied by their environment.

In the pre-state period, there was vast unoccupied and unclaimed land, which

was available for newcomers. Historians of Darfur have not recorded any large-scale skirmishes between the indigenous groups and the Arab nomads who arrived a few centuries ago. There is enough evidence (for an elaborate review see Abdul-Haleem, 1991, pp. 191–270) to show that the infiltration of these groups was gradual and peaceful. The fact that the majority of Arab tribes have their own recognized *dars* (homelands) is further proof of this point.

Land tenure under the Darfur sultanate

According to Shuqayr (quoted in O'Fahey, 1980), Sultan Musa Ibn Suleiman, who was the second ruler of the Keira dynasty (1680–1700), is said to have introduced a new system of granting land titles, i.e. estates, called *hakura* in Arabic (plural *hawakir*), even though the earliest documents yet found date from the time of Sultan Ahmad Bakur, the third sultan of the dynasty. The granting of *hawakir* by sultans was initially associated with the encouragement of *fuqura* (religious teachers) to settle in Darfur and preach Islam. Merchants from the Nile Valley were also given estates in recognition of their valuable service to the state, which was mainly related to promotion of trade with Egypt and riverine Sudan. The *hakura* system was a powerful tool for the process of Islamization as well as the consolidation of state power.

The *hawakir* granted by Keira sultans were of two types: an administrative *hakura*, which gave limited rights of taxation over people occupying a certain territory, and a more exclusive *hakura* of privilege, which gave the title-holder all rights for taxes and religious dues. The first type was usually granted to tribal leaders, and later came to be known as *dars* (literally meaning “homeland”). Effectively, administrative *hakura* confirmed communal ownership of land for a given group of people, who usually made up a tribe or a division of a tribe under a recognized leader. Originally, the group had obtained such rights as a result of earlier occupation from the pre-state period. The sultan in this case merely recognized that fact and reconfirmed

the position of the group's leader. On the other hand, the *hakura* of privilege (which was relatively smaller) rewarded individuals for services and had limited administrative implications. Both types of estates were managed through stewards acting on behalf of the title-holder.

Some sources tend to consider the difference between the two types of estates as one of scale: "The distinction between the two forms of grants was primarily one of scale. To the *fuqura*, merchants and members of the royal clan the sultans granted exemptions from taxation over a defined area of land or a named community; to the title-holders much larger estates were granted, which in turn often encompassed privileged communities or land" (O'Fahey, 1980, p. 51). For reasons of clarity, one is tempted to restrict the use of the term *hakura* to refer to grants of privilege. The term *dar* is more appropriate to denote an administrative *hakura*.

Sultans were able to ensure the loyalty and support of tribal leaders by issuing seals bearing charters (written in Arabic) confirming the authority of a chief over his people and his right to manage the land within the territory of the tribe. Usually such charters also describe the boundaries of the estate being granted. Army leaders and state officials were also granted land, returns from which they used to meet their expenses, because no regular salary system was in existence. Thus, while much of the land in Darfur was communally held according to tribal *dar* rights, the later development of the *hakura* system shows some parallels with the feudal system. Later land charters used the expression *iqta al-tamlik*, i.e. concession of property rights, which makes the *hakura* similar to a freehold. Title-holders were able to extract customary dues (*ushur*) equal to one-tenth of farm yield from those who cultivated their land through a steward/manager called *sid-al-fas* ("master of the axe"), who would manage the estate by allocating pieces of land for settlement or cultivation. Customary dues collected from land were shared

by various officials in the administrative hierarchy, which made a *hakura* less than a freehold. Moreover, there was no unitary system for land management as such in Darfur. Practice tended to vary according to time and place; in Western Darfur the responsibility for the collection of *zakat* and *fitr* (types of religious dues) fell on the estate stewards. For example, in Zami Baya *shartaya* (an administrative unit), the stewards collected fines, *zakat* and *fitr*, taking a proportion each year to the *shartay* (tribal administrator) from whom in turn the sultan's emissaries collected a part for their master. Nearer to the capital the canonical taxes were collected directly by the *jabbayyin* or tax collectors (see O'Fahey, 1980, p. 55).

It seems that the Keira sultans succeeded to a great extent in making land tenure a part of the administration of the sultanate. Because not all lands were granted as estates, it meant that the older system of communal tenure continued to exist side by side with the *hakura* system in various places around Darfur. As far as tribal groups are concerned, the land they occupied effectively became synonymous with an administrative *hakura*. In other words, what used to be communal land has now come to be considered as an administrative *hakura* or *dar*. Tribal homelands were named after the tribe, e.g. Dar Zaghawa (land of the Zaghawa people) and Dar Rezeigat (land of the Rezeigat people). This development introduced a further function to the land, beyond its economic potential; it became a symbol of group identity. As the region is open to immigrants from neighbouring areas, it follows that newcomers have to access land through transactions with indigenous land-holding tribal groups. That is exactly what nomadic camel pastoralist groups have been doing for the last two hundred years or so.

Because nomadic land-use rights are group-based and less individual-specific, this mode of land tenure bears a close resemblance to the early form of (pre-*hakura*) communal rights. Individual

nomads do not need to manage their own particular pieces of grazing land because they do not stay in one place anyway. Moreover, the nomadic mode of life requires that pastoralists be given passing rights through special corridors in the tribal lands of sedentary groups. This was done through special arrangements between the traditional leaders of each party, according to which the customary rights of each side were observed. Such relationships even developed into a form of interdependence between the two communities. Until the outbreak of the current interethnic civil war, many nomads used to keep animals for their sedentary friends. Their friends, on the other hand, would reciprocate through gifts and by giving access to the remains of agricultural produce, which makes good fodder. It is worth mentioning here that although cattle-herding Arab groups occupying most of Southern Darfur (Rezeigat, Habbania, Taisha and Beni Halba areas) traditionally have their own *dars*, the Arab camel nomads of Northern Darfur do not have *dars* of their own.

When Darfur was finally annexed to the Sudan in 1916, the colonial authorities introduced few changes to the existing system of administration. Under their policy of indirect rule, they confirmed tribal leaders as part of a native administration system and as custodians of land belonging to their tribes. Tribal homelands (*dars*) came to be recognized by the government on the basis of expediency because this helped in controlling the rural population more efficiently. One can therefore classify Darfurian tribes into land-holding and non-land-holding groups. The first category includes all the sedentary groups, plus the cattle-herding tribes of Southern Darfur. The second includes the Arab camel nomads of the north, plus newcomers from neighbouring Chad who were driven by drought, political instability or both to seek permanent residence in Darfur. The implications of this pattern of relationships with land on the current civil war cannot be overemphasized.

Types of land

Rural land can be classified into several types according to its potential usage:

- irrigable vegetable gardens around wadi beds;
- flood plains around wadi beds (*arashu*);
- *hashab* gardens (usually on sandy soil);
- terrace farms on clay soil (*bawali*);
- rainfed farmland (both clay and sandy soils);
- uncultivated wasteland that is potentially cultivable;
- fallow land (left after being exhausted);
- uncultivable land (rocky, extremely sandy or salty).

Although there are general customary practices that regulate access to land, local variations may exist. Furthermore, access of individuals or groups depends greatly on land classification or typology. In theory, all usable land is supposed to fall under the responsibility of someone. In practice, it is the best land that elicits direct responsibility. As a matter of fact, the first four types of land are the most expensive and do not change hands easily; hence they represent the nearest thing to private ownership. Rainfed farmland becomes subject to disputes when left unused for a while. The majority of land disputes revolve around uncultivated wasteland and fallow land because of their economic potential. Newcomers are usually accommodated within these two land types. Moreover, according to customary norms, rights for animal grazing by visiting nomadic groups cannot be denied in such cases. Uncultivable land is usually also poor in its grazing potential and is best used by nomads in transition or others interested in building material or fuelwood.

Types of rights over land and natural resources

Customary rights over land in Darfur are seldom exclusive – hence it is rather inappropriate to talk about “ownership” of land. Typically, many kinds of inclusive rights exist over these types of land. In principle, there are communal rights that override individual user’s rights on a given

plot of land. The most common of such community rights include:

- access to drinking water for humans;
- access to drinking water for animals;
- access to roads;
- access to animal routes (sedentary, transhumant and nomadic);
- grazing;
- hunting;
- gathering of wild fruits;
- collection of fuelwood;
- cutting of building wood;
- collection of fodder (for use or sale);
- collection of other building materials (rocks, clay, etc.).

Although these rights are accepted in principle, other sets of normative rules define how they are to be enjoyed or claimed. These rules vary according to location and the relationships between the individuals and groups involved. Hence customary practices regarding communal rights to land differ slightly from one place or community to another (depending on physical or social conditions). The first four types of land are usually permanently fenced because of the nature of the activities performed on them; hence certain rules of trespass apply which nullify these communal rights. Common exceptions are the rights to drinking water for humans and access to roads for travellers on foot or using transport animals.

The rainfed farmland is the most problematic because it is put under use for certain periods of the year and left open after harvest, a practice known as *taliq* ("release" or "let go"). There is a communal custom throughout Darfur that stipulates the freedom of access to farmland after harvest so that animals can graze on the remains of harvested crops. Accordingly, farmers cannot allow their own animals to graze post-harvest fodder while denying access to other people's animals. It used to be the case that *taliq* was communally decided and announced by the native administrators concerned (village heads and *omdas*). As will be shown later in this article, new factors have created a situation whereby many types of communal

rights are being gradually replaced by individual rights. For example, in many places around Kutum, many farmers tend to keep their farms enclosed and guarded against encroaching animals long after the beginning of the *taliq* season. Likewise, a new customary rule prohibits others from cutting wood from someone's fallow land. As a matter of fact, only uncultivated wasteland and uncultivable land remain truly within the realm of communal rights. However, since cultivable wasteland is rare in Northern Darfur, one can safely conclude that only uncultivable land is available for open and direct communal use.

LAND TENURE AND SOCIAL ORGANIZATION

Land rights and territorial groups

With the exception of urban and very limited cases in rural areas, almost all land in Darfur is utilized according to a customary tenure system that gives individuals and groups usufructory rights over land under their possession. In the period before the Keira dynasty, each individual or family had the right to obtain land for settlement, cultivation, grazing and hunting and to get wood for building or fuel by virtue of community membership. Once a person has occupied a piece of land on which to build a house or cultivate, that land continues to be recognized as his or her property as long as he or she does not give up occupation for a significant period of time (there is variation between communities as to the length of such a period, which could be anything between three to five years or more). In the past, because there was no scarcity of land, the system operated smoothly. Even strangers were able to obtain usufructory rights over land through occupancy and observance of neighbourly relations with members of the indigenous clan in the area. The following statement summarizes the situation very clearly:

At present, the forms of tenure practiced during the colonial period are to a greater degree still practised with some modifications. Within the customary tenure, individuals exercise different rights according to established norms and

customs. According to tradition, four scales of ownership exist:

- 1- At the communal scale, each tribe has a given land as a dar;
- 2- Within the tribal dar, there is the clan ownership with a known boundary;
- 3- At the village level, there is the village land where each villager practices his private ownership respected by all;
- 4- Unclaimed land, used as rangeland or allotted to "strangers" (migrants) by the village head.

(Mohamed, 2004, p. 4)

If we take the example of Dar Zaghawa in the northernmost habitable areas of Darfur, we find that it is divided into Dar Kobe, Dar Tuar, Dar Gala, Dar Artaj and Dar Sueni. Each of these *dars* is inhabited by a known Zaghawa clan, whose members represent the majority of residents. However, in all of these *dars*, representatives of other clans are to be found. Various factors account for such mixture. Marriage is a normal factor according to which people stay with their in-laws and may therefore permanently change their places of residence. Some people are alienated from their communities because of a crime or conflict with relatives. As a general rule in Darfur, the *dar* belongs to (or to be more specific, is named after or associated with) a major clan, but in practice its residents reflect a wide range of ethnic backgrounds. The main advantage of this arrangement for the major clan is that it gives it a monopoly over political leadership.

As mentioned earlier, when the British colonized Darfur they opted for a system that would stabilize and pacify the region: namely, indirect rule, leaving in place the tribal landholdings, which were based on the pre-existing system of the Darfur sultanate. Land in Darfur is divided up into tribal homelands locally known as tribal *dar*; however, this is misleading, for it implies that the tribal homeland is an ethnically homogenous territory, which it is not. Members, and even groups (e.g. other tribal communities with their own sheikh), can be found within the homeland of another tribe. A Gimir settlement, for

example, could be found in Kebkabiya, far from the Gimir tribal homeland (which is around Kulbus).

Role of native administrators in land and natural resource management

The colonial government abolished the Darfur sultanate, yet nevertheless retained many of its institutions under the newly instated native administration (*idara ahlia*). The British relied upon a form of indirect rule based on a model developed by Lord Lugard, who was the British High Commissioner in Nigeria. The Lugardian model was a practical form of administration and control which left the local population free to manage their own affairs through their own rulers, under the guidance of the British staff and subject to the laws and policy of the administration. Effectively, that meant the incorporation of traditional tribal and village leaders into the structure of the government. The native or tribal administration was based on an earlier system that was developed under the sultanate, whereby the whole of Darfur was divided into recognized *dars* or tribal homelands. The native administration provided a system of local governance, which managed the use of natural resources and allowed various groups to live in relative peace and stability. Native administrators were entrusted with implementing the policy of resource allocation and regulating the grazing activities of different tribes and outsiders to avert conflicts between farmers and pastoralists. This role included the enforcement of grazing boundaries that demarcated the grazing and farming areas; regulation of the seasonal movement of pastoralists in terms of timing and routes from the dry-season grazing areas to the wet-season grazing areas; limitation and containment of tribal intermingling in the grazing areas; and the opening and closing of the water points.

The functions of the village headman seem to have continued from the old pre-state period but were later amended according to the changing policies of the powers of the

day. What is certain is that with the advent of the modern state of the Sudan native administration became fully responsible for land and natural resource management in the rural areas where the majority of the population lives. In many cases, forest rangers were appointed and/or supervised by native administrators. Paramount chiefs, who represent the highest authority in the native administration system, perform their duties through a medium level of leadership (the *omda*), and the latter through the lower level leadership of a village headman (sheikh). The village headman actually combines a modern administrative office with a customary one. According to the latter, he is responsible for allocating land for settlement and cultivation. Any dispute regarding access to land rights or any form of natural resources would first be processed through the village headman, who then communicates with the upper level of native administration if he fails to settle it.

The tribal homeland policy adopted by the colonial authorities in Darfur favoured the larger tribes because their leader is confirmed as a paramount chief (*nazir*, *shartay* or sultan) to be responsible for managing the land as well as the people. That means small tribal groupings with their chiefs came under the administration of larger tribal chiefdoms with or without their consent. This has been the case with the Nyala Mugdumate, which is headed by a Fur paramount chief but includes many tribal groups within its territory. Many of the small tribes struggled for their own tribal entity and land. The “claim” for an independent tribal administration is linked to ownership of a separate *dar* as according to customary law a tribe could not have its own independent administration without having its own *dar*.

The independent administration includes the native administration as well as leadership positions pertaining to representation in modern institutions, whether local, regional or national (e.g. local councils and state and national assemblies). It follows that the claim for a separate *dar* by minority tribes is usually

resisted by the majority tribes, because it would lead to the fragmentation of the *dar*. This situation has been a major source of tribal conflicts in the region, for example, the Ma’alyia–Rizeigat conflict in 1968. However, such kinds of local conflict have escalated when the division of the *dar* has been supported by the government. The decision to divide Dar Masalit into 13 emirates in 1995 meant the demotion of the authority of the Masalit Sultan and led to a devastating ethnic conflict and widespread insecurity. Moreover, it created a vacuum at the level of grassroots administration. The profound effect of this vacuum was felt in resource management in all localities of Habila and Geneina Provinces. As a result, Western Darfur was declared an emergency area from 1995 to 1999. No doubt those developments heavily influenced the current crises that began to unfold in 2003.

A parallel and critical issue is that the northern Rizeigat, who are camel pastoralists (*abbala*), do not have their own *dars*. This was partially due to the fact that granting of tribal *dars* favoured larger tribes, and also because in the past land titles were not an important issue for there were no shortages of land; the prosperity of Arab tribes depended on nomadic pastoralism and livestock trade, not land titles. In Western Darfur, there were additional pressures from the influx of Arab groups from Chad. Many of these groups have close kinship ties with the Sudanese nomadic groups (e.g. Mahameid, Mahariya, Salamat, Shattiya, Awlad Zeid, Awlad Rashid, Awlad Tako).

The issue of *dar* became more critical following the growing pressures on natural resources as a result of ecological degradation, combined with expanding rainfed and wadi cultivation staggering to meet the demands of increased population. Since the incumbent government assigned new political roles to native administrators, the *dar* issue has become explosive. A drastic change to the system of native administration was introduced in 1995 by the incumbent *Ingaz* (Arabic, meaning “salvation”) government in a

famous congress held at Naeema village in White Nile State. The role of the native administrator was redefined to be that of a religious leader for his own identity group, not only leading them in prayer but more important, preparing the youth to go to *jihad* (“holy war”) in the south. Instead of curbing identity groups from attacking others, native administrators were told to do just the opposite – in fact, leading their followers to war.

Accommodation of newcomers

As a general rule, all *hakura* systems allow for settlement of newcomers, whether they are individuals or groups, provided that they adhere to stipulated customary regulations, the most important of which is to remain subject to the administrative authorities of the host tribe. Grazing, hunting and forest use are all included in such regulations. Nomadic groups did not have any problems with the system in the past because the migratory system they practised gave them the advantage of exploiting a variety of resources in different ecological zones.

A newcomer usually acquires the right to stay in an area and join the community, and can then ask to be allotted farmland. If a person is not accepted in a community, farmland cannot be given. The village headman first informs his senior native administrator of the arrival of newcomers, irrespective of whether they are temporary visitors or have the intent to settle permanently. When the newcomer is considered harmless to the security of the *dar*, the village headman is allowed to allocate land accordingly. This clearly emphasizes the primacy of community membership over private *hakura* rights, which is only logical because communal land rights historically preceded the advent of the *hakura* system itself.

Hakura title-holders cooperate closely with the native administrators in order to manage their estates. Without native administrators, title-holders are powerless to enforce any customary obligation on land users. Most important, the establishment

of a new settler community by newcomers is supervised by the native administrator. If the newcomers are individuals or a few families, they join an existing village and become followers of its headman. However, if the number of the newcomers is large enough to constitute a separate village (such as in the case of Zaghawa migrations following the drought of the mid-1980s) they are allowed to have their own village headman, who will be accountable to the *omda* of the area. In this case, the headman does not have any jurisdiction over land and is therefore called Sheikh Anfar (“headman of people”), instead of the more prestigious office of Sheikh Al-Ard (“headman of land”). Even during the sultanate, *hakura* landowners cooperated with tribal leaders because it is through the latter that settlers can occupy and till the land from which the title-holder obtains revenue. In relation to land matters, the native administrator is called Seid Al-Seif (“master of the sword”), which signifies political authority. The title-holder is called “Seid Al-Ard”. It is significant that at the lower level of administration, both roles are combined in the village headman. The role of the Sheikh Al-Ard is therefore the key to understanding all matters concerning the village community – settlement of disputes, security, taxes, environment and natural resource management, mobilization and other administrative matters.

Customary land tenure and social stratification

A more or less discrete structure of stratification can be seen among Darfurian communities, depending on their relationship to land. People can be roughly classified as follows:

- title-holders;
- members of the main indigenous clans and their affiliates;
- other indigenous occupiers and their affiliates;
- permanently residing latecomers;
- seasonal nomadic visitors;
- temporary migrants or *akkala* (literally “eaters”, meaning food seekers);
- blacksmiths and potters.

CHANGING TIMES: PATTERNS AND RESPONSES

Cutting loose: the interference of the central government

To add yet another layer of complexity to the already complicated system of land tenure in Darfur, the Government of Jafar Numeiri abolished native administration and enacted a law in 1970 called the unregistered land act (ULA), according to which all land that is not registered before the enactment of this law becomes the property of the government by default. Although the government did not have any means to either map or directly manage all unregistered land, the law paved the way for later developments regarding land tenure in Darfur. Migrants from Northern Darfur who settled in other places (notably the *goz* and the southern plains zones) were ready to claim the right to establish their own native administration structures in their new homes, because under the ULA the land they occupy belongs to the government. Such claims would have been unthinkable in the past, when newcomers were expected to remain as “guests” of the host tribe and abide by its customary rules regarding land tenure and native administration. The many conflicts that the resettled Zaghawa in the eastern *goz* (sandy stretches of land) were part of in the areas south of El-Fasher in the mid-1980s attest to the negative effects of the 1970 act (see Abdul-Jalil, 1988). Despite all the developments that added more complexity to the system, customary land tenure continued to function because it was flexible enough to adapt to new situations – up to a point.

One may add here that the 1970 ULA affects mainly the fourth scale of ownership mentioned above, because the government can only redistribute unclaimed land. As a partial recognition of the time-tested customary acquisition of land, the government issued a Civil Transactions Act (CTA) in 1984, which states that local communities have usufructory rights over land they occupy, although legal ownership still remains with the government. The result is that different land-tenure systems coexist in the same area. Nonetheless, many

factors have affected land-use patterns in Darfur for the last three decades, which in turn have affected customary land tenure itself and put its adaptive capabilities to a serious test.

Factors affecting land use

Although it is possible to enumerate many factors influencing land use in Darfur, it is more fruitful here to concentrate on the most important ones. Six main factors can be identified:

Drought

In the early 1970s, the amount of rainfall started to dwindle and the resulting drought devastated the African Sahelian belt, creating widespread famine in Darfur. Conditions in the north were exceptionally dire: the decline in annual mean rainfall reached 52.2 percent, leading to crop failure and very poor pastures.

Increased human population

The increasing population has meant that each year new farmland has to be secured for new families. Darfur’s population has multiplied nearly five times since 1973 (from 1 350 000 to 6 480 000) according to the 1973 census (Central Bureau of Statistics, 1973) and the 2003 estimates from the UNFPA (UNFPA/Central Bureau of Statistics, 2003). This has resulted in decreased wasteland and disregard for the practice of fallowing. Not only that, but even some nomadic migratory routes and rest places have also been turned into farmland. Out of eleven migratory routes in the 1950s, only three are functioning today, in addition to a few newly found ones.

Increased animal population

The animal population has likewise increased drastically in the same period, though for different reasons. Because the Sudan started exporting meat and live animals to Arab Gulf countries, livestock breeders invested more in animal health care. Sedentary farmers were also lured to increase their stocks because farming can no longer satisfy their growing needs.

Population migration (internal and external)

Darfur witnessed two types of migration trends that directly affected land-use patterns. A decade of mostly dry years (mid-1970s to mid-1980s) triggered internal migration from Northern Darfur. The displaced sought refuge in the eastern *goz* to the south of El-Fasher as well as in the southern zone. These places later began to show signs of saturation. As mentioned earlier, pastoralists from Chad were tempted to cross the borders and seek permanent settlement in Darfur. The fact that many tribes have members on both sides of the borders makes such migrations difficult for Sudanese authorities to monitor.

Increased commercialized farming

With the spread of education and urbanization, people in the rural areas became acquainted with new consumption patterns. As their need for cash increased, their strategies in agriculture gradually became market-oriented. Oilseed production (groundnuts, sesame and watermelon seeds) on the eastern *goz* has been greatly expanded to meet a growing export market. Vegetable and fruit cultivation is increasingly practised where conditions permit. Small urban centres have provided excellent marketing opportunities for such ventures.

Increased market-oriented livestock breeding

Because the expanding Sudanese livestock export market favours sheep raising, many nomadic pastoralists in Northern Darfur started changing the structure of their herds by concentrating more on sheep and less on camels. Accordingly, migratory routes and patterns have been correspondingly altered. Moreover, sedentary farmers also took to sheep raising to the extent of actually competing with nomadic pastoralists. Some of them have even become pastoral transhumants. Accurate figures have yet to be produced by reliable authorities in order to quantify this trend.

Consequences for land-use patterns

The factors reviewed above have not operated uniformly, nor have they produced the same effects throughout the area. Although the various factors have direct implications for diverse aspects of land use, it is more sensible to consider all factors as having jointly affected traditional land-use patterns in general. A summary of the cumulative effects on land use in Darfur is given below:

1. The expansion of millet cultivation beyond the agronomic dry-boundary limit. Millet is the staple food crop in Darfur. Farmers are obliged to put more land under cultivation for two main reasons. The first relates to decreased productivity, which means that a farmer cannot expect the same amount of grain from the same area. The second relates to the increased number of new families that need to have their own farms, hence new land has to be cleared even if it is marginal and unproductive. Extended families cannot secure the needs of their members from the same plots as before.
2. A decreased rate of land rotation, which has become unavoidable because more land is being put under permanent cultivation. Farmers no longer give up any piece of their land, because according to customary practice such unused land reverts back to communal ownership and will be subject to redistribution through established, customary channels. Hence at the level of farm administration, a decrease in the practice of fallowing has been observed.
3. The expansion of fruit and vegetable cultivation, as well as production of tobacco, in clay and alluvial soils around wadi beds (watercourses). This involves one of three forms of irrigation: flooding, water harvesting or well-digging. Many farmers began to cultivate fruits and vegetables where possible, drawing water from shallow wells dug around dry watercourses either by using buckets made of goatskin (*dalo*), or a diesel pump in the case of well-to-do peasants. Such activities grow out of

the need to adapt to new conditions; drought and consumer markets have provided the most important incentives.

4. Blocking of animal migration routes (*marahil*) and decreased access to water sources for animals as a result of expansion of agricultural land. Nomads usually require that land near water sources remains uncultivated, otherwise animals may damage crops and their owners will be fined for trespass. Many researchers have pointed to the fact that nomads often complain about such practices, which are against customary land tenure arrangements (Fadul, 2004). At the same time, the better areas around watercourses have been utilized by farmers to grow millet and vegetables. The blocking of routes has become a permanent item on the agenda of tribal reconciliation conferences convened over the last two decades to solve interethnic disputes in Darfur, and is one of the common causes of grassroots conflicts.
5. Land degradation and desertification. In combination with drought, human activity (tree-felling, excessive cultivation and overgrazing) have greatly speeded up the desertification process, to the extent that vast areas have lost the capacity to sustain traditional livelihoods for the inhabitants. Some experts assert that millet cultivation in the semi-arid zone has dangerous implications for the environment, and have advocated the prohibition of millet cultivation beyond certain boundaries (see Ibrahim, 1984).
6. Overgrazing and deterioration of rangeland. Much of the land in the semi-desert and *goz* zones has lost its capacity to grow grazing grasses for forage, or trees. For example, the carrying capacity of pasture in the 1970s was 40–50 animal units per square kilometre in the eastern sandy soils. A survey conducted by the Range and Pasture Department in 2002 found the carrying capacity for the same area to be only nine animal units per square kilometre (Fadul, 2004).

Dynamic adaptation of customary tenure systems

Successive changes have created new and variable conditions which have made it difficult for the customary land-tenure system to continue without significant adjustments. It is no longer possible to talk about either a single or homogeneous land-tenure system in the whole of Darfur. The actual arrangements in a given ecological zone (or locality for that matter) depend very much on the economic, environmental, political and social conditions, reflecting the dynamic aspects of the allocation of land resources. On a different level, such arrangements also reflect the relationship between various stakeholders regarding land as an important natural resource. Taking the above statements into consideration, a few observations could be made about the transformed state of land tenure in Darfur.

1. The southern zone was subjected to less cultivation in the past because most of its inhabitants practised cattle raising. As a result, less land was put to permanent cultivation as family plots on the basis of customary tenure. When the Sahelian drought caused large numbers of people to migrate from Northern Darfur, many were easily settled in Southern Darfur on previously unclaimed land. The 1970 ULA was particularly constructive in this case because it facilitated the absorption of the new settlers into the existing local administrative structures without many hurdles. The few large-scale mechanized agricultural projects, which require large tracts of land with modern ownership arrangements, were also introduced in Southern Darfur (mainly in Um Ajaj) under the 1970 ULA. The government was able to distribute large plots of farmland to urban merchant elites, most of whom come from outside Darfur (mainly central or riverine Sudan).
2. Elsewhere, the tendency towards commercialized agriculture has left its impact on tenure arrangements. As mentioned earlier, the expansion of vegetable and fruit cultivation

along wadi beds (using wells or water-spreading techniques) has meant that considerable pieces of land have been put out of traditional use. One of the implications is that grazing rights after harvest can no longer be applied to such land. This has undermined the flexibility that characterized customary tenure and enabled it to survive for so long.

3. Another noticeable feature of change affecting the customary land tenure system is the increase in land sales and leasing. This is a new phenomenon, which did not exist prior to the 1970s except on very limited occasions, which typically involved merchants or government officials with no access to customary rights, who wanted to establish gardens on land near small towns that provided good marketing outlets for fruits and vegetables. Such people were actually the first pioneers who introduced innovative agricultural practices, which local Darfurians imitated later. The increasing importance of cash for families to have access to food and consumer goods has turned some land into a commodity, even though the legal status of such land is not clear. Those who are not able to cultivate their land all year round and do not want to sell can lease it on a cash or sharecropping basis.

El Amin sums up the implications of changing tenure arrangements and competition between stakeholders over land both as an asset and a resource: "With various recently emerging post-drought forms of land tenure that deviate from the customary rules, land tenure in Darfur is at present becoming more complex than ever; creating real and potential sources of conflict both at the inter and intra-communal levels" (El Amin, 1999, p. 82).

Women and land rights

Customary rules regulating land rights in Darfur do not apply equally to both sexes. Originally people obtained access to land not as individuals but as members of an extended family, which was universally headed by males only. This did not

mean that the rights of women were not recognized. As a rule, communal rights over land and natural resources are equally claimed by both sexes (grazing, fuelwood, food gathering, etc.). As for farmland, women have the right to use their father's land or their husband's. They can also inherit from both in accordance with Islamic sharia law. However, women may not acquire new land for themselves directly from the title-holder or his agent. Their request will have to be processed through a male relative or husband. Nevertheless, it is astonishing to notice that royal women in the Darfur sultanate were *hakura* title-holders (O'Fahey, 1980). Land can also be given as a dowry in marriage transactions.

It is worth noting here that irrigated land has fallen under what is almost a form of permanent ownership in some places (e.g. Wadi Kutum). Although a long continuous utilization of a piece of land gives a person ownership rights according to both customary and statutory laws, in the latter case a legal document is required in order to prove ownership. The state however did not set up any apparatus to enable farmers to register their plots. This means that the farmer owns a piece of land but he/she does not have a document to prove it. Despite the absence of such documents, modern institutions accept the claims of male owners and treat them accordingly. When the owner of an irrigated piece of land is a woman, one expects that modern institutions promoting rural development (such as the agricultural bank) would deal with the female owner according to the *de facto* situation as well. The reality, however, is different. They still deal with women through the patronage of their male kinsmen (see Abdul-Jalil and Umbadda, 1986, for a report on the situation in Wadi Kutum). In Darfur, women till the land more than their men folk, yet their ownership rights are not recognized by modern institutions.

CONCLUDING REMARKS

In conclusion, a couple of points must be addressed regarding the relationship

between land tenure and conflict in Darfur:

First, customary land tenure in the region has developed over the years to the extent that talking about a single land-tenure system is no longer intelligible. Land-use practices have been affected by environmental constraints, changes in economic conditions and governmental legislation, leading in turn to adaptive changes in customary land-tenure arrangements.

Second, it is important to recognize that conflict over land is part of a wider conflict in Darfur that involves a host of other factors such as underdevelopment, lack of democracy, competition over political office, armed robbery, ethnic politics, restructuring of the native administration, population increase (both people and animals), the Libyan-Chadian conflict, the Chadian civil war and the spread of modern firearms.

RECOMMENDATIONS

The following recommendations suggest practical approaches to dealing with the current problems regarding access to land:

- A land commission should be established to develop a land-use policy and devise means for land development and registration, taking into consideration the particularity of the situation in Darfur in terms of historical developments and customary practices.
- A comprehensive survey of current land-use patterns and the actual existing tenure arrangements should be conducted for the various ecological zones and local communities of the region.
- The inherited customary tenure system is deeply entrenched in the social organization of the local territorial groups and as such helps in stabilizing communities and providing a good base for a future environmental management strategy. For this reason, customary tenure systems should be adapted to new conditions but not abolished.
- Projects that constitute essential infrastructure for development (roads,

water, electricity, etc.) should be undertaken.

- The vertical expansion of agriculture through the introduction of intermediate/appropriate technology packages, better water management methods and agricultural extension services should be encouraged.
- The voluntary settlement of nomads should be fostered, along with development of ranch farming and improved livestock breeding in the desert and semi-desert zones by utilizing the plentiful existing underground water.¹
- The external immigration of nomadic groups from neighbouring countries needs to be monitored and managed, which would require establishing a civil record for Sudanese citizens (currently non-existent).
- Community participation should be encouraged in decision-making on issues that directly affect people's lives, such as development, natural resource management and conflict resolution. Both traditional institutions and modern civil society organizations should be involved.

REFERENCES

- Abdul-Haleem, R.M.** 1991. *Arabism and Islam in Darfur in the Middle Ages*. (In Arabic). Cairo, Althaghafa House.
- Abdul-Jalil, M.A.** 1988. Some political aspects of Zaghawa migration and resettlement. In F. Ibrahim & H. Ruppert, eds. *Rural-urban migration and identity change: case studies from the Sudan*. Bayreuther Geowissenschaftliche Arbeiten, Vol. 11.
- Abdul-Jalil, M.A. & Umbadda, S.** 1986. Problems and prospects of horticulture in a subsistence economy: the case of Wadi Kutum. In P. Wel & A.M. Ahmed, eds. *Perspectives on development*

¹ One water expert states that "The north and the northwestern parts of Darfur are underlain by an extended Nubian Sandstone groundwater basin, known as the Sahara Basin. It covers an area of 275 000 square km. and hosts storage of 6 000 milliard cubic meters of groundwater of excellent quality and at shallower depth varying between 5 to 50m below ground surface in addition to an annual recharge of about 20 million cubic meters" (Ali, 2002, p. 17).

- in the Sudan*. The Hague, Institute of Social Studies.
- Ali, H.O.** 2002. Issues, problems and policy principles related to groundwater resources in Sudan. In Al-Rahed, Singh & Sherif (eds). *Water resources development and management in arid regions*, pp. 13–30. Swets & Zeitlinger, Lissers.
- Central Bureau of Statistics**, 1973. Sudan National Census Final Tabulation, Khartoum.
- El Amin, K.A.** 1999. *Drought, adjustments in economic activities, changes in land use and land tenure forms in Darfur, Sudan*. DSRC Monograph Series No. 42. University of Khartoum.
- Fadul, A.A.** 2004. *Natural resources management for sustainable peace in Darfur*. Paper submitted to a Workshop on Environmental Degradation and Conflict in Darfur organized by the UN University for Peace and University of Khartoum Peace Research Centre. 15–16 December 2004.
- Fortes, M. & Evans-Pritchard, E.E.** 1940. *African political systems*. Oxford, Clarendon Press.
- Ibrahim, F.N.** 1984. *Ecological imbalance in the Republic of the Sudan – with special reference to desertification in Darfur*. Bayreuther Geowissenschaftliche Arbeiten, Vol. 6.
- Kuznar, L.A. & Sedlmeyer, R.** 2005. Collective violence in Darfur: an agent-based model of pastoral nomad/sedentary peasant interaction. *Mathematical Anthropology and Cultural Theory*, 1(4) (also available at: www.mathematicalanthropology.org).
- Mohamed, Y.A.** 2004. *Land tenure, land use and conflict in Darfur*. Paper submitted to a Workshop on Environmental Degradation and Conflict in Darfur organized by the UN University for Peace & University of Khartoum Peace Research Centre. 15–16 December 2004.
- O’Fahey, R.S.** 1980. *State and society in Darfur*. London, Hurst.
- Suliman, M.** 1999. *The Sudan: a continent of conflicts. A report on the state of war and peace in the Sudan*. Bern, Swiss Peace Foundation.
- UNFPA/Central Bureau of Statistics**, 2003. Population Data Sheet for Sudan by States. Khartoum.
- Webster, C.C. & Wilson, P.N.** 1980. *Agriculture in the tropics*. London, Longman.

A conceptual framework for land tenure security, insecurity and securement

The terms land tenure security and insecurity are central to debate on land policy. They are, however, often used in an approximate, indeed contradictory, manner. Apparent consensus on the importance of land tenure security masks differing perceptions of insecurity, its causes and thus possible solutions. This article sets out to clarify these notions and to propose a conceptual framework. Land tenure security is essential if producers are to invest and enjoy the fruits of their work, but land tenure security should not be confused with private property, nor should the nature of rights (e.g. formal or informal, permanent or temporary) be confused with the notion of whether or not these are secured.

Land tenure security signifies that legitimately held rights, whatever their content, will not be questioned without foundation and, if contested, will be confirmed by dispute settlement mechanisms. There are many causes of insecurity and any discussion to reduce it requires analysis of the causes and the forms of insecurity that producers experience. Intended “securement of land tenure” must first ensure that rights are secured. This will help clarify the determinants of land tenure security and the important role of dispute settlement and regulatory mechanisms.

Seguridad, inseguridad y garantía de la tenencia: marco conceptual

En el debate sobre las políticas relativas a la tenencia de la tierra, los términos “seguridad” e «inseguridad» ocupan un lugar prominente. Sin embargo, su utilización es a menudo imprecisa, e incluso contradictoria. El consenso aparente sobre el desafío de una tenencia segura encubre, en realidad, visiones muy diferentes sobre la inseguridad y sus causas y, por consiguiente, sobre las posibles respuestas ante este problema. La finalidad de este artículo es aclarar tales conceptos y proponer un marco conceptual. La seguridad de la tenencia es indispensable para que los productores puedan invertir recursos y beneficiarse del fruto de sus esfuerzos, pero no debe confundirse con la propiedad privada; análogamente hay que evitar toda confusión entre la naturaleza de los derechos (formales o informales, permanentes o transitorios, etc.) y el hecho de que sean o no «seguros».

Seguridad de la tenencia significa que los derechos legítimos, cualquiera sea su contenido, no se ponen en entredicho, y que en caso de que sean cuestionados existen mecanismos de arbitraje para confirmarlos. Las causas de la inseguridad son múltiples: para determinar las maneras de reducirla es indispensable que se analice toda la gama de motivos y todas las formas de inseguridad que experimentan de hecho los productores. El concepto de «garantía de la tenencia» se refiere al proceso mediante el cual se asegura el ejercicio de los derechos. Esto permite poner en claro cuáles son los factores determinantes de la seguridad de la tenencia, y en particular el importante papel que desempeñan los mecanismos de arbitraje y regulación.

Sécurité, insécurités, et sécurisation foncières: un cadre conceptuel

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Sécurité, insécurité foncières: ces termes sont au cœur des débats sur les politiques foncières. Toutefois, ils sont souvent utilisés de manière approximative, voire contradictoire. Le consensus apparent sur l'enjeu de la sécurité foncière cache des visions très différentes de l'insécurité et de ses causes, et donc des façons d'y répondre. Le présent article vise à clarifier ces notions et à proposer un cadre conceptuel. Une sécurité foncière est indispensable pour que les producteurs puissent investir et bénéficier du fruit de leurs efforts, mais il ne faut pas confondre sécurité foncière et propriété privée, ni la nature des droits (formels ou informels, permanents ou temporaires, etc.) avec le fait qu'ils soient ou non «sûrs».

La sécurité foncière signifie que les droits que l'on détient de façon légitime, quel que soit le contenu de ces droits, ne sont pas remis en question sans raison et que, s'ils sont contestés, les mécanismes d'arbitrage les confirment. Les causes de l'insécurité sont multiples: pour débattre des manières de la réduire, il est indispensable d'analyser la diversité des causes et des formes d'insécurité concrètement vécues par les producteurs. Raisonner en termes de «sécurisation foncière» passe par le processus grâce auquel les droits sont sécurisés. Cela permet de clarifier les facteurs déterminants de la sécurité foncière, et plus particulièrement le rôle important des dispositifs d'arbitrage et de régulation.

INTRODUCTION

La question foncière devient ou redevient à l'ordre du jour, en Afrique comme dans le reste du monde. La croissance démographique, les migrations, la libéralisation économique et les crises internes aux Etats concourent à faire de l'accès à la terre un enjeu essentiel, objet de compétition et de conflits mêlant intérêts de toute sorte, productifs, identitaires, politiques et autres.

Le débat sur le foncier est apparu – ou mieux, réapparu – sous l'angle de la production avec les politiques de privatisation ou de délivrance de titres, la

question étant de comprendre comment stimuler la productivité des terres. La délivrance de titres par l'Etat a été pendant longtemps considérée par les économistes et les institutions de Bretton Woods comme une condition nécessaire et suffisante à cet égard².

Or, de nombreux travaux, tant empiriques que théoriques, ont remis en cause ce lien mécanique, et montré que les droits fonciers locaux n'étaient pas associés en général à une insécurité. Parallèlement, l'accroissement des conflits fonciers a mis en lumière les dysfonctionnements des mécanismes d'arbitrage, autre dimension de la sécurité foncière.

Des expériences de terrain ont tenté avec plus ou moins de succès de mettre en œuvre des démarches de sécurisation

¹ La préparation de ce texte a été réalisée dans le cadre du projet de recherche INCO-CLAIMS, coordonné par l'IIED et financé par l'Union européenne. Une première version a fait l'objet de la communication introductive «Comment sécuriser les droits fonciers en milieu rural?», à l'atelier du même nom, lors du Forum Praia+9, CILSS, Bamako, 17-21 novembre 2003.

² Voir Platteau, 1998 pour une présentation et une analyse critique de ce modèle.

foncière. Cependant, si cette notion a fait l'objet d'un ouvrage de référence (Le Roy *et al.*, 1996), le concept de sécurité foncière est souvent utilisé de façon générique, et en fin de compte floue, voire largement erronée. Ainsi, lorsque Bruce et Mighot-Adholla (1994) définissent la sécurité foncière comme «le droit, ressenti par le possesseur d'une parcelle de terre, de gérer et utiliser sa parcelle, de disposer de son produit, d'engager des transactions, y compris des transferts temporaires ou permanents, sans entrave ou interférence de personne physique ou morale», ils décrivent la notion de propriété privée et non celle de sécurité foncière. Des droits d'exploitations obtenus en faire-valoir indirect peuvent parfaitement être sécurisés, et l'on peut être sécurisé dans ses droits même avec des restrictions au droit de vendre. Par ailleurs, «la sécurité foncière n'est pas un concept fixe et objectif, dépendant uniquement de la légalité du titre foncier. La sécurité foncière est autant une question de perception qu'une catégorie juridique» (Hesseling, 1991).

Il semble donc important de revenir sur ces concepts et de tenter d'en cerner un peu plus précisément les contours et les enjeux.

SÉCURITÉ FONCIÈRE ET PRODUCTIVITÉ

Une sécurité foncière *suffisante*, à savoir le fait que les droits sur la terre et les ressources naturelles ne soient pas contestés sans raison, constitue effectivement une condition pour que les producteurs puissent mener à bien leurs activités – agricoles, pastorales ou autres –, diriger convenablement leurs efforts et bénéficier des fruits de ces derniers. La sécurité foncière est ainsi *une condition* de développement économique et *un déterminant* des stratégies des agriculteurs, même si elle n'est pas le seul ni le premier, la primauté revenant le plus souvent aux données économiques (prix des produits et des intrants, situation des marchés, accès au crédit, etc.).

Pour autant, sécurisation foncière ne signifie pas propriété privée: les droits sur la terre ne se résument pas à la propriété privée, et celle-ci n'est pas nécessairement sécurisée.

«La sécurité foncière nécessaire pour investir n'implique pas automatiquement la propriété foncière individuelle. La garantie de culture à travers un bail de longue durée est sans doute suffisante» (Falloux et Rochegude, 1986).

En outre, il est bien vite apparu qu'il fallait remettre en cause certaines idées reçues:

- Le raisonnement économique standard selon lequel la délivrance de titres induit des stratégies d'investissement et des gains de productivité comporte de nombreuses limites, et ne marche que dans des contextes précis (Platteau, 1996; 1998).
- Sauf exception, il n'y a pas de blocage à une intensification en régime coutumier, et il faut chercher ailleurs les contraintes premières (notamment dans les rapports de prix, l'accès au crédit, le contrôle des filières, etc.) (Lavigne Delville, 1998).
- Les spécificités des zones arides impliquent une pluralité d'usages et une flexibilité des stratégies d'exploitation (agricoles, pastorales, etc.) peu compatibles avec une fixation rigide des droits.
- Les conflits fonciers et l'insécurité foncière ne tiennent pas tant à la compétition foncière en elle-même, qu'à des problèmes de *régulation* de cette compétition: rivalité entre pouvoirs pour les arbitrages sur le foncier; absence de règles partagées permettant de gérer des situations nouvelles; inaptitude de la loi à répondre à une série de problèmes concrets vécus par les producteurs en milieu rural. Ce constat amène ainsi à réorienter la réflexion en tenant compte de diverses exigences:
 - *Prendre en considération les différents enjeux du foncier*: les enjeux productifs naturellement, mais aussi ceux liés à l'identité, à la paix sociale ou à la citoyenneté. En effet, la sécurité foncière est un facteur de paix sociale, et un flou sur les droits ou une contestation des règles est apte à provoquer ou favoriser les conflits – que les acteurs concernés soient de bonne foi ou qu'il s'agisse de

manipulations ou de coups de force. Mais c'est aussi une question de citoyenneté car, en démocratie, l'Etat se doit de garantir les droits des citoyens (fussent-ils petits agriculteurs ou pasteurs) et de leur offrir reconnaissance et protection.

- *Elargir le cadre de raisonnement*: il est nécessaire de penser en termes *d'accès à la terre et aux ressources* et de contrôle de ces derniers, et non de «foncier» au sens strict, si l'on veut être à même de prendre en compte la question des ressources naturelles, de se rapprocher de la réalité des systèmes fonciers existants et d'affronter les problèmes d'arbitrage et de gestion des conflits.
- *Renouveler profondément le cadre de réflexion des politiques foncières*: il ne s'agit plus de prétendre substituer le titre à des règles foncières locales jugées inefficaces, mais de répondre aux enjeux sociaux et économiques de ce nouveau siècle. Cela implique de prendre sérieusement en considération la coexistence de différents types de droits sur les terres et les ressources, de travailler à réduire les contradictions entre législations sectorielles et fondements des droits locaux, et de s'employer à améliorer ou inventer des modes locaux de gestion foncière reconnus par l'Etat.

En ce début de XXI^e siècle, le défi consiste donc à sortir de la dichotomie entre législation et pratique, une dichotomie léguée par la colonisation et maintenue durant les premières décennies de l'indépendance des nouveaux Etats. Il s'agit ainsi de réconcilier légalité, légitimité et pratiques (Lavigne Delville, 1998), pour à la fois limiter les conflits, favoriser les évolutions en cohérence avec les politiques nationales, réduire les contraintes foncières à la production et construire les citoyennetés.

QU'EST-CE QUE LA SÉCURISATION FONCIÈRE? QUELQUES PRÉCISIONS CONCEPTUELLES

Avant de revenir sur une définition de la sécurisation foncière, il est nécessaire de préciser un certain nombre de termes.

Droits, normes, autorités

Les catégories standard (propriété, location, etc.) ne permettent pas de décrire les droits concrets, c'est-à-dire les prérogatives et devoirs effectifs. Grâce à des travaux récents effectués en économie institutionnelle, en gestion des ressources naturelles et en anthropologie du foncier, il est possible désormais d'échapper à ce biais et d'utiliser des termes plus précis, distinguant entre «droits opérationnels» et «droits d'administration».

En effet, les droits fonciers (au sens des prérogatives et devoirs détenus par des individus ou des groupes) n'ont pas de sens par eux-mêmes:

- ces droits n'existent qu'en référence à des normes: normes locales, coutumières ou récentes, établissant ce qu'il est possible ou non de faire et ce qui est ou non légitime; et normes et principes légaux, issus de la Constitution, des législations sectorielles ou d'autres instances;
- on ne passe pas directement de principes ou de normes à des droits. Des étapes intermédiaires sont nécessaires: il faut *des autorités* pour affecter ou valider les droits, et pour arbitrer en cas de revendication, de désaccord ou de conflit, et il faut *des outils ou des procédures* pour mettre en œuvre tout le processus.

Cela est naturellement vrai en régime coutumier, où les différentes autorités foncières affectent des droits, valident des accords et arbitrent les conflits en fonction d'un ensemble évolutif de principes ou de règles (comme l'appropriation par la défriche, la confirmation des droits par la marque du travail, l'usage de ne pas refuser la terre nécessaire à se nourrir, etc.). Une des caractéristiques des régulations coutumières est précisément que les droits sont le produit de négociations avec les autorités à différents niveaux (familial, lignager, villageois, etc.), sur la base d'un certain nombre de principes et en fonction des contextes. C'est cette interaction au sein du triangle «normes, autorités, acteurs» qui confère aux régulations coutumières leur souplesse et leur dynamique, chacune des pointes du triangle étant susceptible d'évoluer.

Deux conceptions de la sécurisation foncière, des pratiques hybrides

Deux logiques différentes renvoient à deux grandes conceptions de la sécurisation foncière.

Dans les logiques sociales locales, la sécurisation de l'accès aux terres passe par l'inscription dans les réseaux sociaux: c'est en fonction de son statut social, de sa place dans la hiérarchie familiale, que l'on peut prétendre à certains droits et les négocier. L'accueil d'éventuels «étrangers» se fait par l'intermédiaire de «tuteurs», et à travers la création de relations de clientèle ou de patronage avec ceux-ci. Investir dans les réseaux de clientèle auprès de ceux qui contrôlent la terre est une façon de négocier des droits sur la terre et de les sécuriser.

En revanche, selon la logique de l'Etat et du titre, c'est le titre (appuyé par un appareil administratif et judiciaire) qui confère les droits. Et pour user de ceux-ci il existe des procédures, censées être neutres et dépersonnalisées. En réalité, les tentatives de l'Etat d'imposer une législation dite «moderne» ne se sont pas traduites par une dépersonnalisation de la gestion foncière, mais plutôt par une recomposition partielle des réseaux d'accès à la terre et aux ressources autour des membres de l'appareil d'Etat.

Cependant, dans la pratique, ces oppositions de logique ne s'expriment pas directement. Les acteurs – acteurs ruraux et urbains, agents de l'Etat, pouvoirs coutumiers – jouent, à des degrés divers, sur les différents tableaux, empruntant à l'une et à l'autre conception. Au sein d'un même village, des espaces relevant de statuts fonciers différents peuvent cohabiter. Des parcelles affectées par l'Etat sur des aménagements peuvent être gérées par des groupements selon des normes hybrides. Là où la terre devient rare, l'accès à cette dernière passe de plus en plus par des négociations internes aux groupes familiaux.

Enfin, dans des contextes en rapide et profonde évolution, les acteurs cherchent à réduire l'imprévisibilité du jeu foncier, et l'on voit apparaître des innovations institutionnelles, de nouvelles instances et de nouvelles procédures. Le recours à l'écrit dans les transactions foncières en est un, assez frappant (Lavigne Delville, 2002).

Mais cela se vérifie aussi en régime de propriété privée, où interviennent les principes (et des questions telles que: Qui peut accéder à la propriété? Est-elle possible pour des non-nationaux?), les autorités (l'administration territoriale, la justice), les procédures d'immatriculation, les enquêtes et la publicité foncière, l'enregistrement des mutations et les procédures de contentieux. Ainsi, même dans le contexte de la propriété privée, les droits ne sont pas indépendants des normes et des autorités qui les définissent, en garantissent la mise en pratique et arbitrent les conflits.

En réalité, c'est en identifiant qui *contrôle* la terre ou la ressource dont il est question qu'il est possible de préciser les modes d'accès aux droits opérationnels – droits de prélever des ressources naturelles et droits de cultiver ou d'aménager. Dans la pratique toutefois, la relation entre normes et droits n'est pas univoque et, au sein des régulations coutumières comme dans le droit positif, des normes contradictoires peuvent coexister. Ainsi, en régime coutumier, le principe selon lequel «on ne refuse pas la terre à qui en a besoin pour manger» peut se trouver en contradiction avec celui d'après lequel «il faut préserver le patrimoine familial et les possibilités de vie des futurs membres du groupe familial» (Jacob, 2002); ou encore, au sein du lignage, le droit d'accès à une parcelle sur l'ensemble du patrimoine entre en concurrence avec le droit de culture sur une parcelle donnée, consolidé par une occupation continue (Breusers, 1999). De même, dans le cadre des normes publiques, les contradictions entre législations sectorielles diverses sont fréquentes.

Mais c'est le plus souvent entre normes locales et normes étatiques que les oppositions sont les plus massives. En effet, plusieurs revendications contradictoires, toutes légitimes chacune dans son registre normatif, peuvent coexister, et il existe une compétition entre les différents pouvoirs en matière d'arbitrage.

Dans les deux cas, c'est dans une relation dynamique entre instances (qui a le pouvoir d'affecter ou de valider des droits?),

normes (qu'est-ce qui est autorisé ou interdit? Qu'est-ce qui légitime tel droit?) et procédures ou outils (modes de négociation, procédures de validation des droits ou des transactions, contrats types, cartes, marquages physiques et autres bornages, etc.) que les droits sont sécurisés.

Précarité économique, précarité foncière et insécurité

La *sécurité foncière* découle ainsi du fait que les droits détenus, quels qu'ils soient, ne sont pas remis en cause sans raison, ou qu'ils sont réaffirmés en cas de contestation induite. Elle n'a rien à voir avec la nature des droits, ni avec leur caractère légal ou non.

A l'inverse, l'*insécurité foncière* découle du fait que des droits, *légitimes au regard d'un registre de normes*, sont remis en cause, ne peuvent être exercés paisiblement, voire sont impossibles à exercer ou sont tout simplement annulés.

L'insécurité foncière est donc fondamentalement différente de la *précarité foncière*, qu'on peut définir comme le fait de ne pas avoir de visibilité à court, moyen ou long termes sur les droits d'accès à la terre dont on pourra disposer. Un agriculteur qui exploite des terres en location, sur la base de contrats annuels, est en situation précaire, il n'est pas en insécurité foncière (sauf si son contrat est rompu en cours d'année). Cette précarité peut elle-même être *réelle* (si le risque que le contrat ne soit pas renouvelé est réel) ou *potentielle*, lorsque, en pratique, la relation avec celui qui lui a loué la parcelle est durable et que, même si ce dernier a bien le droit de reprendre la parcelle chaque année, la reconduction est automatique dans les faits.

Quant à la *précarité économique* d'une famille, elle renvoie au fait que celle-ci ait du mal à assurer sa reproduction économique, et à, comme on dit, «joindre les deux bouts». Naturellement, cela est en partie lié au fait que l'assise foncière de l'exploitation et les surfaces cultivées (en fonction des potentialités des terres, des rapports de prix, des itinéraires techniques, du statut foncier et des éventuelles redevances) ne suffisent pas à entretenir le

foyer. Mais cela ne l'est qu'en partie car des revenus extra agricoles, par exemple, peuvent venir compenser une faible assise foncière.

Il existe bien évidemment des liens entre la précarité économique et le foncier:

- Une partie (plus ou moins importante selon les zones) des ventes de terre est due à la détresse, faute d'alternatives pour faire face à des besoins monétaires urgents. La précarité économique se traduit ainsi par une décapitalisation foncière, qui aggrave encore la situation économique du foyer. Le besoin monétaire peut aussi obliger à mettre des terres en gage, voire en location.
- Faute de pouvoir payer le coût d'une location, payable à l'avance en argent, certains agriculteurs à la recherche de terres à cultiver peuvent être obligés de se rabattre sur des types de contrats moins avantageux.
- Dès lors que le produit de la récolte paie les intérêts et non le capital, la mise en gage se traduit fréquemment par une décapitalisation foncière.

Mais les problèmes de précarité économique et de pauvreté rurale ne se traitent pas nécessairement par une entrée foncière. Le prix des produits, la maîtrise des filières, l'accès au crédit (productif et de trésorerie) à travers des systèmes de microfinance ne demandant pas de garantie bancaire sont en effet susceptibles d'avoir des impacts plus importants. On peut ainsi penser – même si cela ne semble pas avoir été démontré – qu'une politique de microfinance est apte à avoir des effets régulateurs sur le «marché» foncier. De même, on peut penser que, si elle est mise en œuvre de façon à ne pas exclure les plus démunis, une politique de reconnaissance des droits locaux peut contribuer à accroître le prix des terres, permettant ainsi aux exploitations les plus pauvres de sortir de l'agriculture et de mieux valoriser leur patrimoine.

Insécurité juridique, normative, institutionnelle, contractuelle

Lorsqu'elle est réelle, l'insécurité foncière peut avoir plusieurs origines:

- Des droits obtenus à une époque donnée peuvent être contestés aujourd'hui pour différentes raisons, entre autres:
 - *Des droits contradictoires*, relevant de normes différentes, se superposent sur un même espace.
 - *Les évolutions du contexte* amènent certains acteurs à vouloir renégocier ces droits. Par exemple, certaines affectations de droits d'exploitation sans limitation de durée sur des jachères (appelées «installations») comprennent une clause de reprise en cas de besoin; dans les zones de forte migration ancienne, les droits accordés aux migrants il y a 20 ans sont aujourd'hui remis en cause par les jeunes autochtones, qui considèrent que les patrimoines fonciers familiaux ont été dilapidé par leurs pères.
 - *Il existe un flou* sur le contenu d'un accord passé, et les plus âgés n'ont plus la capacité d'assurer la mémoire de l'histoire foncière villageoise.
 - *Les contradictions entre normes* favorisent les revendications opportunistes ou les manipulations. Ainsi, un acteur urbain ayant négocié le droit de planter sur une terre en profite pour enclencher une procédure d'immatriculation visant à en obtenir la propriété; de même, il peut y avoir des contradictions internes intrinsèques aux normes coutumières.
- Des formes nouvelles de transactions ne sont réellement régulées, ni par les mécanismes coutumiers, ni par les règles étatiques, ce qui produit de l'indétermination, du flou et des conflits. C'est souvent le cas des ventes de terre. Il existe donc différents types d'insécurité. Sans que cela soit pour autant une typologie fixe, l'insécurité foncière peut être de nature diverse:
 - *Juridique*, lorsque la source du problème vient de contradictions fortes entre le droit positif et les principes légitimes sur le plan local. Ainsi, dans la plupart des législations foncières, les droits coutumiers ont un statut ambigu, et ne bénéficient pas d'une réelle reconnaissance par l'Etat.
 - *Normative*, lorsqu'il existe une indétermination sur les normes devant régler un cas de figure donné. Il en est ainsi lorsque normes locales et étatiques sont en contradiction ou lorsque certains problèmes concrets ne trouvent de réponse ni dans les règles locales ni dans le droit positif (c'est le cas pour les ventes de terres objet de droits coutumiers, qui existent tout en n'étant pas reconnues comme légitimes localement et ne relevant pas non plus de procédures précises).
 - *Institutionnelle*, lorsque la compétition et la concurrence entre instances (coutumières, publiques, mixtes, etc.) jouant un rôle dans la régulation foncière – ou leur corruption – amènent à des arbitrages illégitimes ou illégaux, ou bien lorsque les procédures d'accès au droit sont en pratique inaccessibles.
 - *Contractuelle*, lorsque c'est le contenu même du contrat entre deux personnes qui se montre flou. On voit ainsi, d'une part, que la nature diverse de l'insécurité n'appelle pas toujours les mêmes types de réponses (en pratique, les cas de conflits mêlent souvent plusieurs formes), d'autre part, que l'arbitrage et la gestion des conflits sont une dimension à part entière de la sécurisation. Le fait le plus frappant réside sans doute dans les décalages au sein des normes.

SÉCURISATION FONCIÈRE ET RÉGULATIONS

La sécurité foncière plus que la propriété

La thématique de la sécurisation foncière émerge ainsi d'une critique d'une approche de la sécurité foncière en termes de titre:

- *La sécurité des droits* suppose que ceux-ci ne soient pas contestés sans raison, ou que, en cas de contestation infondée, les droits légitimes soient confirmés; cela vaut quels que soient les droits en question, leur nature, leur origine ou leur statut au regard de la loi.
- *Il ne faut donc pas confondre* «sécurité» des droits et «nature» des droits: par exemple, un droit de culture temporaire peut être précaire, sans que cela ait de lien avec la sécurité ou l'insécurité.

- *Des titres peuvent ne pas offrir* de sécurité foncière en pratique, s'ils ne bénéficient pas de reconnaissance sociale ni de légitimité locale.
- *D'un point de vue productif*, l'enjeu est de garantir un accès sécurisé à des «droits d'exploitation» (prélèvement, exploitation, investissement) et non à la propriété en tant que telle, la propriété privée n'étant qu'une forme de droit.
- *Plus largement*, d'un point de vue empirique l'enjeu est bien celui de l'accès à la terre et aux ressources, et du *contrôle* de cet accès.

L'approche en termes de sécurisation permet ainsi de raisonner sur la *sécurité de l'accès* aux ressources productives, sans présager a priori de la *nature* des droits sur ces ressources, ni de leur *statut juridique*. La question de la sécurité foncière (indispensable pour produire et condition de paix sociale) peut ainsi s'aborder de façon indépendante de celle de la propriété (et en tout cas du statut légal des droits), ce qui permet de prendre en compte la large gamme des droits existants: droits dits «coutumiers», mais aussi droits issus de la loi (titres, permis d'exploiter, etc.) ou droits hybrides (exploitants installés par l'Etat sans statut juridique, terres coutumières achetées, etc.).

La sécurisation foncière comme enjeu de régulation

Parler de sécurisation, c'est, comme le souligne Le Roy, mettre l'accent sur le *processus de sécurisation*, c'est-à-dire le processus par lequel les droits sont affectés, validés, et garantis en cas de contestation. Cela montre que la sécurité foncière n'existe pas en soi, mais est nécessairement le résultat d'un processus social, mettant la question des *institutions* (normes, autorités) et celle des liens entre droits et *autorités* (coutumières, néo-coutumières, étatiques, etc.) au cœur du débat. Cela vaut pour les droits acquis dans le cadre de régulations tant coutumières qu'étatiques, et renvoie tout particulièrement à la racine du problème foncier en Afrique où, pour une part, l'insécurité foncière découle de la pluralité des

normes et de la compétition entre instances d'arbitrage, insuffisamment articulées ou hiérarchisées (Lavigne Delville, 2000).

Dans ce contexte, du fait des évolutions sociales et politiques, de l'intervention de l'Etat et des projets de développement, les acteurs de la gestion foncière locale, potentiels ou réels, sont aujourd'hui très nombreux. Aussi la sécurité foncière découle-t-elle du soutien des acteurs les plus puissants, ou d'un accord sur les droits en question négocié entre différentes parties prenantes. La sécurisation foncière relève ainsi d'un enjeu de régulation sociale, à savoir des formes de coordination entre acteurs multiples, des processus d'«élaboration des règles, c'est-à-dire [des] ajustements sociaux et [des] compromis qui les rendent acceptables» (Gaudin, 2004), à travers des conflits et des négociations impliquant l'émergence de régularités dans les décisions et les arbitrages «d'autorités légitimes et gestionnaires» (Le Roy, 1996).

CONCLUSION

Ces clarifications conceptuelles permettent de poser de façon plus substantielle les questions de la sécurité et de la sécurisation foncières. Elles semblent permettre d'échapper au piège du dilemme «titre/droits coutumiers», pour appréhender concrètement les situations foncières.

«Passer de 'sécurité' à 'sécurisation', c'est exprimer l'idée que la sécurité n'est pas un état stable, mais le résultat d'un ensemble de facteurs s'inscrivant dans un espace-temps à prendre en considération cas par cas» (Le Roy, 1996).

Cette problématique met l'accent sur la légitimité des normes à partir desquelles se définissent les droits, et sur le dispositif institutionnel qui les définit et les garantit. Elle permet de sortir de l'illusion que le titre foncier issu de l'immatriculation (ou n'importe quel autre document écrit attesté par l'Etat) est une condition nécessaire et suffisante de sécurisation³. Elle offre ainsi une perspective particulièrement

³ Sur la question des «petits papiers», voir Lavigne Delville, 2002.

intéressante, dans des contextes de pluralité conflictuelle de normes et d'instabilité des instances d'arbitrage et de régulation, tant d'un point de vue conceptuel qu'opérationnel. En effet, la question des dispositifs légaux et institutionnels de sécurisation foncière (les titres, les enregistrements, les formes de gestion de conflits, etc.) est dès lors abordée en relation aux problèmes d'insécurité effectivement rencontrés par les différents acteurs, et non pas a priori, selon un raisonnement formel.

La question des politiques foncières se pose ainsi sous un angle plus pertinent d'un point de vue scientifique, mais surtout *plus opérationnel*, en prise avec les enjeux concrets qui se posent aux acteurs, en évitant les problèmes conceptuels et les fausses oppositions qui obscurcissent trop souvent les débats.

BIBLIOGRAPHIE

- Breusers, M.** 1999. *On the Move; Mobility, Land Use and Livelihood Practices on the Central Plateau in Burkina Faso*, Münster, LIT/APAD, 423 p.
- Bruce, J.W. et Migot-Adholla, S.E.** éd. 1994. *Searching for land tenure security in Africa*, Kendall/Hunt, 282 p.
- Falloux, F. et Rochegude, A.** 1986. La nécessaire maîtrise des espaces fonciers pour la gestion rationnelles des ressources. *Atelier sur le contrôle de la désertification et la gestion des ressources renouvelables dans les zones soudano-sahéliennes d'Afrique de l'Ouest*. Oslo, Banque mondiale, 28 p.
- Gaudin, J.P.** 2004. *L'action publique: sociologie et politique*. Presses de Sciences Po/Dalloz, Paris, 242 p.
- Hesseling, G.** 1991. Les citadins et le droit à la ville: des stratégies diversifiées, dans Le Bris *et al.*, *L'appropriation de la terre en Afrique noire*, Karthala, p. 203-213.
- Jacob, J.P.** 2002. La tradition du pluralisme institutionnel dans les conflits fonciers entre autochtones. Le cas du Gwendégué (Centre-Ouest du Burkina Faso), Document de travail de l'UR 095 n° 3, UR REFO-IRD/GRET, 39 p.
- Lavigne Delville, Ph., éd.** 1998. *Quelles politiques foncières en Afrique rurale? réconcilier pratiques, légitimité et légalité*. Ministère de la Coopération, Paris, Karthala.
- Lavigne Delville, Ph.** 1998b. Sécurité foncière et intensification. Dans Ph. Lavigne Delville (éd.), *Quelles politiques foncières en Afrique noire rurale? réconcilier pratiques, légitimité et légalité*, Ministère de la Coopération, Paris, Karthala, p. 264-292.
- Lavigne Delville, Ph.** 2000. Harmonising formal law and customary land rights in french-speaking West Africa. Dans C. Toulmin et J. Quan (éds), *Evolving land rights, policy and tenure in Africa*, DFID/IIED/NRI, Londres, p. 97-121.
- Lavigne Delville, Ph.** 2002. *Les pratiques populaires de recours à l'écrit dans les transactions foncières en Afrique rurale. Eclairages sur des dynamiques d'innovation institutionnelle*, Documents de travail de l'UR REFO 7, IRD, 22 p.
- Le Roy, E.** 1996. Des autorités foncières légitimées, autonomes et gestionnaires. Dans Le Roy *et al.*, éds. *La sécurisation foncière en Afrique*, Paris, Karthala, p. 239-250.
- Le Roy, E., Karsenty, A. et Bertrand, A.** 1996. *La sécurisation foncière en Afrique: pour une gestion viable des ressources renouvelables*, Paris, Karthala.
- Platteau, J.-Ph.** 1996. The evolutionary theory of land rights as applied to sub-saharan Africa: a critical assesment. *Development and change*, (27)1: 29-86.
- Platteau, J.-Ph.** 1998. Droits fonciers, enregistrement des terres et accès au crédit. Dans Ph. Lavigne Delville (éd.), *Quelles politiques foncières pour l'Afrique rurale?* Coopération française, Paris, Karthala, p. 293-301.



Communications stratégiques pour des projets d'enregistrement des terres: étude de cas sur El Salvador

Parmi les nombreuses conditions requises pour un développement économique rationnel, deux conditions sont jugées primordiales: un accès socialement équitable à la terre et la sécurité des droits fonciers. Une grande étude publiée récemment par une équipe de chercheurs (Deininger, 2003) présente des observations de portée mondiale, couvre les différentes options et stratégies possibles, mais ne traite pas d'un aspect fondamental, qui peut déterminer l'échec ou le succès de tout projet d'accès à la terre et d'enregistrement des biens fonciers, à savoir les communications stratégiques, qui font partie intégrante de tout projet, programme ou initiative visant à renforcer les institutions. Cet article s'efforcera, du moins en partie, de combler cette lacune et d'encourager les débats sur une question qui risque d'être sous-estimée et, en conséquence, sous-financée ou mal gérée.

Las comunicaciones estratégicas en los proyectos de registro de tierras: estudio de caso de El Salvador

Entre las numerosas condiciones necesarias para un desarrollo económico adecuado, es sabido que el acceso socialmente justo a la tierra y la seguridad de los derechos de tenencia revisten la máxima importancia. Un trabajo de gran envergadura publicado recientemente por un equipo de investigadores (Deininger, 2003) presenta observaciones realizadas en todo el mundo y expone las diversas opciones, así como toda la gama de estrategias diferentes. Sin embargo, no aborda un aspecto que es fundamental para el éxito o el fracaso de todo proyecto relacionado con el acceso a la tierra o con el registro de la propiedad agraria: las comunicaciones estratégicas, componente integral de cualquier proyecto, programa o actividad de fortalecimiento institucional. Este artículo intenta colmar, al menos en parte, esa laguna y estimular el debate sobre un aspecto que se corre el riesgo de subestimar y que podría, en ese caso, no recibir financiación suficiente o ser objeto de una gestión inadecuada.

Strategic communication for land registration projects: a case study from El Salvador

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Of the many conditions required for proper economic development, socially just access to land and security of land rights are recognized as being of the utmost importance. A major recent publication by a team of researchers (Deininger, 2003) presents worldwide observations, covers the different options and all the various strategies – yet does not treat one aspect that is of vital relevance for the failure or success of any land access or land registration project: that of strategic communications, which are an integral component of any project, programme or effort towards institution building. This paper will try to fill this void, at least partially, as well as to stimulate discussion about a topic that risks to be underappreciated, and consequently underfunded or mismanaged.

STRATEGIC COMMUNICATION

Strategic communication is much more than the mere dissemination of information via usual means. It is not institutional public relations, nor the brainwashing of beneficiaries. It is communication for sustainable development with a holistic approach, which involves actively soliciting stakeholders' views in order to shape policy, putting in place mechanisms for a two-way flow of information and pursuing a dialectical process to reach a consensus on future actions (FAO, 2005).¹

A strategic communication approach consequently does not add costs to the project cycle but rather reduces them – eliminating useless, meaningless, often

unplanned communication activities and, furthermore, ensuring that the project is properly designed, its goals shared by all stakeholders and that its implementation is successful (Santucci, 2005).

With reference to land registration projects, the essential roles of communication within such a participatory approach are as follows (Dalal-Clayton and Bass, 2002):

- to create awareness about land registration activities, purposes and consequences for public authorities and private owners, as well as an appropriate communication environment;
- to create momentum and reinforce the continuity of the registration process;
- to ensure transparency;
- to manage expectations.

At the operational level, strategic communication requires identifying the key stakeholder groups, defining together what is expected from them, elaborating appropriate messages, selecting communication methods

¹ Two major issues are inclusion and expression. Inclusion brings stakeholders into the process, while expression solicits their views and opinions about the most important development issues they face. The successful involvement of stakeholders will ensure effective ownership, participation and accountability in both preparation and implementation.

and media, indicating responsibilities and resources and agreeing on indicators for monitoring results.

Among the key questions are the following:

- Stakeholders: Who are the groups and categories with primary and secondary interests in the future activities? What do they already know and think about the contents and goals of the project?
- Stakeholders' involvement: What is expected from them? Which behaviours, although justified by habits and traditions, should be modified through the project?
- Research: What do we need to share – existing knowledge, attitudes, practices – before planning our messages? How do the different categories get information and skills? Which sources of information do the stakeholders rely upon?
- Media and methods, resource institutions and individuals: What information is already being offered? Which agencies (public, private and non-governmental organizations [NGOs]) are already operating? What skills and talents are available and could be drawn upon to help develop and implement strategic communication?
- Budget: What will be the cost of strategic communication involving all groups of stakeholders?
- Evaluation criteria: What indicators of inputs, outputs, outcomes and impacts will be used to continuously and periodically monitor the implementation of the communication strategy, so as to introduce timely improvements? How will the stakeholders be involved in the monitoring and evaluation (M&E) process?

Communication activities involve an iterative process that can be divided into five important steps: (1) assessment; (2) planning; (3) material development and pre-testing, as well as training of advisers on topics and communication techniques; (4) implementation, monitoring and ongoing evaluation; and (5) final evaluation. The monitoring and evaluation (both ongoing and final) allow a continuous circle of

reassessment and refinement (Cabañero-Verzosa, 1999), both within the time frame of the project and for future projects.

Central to the assessment stage is to obtain the information that will guide the communication strategy and to identify the following elements: which stakeholders need to be reached, who are they and how are they segmented; which behaviour should be encouraged or discouraged; what approach is feasible for the identified group(s) of stakeholders; which opinions and attitudes should be corrected; which are the communication channels used by the stakeholders and which sources do they trust. For example, many rural people do not trust their governments, or they fear that land registration will lead to taxation. They hide when the measurement teams arrive and sometimes even fiercely oppose registration actions. In other cases, even with a positive attitude about registration, interested parties are not on the spot to agree about boundaries, or they do not have any available documents demonstrating existing rights. Many have emigrated abroad or moved into towns, and the family members still at the village need time to contact them in order to get information or papers about their land rights. To avoid resistance and delay, different communication activities are required to open the way and prepare the ground for the technical and legal teams, which otherwise risk losing precious time and missing the technical targets of the project (number of owners registered, number of parcels, areas measured, conflicts solved, etc.).

Therefore, issues such as existing communication sources and channels and their capabilities, as well as basic socio-economic facts about each different stakeholder group, their cultural and political dynamics, the government's existing plans and the public views about the existing programmes, all need to be included in a social assessment.

At the planning stage, a clear course of action is devised on the basis of this information. Important elements of the plan include: the behaviour aimed at,

the planned achievements, the message concepts that will promote perceived benefits of the new behaviour and the communication methods and media to involve the stakeholders in the most effective way to ensure their full and conscious participation. Supporting elements such as a budget, a timeline and the building of institutional capacity for communication work are also necessary.

At this stage, two factors are very important. The first is the specificity of each group of stakeholders and their context: each activity should be selected for each stakeholder group² with specific messages and channels in mind to achieve specific goals. The tailoring of the communication to the stakeholders will strongly influence both the goals of the strategy and the length of time it will take to be effective. The second factor is the need for realism; it should be taken into account that changes in opinion, attitude and behaviour are always a long-term process.

Finally, monitoring and ongoing evaluation should be carried on simultaneously with implementation, as programmes are monitored to gather systematically information on stakeholders' participation, opinions about messages, and subsequent changes in knowledge, attitudes, beliefs and practices associated with the intervention. The goal of monitoring is to make continual corrections that will improve the communication intervention. A separate and final evaluation follows completion of the project, to provide lessons for future communication programmes (Cabañero-Verzosa, 1999). Usually, the setting of well-defined objectives and targets in collaboration with the stakeholders themselves makes it possible

² For example, the prospective audience can be distributed along a "stages of change" continuum, i.e. from those who are ignorant that a problem exists, through those who are aware, concerned, knowledgeable, motivated to try a new behaviour and finally, those already engaged in the recommended behaviour (Cabañero-Verzosa, 1999). The prospective audience also can be divided into government officials at all levels, academics, institutes, think tanks, NGOs, international organizations, opinion formers/spokespersons/ local leaders, civil society and its organizations, the media and so on (Mozammel and Zatlouk, 2002).

to prepare verifiable, useful indicators both of the impact and the process; however, it should be kept in mind that such procedures are notoriously challenging. For example, changes in stakeholders' knowledge, awareness and behaviour will be influenced by many factors other than the implemented communication activities, thus making it difficult to attribute those changes solely to the communications strategy. In addition, needs, expectations and requirements shift rapidly, calling for rapid support and adaptation in a process that is always highly demanding (Dalal-Clayton and Bass, 2002).

THE LAND ADMINISTRATION PROJECT (EL SALVADOR)

The Land Administration Project (better known as PAT, Proyecto de Administración de Tierras) began its operations on 30 March 1997 with the aim of regularizing land registration for several million rural and urban land parcels and strengthening an already existing, relatively efficient and financially self-sustaining authority, the National Registry Council (NRC; in Spanish CNR, for Consejo Nacional de Registros). As in many other countries, the land tenure situation in El Salvador was largely confused, with poor or totally missing documentation, de facto occupancies and unclear property rights. This situation contributed to civil unrest, which ultimately led to the civil war of the 1980s.

After the peace agreements of January 1992, it was felt that the entire system had to be modernized. With Executive Decree 62/1994, the NRC was established under the jurisdiction of the Ministry of Justice. Several institutions have been merged: the Register of Properties and Mortgages (established in 1881), the Social Register of Estates (established in 1991 for dealing with small and very small owners) and the National Geographic Institute. Later on, with Legislative Decree 462/1995, the NRC was put under the jurisdiction of the Ministry of Economy.

A first pilot project was funded in 1995–97 by the World Bank and took place in the

Department of Sonsonate. In this period, the communication activities were managed directly, with mass communication and field agents (promoters) coordinated by the Communication Unit of the NRC (UEP-CNR, 1995). Technical activities were contracted out to private operators. This separation of tasks caused several coordination problems, but the final results of the experience were satisfactory: 114 000 parcels were properly registered, in comparison with the target of 120–150 000 parcels.

When the latest project started in 1998, in order to avoid coordination problems between field promoters and measurement activities, the field promotion was contracted out to the same company that had won the contract for technical measurement. After the first months, the need was felt to have at least one professional fully devoted to managing and coordinating both levels of communications, those channeled through mass media, and those to be carried out in the field via personal communication. Also in 1998, the character of *El Chambita Medidor* (“the small Salvadoran who measures”) was invented, who goes from village to village and from place to place to measure the land. A song was also produced, which (with local music) says that the measurement will take place. This song initially lasted almost two minutes and now has been reduced to 51 seconds, so as to fit better in radio programmes. In three years, over 217 000 parcels were fully registered, versus an estimated number of 222 000, in the departments of Ahuchapan and Santa Ana.

Still, direct management of mass information was felt to be much too cumbersome for the NRC and required too much bureaucracy. Consequently, in 2001 it was decided to outsource the whole package, with one single contract for technical measurement operations, field promotion activities and mass communication. The Communication Unit of the NRC had now to concentrate its attention on general supervision and on corporate communication.

The project was divided into three contracts: a) the Department of La Paz

with 102 000 parcels; b) the rural part of the Department of San Salvador and the Department of La Libertad, with 274 000 parcels; c) and the metropolitan area of the capital, El Salvador, with an estimated 532 000 parcels. Altogether, an estimated total of 908 000 parcels had to be fully registered before project conclusion in December 2004. The first two bids were won by the same company and the third was won by another firm; in addition, the first two contracts were implemented using slightly different organizational strategies because the terms of reference were conceived in a different way. The communication budget was divided into 70 percent for field operations (including salaries, operational costs of promoters and the recently established hotline) and 30 percent for mass communications, out of which 60 percent is for radio and 40 percent for printed materials.

Mass communication

Mass media communication for contracts (a) and (b) were organized by the same firm, and cooperation was established with the firm that won contract (c), to avoid confusing messages and to exploit all likely scale economies.

Mass communication was largely based on radio spots, with short stories with the well-known jingle saying that *El Chambita Medidor* was coming to measure the parcels. Owing to the small size of the country, these transmissions covered the whole of El Salvador. Schedules were carefully planned to avoid periods with excessive competing communications (Christmas, Easter) or pre-electoral weeks. Each contract entailed 1 500 spots per month, for a total of 4 500 per month. Other mass communication was made using the same jingle on local radio or market radio, complemented by a final message indicating that the measurement was organized for the following days. On the first day of measurement, cars with loudspeakers moved through the area, reminding residents that the registration operations had started.

In order to strengthen the message, posters, leaflets and comic books for children were distributed in the area that was going to be measured. The comic books described likely situations and they were useful to transmit some suggestions to adult non-readers, via their children.

Field promotion

Field communication activities are extremely important to reinforce the message and to ensure that when the measurement staff arrive, owners or occupants of all parcels will be there, with the available documentation. Field operations were structured into two phases:

First phase (diagnosis and analysis): about 30 days before the technical staff come, the promoter scouts the area, checks the correspondence with existing maps, verifies that roads and streets are accessible, takes note of crops, speaks with people about what is going on and introduces himself or herself. The promoter hangs posters in visible places and distributes leaflets. Later the promoter returns to the same area, sometimes accompanied by other personnel, sometimes with a supervisor or NRC staff, to visit the local leaders (mayors, clergy, health operators, the presidents of the neighborhood council, teachers, police, etc.) in order to have their support. Meetings are organized for the entire population.

Second phase (local promotion): during the week before the measurement staff arrive, four days are devoted to intensive interpersonal communication in the area to ensure that all owners or occupants, or empowered relatives, will be present on the measurement days, ready with their documents (if they have any) and willing to cooperate. The promotion consists of several meetings – previously organized with local leaders, groups or individuals – to explain the reasons and the benefits, reduce the fear of new taxation, define the timing of operations and get names and telephone numbers. All this information is given to the supervisor. The fifth day coincides with the first day of the technical staff's arrival

in the area. The promoter accompanies the supervisors and technical staff, and a car with a loudspeaker canvasses the area.

Hotline

With the operations approaching the capital area, it was decided to open a telephone hotline, through which interested people could get information about forthcoming measurement activities. In 2003, about 20 calls per day were received. Information required was monitored and feedback was given to improve field operations and mass media utilization.

Monitoring and evaluation of the communication activities

The improvement of the quality of communication was always considered vital by the NRC management and by the contracted agents, and consequently output (radio emissions, posters, information in the daily newspapers, field activities, etc.) was monitored constantly.

In 2001, a formal evaluation of the communication activities was carried out. About 3 000 people in the departments of Ahuchapan, Santa Ana and San Salvador were interviewed. Field operations had not started yet in San Salvador, but project management wanted to explore the level of existing awareness. It turned out to be quite high (70 percent in San Salvador), and 76 percent knew that NRC was measuring the parcels. The *Chambita Medidor* was known by 81 percent (86 percent in San Salvador). Radio spots were the most important information medium (88 percent), with all other methods below 10–15 percent. Also, in the areas where the field promotion had been carried out, the vast majority of respondents attributed their knowledge to radio spots. It was found that the message was still remembered by 62 percent of the people. The radio message was considered easy to understand (86 percent) and very much appreciated (71 percent). Sixty-five percent liked the song and 77 percent suggested to make no changes.

Other methods or media referred to by the respondents were the home visits

(11.5 percent and 12.3 percent, respectively, for Santa Ana and Ahuachapan); announcements in the daily papers (4.5 percent and 3.1 percent); cars with loudspeakers (13.5 percent and 9.8 percent); leaflets (5.7 percent and 4.2 percent); posters (10.0 percent and 3.4 percent); and comic books (1.4 percent and 0.5 percent). For the future, respondents suggested also to use television (46 percent), to be more informative and explain better why measuring the properties is important (25 percent) and generally to make more promotion (24 percent). Following this study, and also taking into consideration observations made by field personnel and other staff, some changes were proposed in the format and contents of both graphic and spoken communication. Focus groups were used to validate the suggested changes before their implementation, with one group from a rural area and another from an urban area.

Another evaluation (Hernández, 2003) took place on 12 March 2003 in nine municipalities where 500 people were interviewed; 93 percent knew that the technical measurement operations were coming, and all five technical aspects were known by more than 80 percent of respondents. The most important communication media had been the leaflets (22 percent), the radio spots (20 percent) and the loudspeakers mounted on a car (18 percent). Individual meetings with the field promoters were quoted by 18 percent and community meetings by 9 percent of respondents.

Changes introduced after evaluation

The new messages were made more gender sensitive: in the radio spots some new characters were women, and a woman also appeared on the posters. Names of areas under measurement were not printed; instead there was a blank space where they could be written with block letters by the field promoters. This change reduced the production cost, eliminated waste of leftover posters and allowed the message to be focused better. The poster size was reduced and it was printed horizontally. The name

of the measuring firm was deleted (it was misleading and led to waste), and only the NCR logo was put on posters, t-shirts, caps and other promotional items. This allows the same materials to be used for all firms, with obvious scale economies. Positioning of posters in public places was improved and radio transmissions have been timed better to reach the highest number of listeners. Leaflets have been printed on cheaper paper and only in black and white, but in much larger numbers.

Conclusions

The communication strategy of NCR has been quite successful, because several aspects were combined in a positive way: the organizational setting, the appropriate mix of mass media and labour-intensive methods, continuous monitoring and periodic evaluations. All stakeholders participated in the evaluation and contributed their opinions and suggestions: the field agents who took note of what they felt and saw while talking with the people; the supervisors; the measurement personnel; and the hotline operators who reported about the typology of questions. There was also an external component, in the form of focus groups and surveys. These components were applied with attention to budget and to cost-effectiveness, leading to a better and more efficient strategy.

RECOMMENDATIONS

Mainstreaming strategic communications into rural development projects does not appear to be a tremendously difficult task, nor does it seem that it could produce cost increases. Almost all rural development projects pay for field-level personnel, produce an impressive variety of printed materials, contribute to radio programmes, create TV ads and have public relations activities – but with little planning and almost no monitoring and evaluation. There is a lot of creativity but not much order, and this means that there is sometimes a waste of resources, little or no knowledge creation and slow improvements. Therefore, some of the following recommendations (Santucci, 2005)

are deceptively simple, but this only confirms that with a little effort and some professional skill, great improvements are possible.

Have a communication expert in the project formulation team. A communication expert should be integral to the project formulation team, in order to have the communication problems in view from the very beginning of the talks. This person should have two main tasks: a) to ensure that communication activities are properly envisioned and budgeted, interacting with the other technical expertise; and b) to ensure that proper communication activities are actually implemented during the project formulation, to promote full and conscious participation of all likely stakeholders.

Develop a communication audit. In all countries, rural people already receive information from a variety of existing sources: radio and TV stations, newspapers and magazines, NGOs, churches, ministries, friends and intermediaries. The knowledge of what media are available in the future project area is extremely relevant for designing the draft of the communication strategy.

Establish a team of communicators. Whenever a project will involve more than one agency, at least one communicator per agency should be designated as a member of the communication team, either during the formulation or later during the implementation.

Identify likely stakeholders. The various groups of stakeholders should be identified and described, both qualitatively and quantitatively, because this information is fundamental to the design of the technical part of the project, and even more vital for the communication strategy. Social and economic variables can be used in this exercise, so as to have a clear vision of who will be involved in the project formulation and implementation.

Introduce opinions and beliefs, attitudes and knowledge into the baseline. Most projects want to change the present situation and introduce some modifications in people's attitudes and behaviour. These objectives can only be achieved if the individuals and the communities are willing and able to implement some suggested behaviour, but behaviour is influenced by beliefs, attitudes and knowledge. The existing situation at the moment of project design should therefore be properly described in terms of what people think about institutions, their living conditions, and their perceived problems, perspectives and beliefs.

Set quantitative communication objectives. Once the baseline has been established (partly during project formulation and partly through specific surveys at the very beginning of the project implementation itself), intermediate and final quantitative targets should be established, to be reached at progressive stages during the project (e.g. after one, two and three years) and upon its completion. These intermediate and final targets are the primary objectives of the communication activities and should not be confused with the project's technical objectives (establish new legislation, register a certain number of properties, solve certain disputes, register a given number of hectares, reduce time for recording by a specific number of days, and so on). As a matter of fact, the achievement of the technical objectives is not only due to improved knowledge or a change of opinions, but also to such factors as availability of inputs, market fluctuations, climatic conditions and political stability. It has been proved (Rogers, 1983) that on many occasions, the knowledge of the beneficiaries has been improved and they have developed a proactive desire to change, but change failed to occur owing to other impediments. The establishment

of appropriate communication targets and the monitoring of the evolution can lead to greater understanding of whether the missing change of behaviour is due to poor communication, or to other causes.

Elaborate a strategy and then a programme of communication activities.

The overall strategy describes the main purposes and the directives for the communication activities, their major orientations and motivations, whereas the annual programmes of activity enter into more specific details.

Quantify a budget for communication.

The resources available for communication activities should be clearly established in the Project Appraisal Document and their utilization should be properly respected.

Establish monitoring and evaluation procedures.

Continuous monitoring and evaluation is fundamental for the smooth management of any project. If the communication strategy has been converted into a programme of activity, monitoring its implementation becomes easier (in terms of output production), and consequently facilitates the effective use of the budget. Impact evaluation should also be forecast via specific surveys, focus groups and opinion polls.

Pre-test all media and train all personnel.

All media to be produced in large numbers should be pre-tested beforehand, so as to avoid spending resources in useless or incomprehensible messages.

Avoid logo confusion. Projects do not last forever, but institutions remain. With this in mind, projects should not have their own logo and their own messages, but should rather channel their resources to strengthen the image of the agency or agencies they are supporting.

Ensure internal communication.

Knowledge management systems should be put in place to ensure that knowledge generated by the project is fruitfully shared and not lost. The flow of knowledge should be horizontal (between partner agencies), vertical (between the different layers of an agency), diachronic (through time) and should favour feedback mechanisms.

Educate for communication.

Short training courses should be organized for high-level officials and for technical staff about communication techniques. Most of these people are conscious of the relevance of good communication, but sometimes they lack the skills needed.

Ensure technical assistance to communication.

The implementing agencies might need backup support by specialists to elaborate and implement the communication strategy. In the technical assistance budget, as well as in the supervision missions or in the mid-term review mission, there should be room for a communication expert.

REFERENCES

- Cabañero-Verzosa, C.** 1999. *Strategic communication for development projects*. Washington, DC, World Bank (available at www.worldbank.org/developmentcommunications/Publications/FinalBook.pdf).
- Dalal-Clayton, B. & Bass, S.** 2002. *Sustainable development strategies. A resource book*. London, UK, Earthscan Publications.
- Deininger, K.** 2003. *Land policies for growth and poverty reduction*. Washington, DC, World Bank.
- FAO.** 2005. *Communication for development roundtable report, focus on sustainable development*. Rome, FAO.
- Hernández, A.** 2003. *Evaluación de impacto de promoción*. San Salvador, Kamsax.
- Mozammel, M. & Zatlökal, B.** 2002, *Strategic communication in PRSP*, Washington, DC, World Bank (available at <http://siteresources.worldbank.org/EXTDEVCOMMENG/Resources/prspstrategiccommchapter.pdf>).

Rogers, E.M. 1983. *Diffusion of innovations*. 3rd ed. New York, USA. The Free Press.

Santucci, F.M. 2005. *Strategic communications for rural development projects*. Washington, DC, World Bank (available at <http://siteresources.worldbank.org/EXTDEVCOMMENG/Resources/strategiccommruralfinal.pdf>).

UEP-CNR. 1995. *Campana de publicidad, divulgación y relaciones publicas, Información Básica*. San Salvador.

UNORCA and the financial dependence of producer organizations

With agricultural activity in deep crisis, civil society organizations and rural producer groups constitute a strategy for small producers to tap market opportunities generated by economic liberalization. But regrettably, the options are few and risky. This article provides relevant guidelines.

By their very nature, producer organizations should be financed by their members. Producer organizations that depend largely on external financing (e.g. government, international donors) run a serious risk of losing their autonomy, as their leaders become accountable to the financing body rather than to their membership. The problem facing UNORCA and any other producer organization is how to achieve that autonomy. The issue of financial independence is not exclusive to UNORCA; it is a problem with most civil society organizations in Latin America, which is why they frequently mirror the shortcomings of government structures, including paternalism and patronage.

Dépendance financière: un problème pour les organisations de producteurs. Le cas d'UNORCA

Compte tenu de la crise profonde de l'élevage, les organisations de la société civile, notamment celles qui regroupent les producteurs ruraux, représentent pour les petits producteurs un moyen de tirer profit des opportunités commerciales découlant de la libéralisation économique. Malheureusement, les solutions de rechange sont rares et risquées. Cet article présente quelques lignes directrices à ce sujet.

Les organisations de producteurs devraient, par définition, être financées par leurs membres. Lorsque les organisations de producteurs dépendent dans une large partie de financements extérieurs (du gouvernement, de donateurs internationaux, etc.), elles courent sérieusement le risque de perdre leur indépendance et autonomie, dans la mesure où leurs dirigeants doivent rendre compte à un organisme financier avant de rendre compte à leurs membres. Le dilemme qui se pose pour UNORCA, comme pour toute organisation de producteurs, est de savoir comment arriver à cette autonomie. Le problème de l'indépendance financière n'est pas un problème exclusif d'UNORCA, mais il affecte de la même manière une bonne partie des organisations de la société civile d'Amérique latine, qui finissent souvent par adopter des pratiques propres aux structures de gouvernement, comme le paternalisme et le clientélisme.

Dependencia financiera: un problema de las organizaciones de productores¹. El caso de UNORCA²

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En el contexto de una profunda crisis de la actividad agropecuaria, las organizaciones de la sociedad civil, en particular las que aglutinan a los productores rurales, representan para los pequeños productores una alternativa para aprovechar oportunidades de mercado que se generan en el contexto de la liberalización económica. Lamentablemente, las alternativas son escasas y riesgosas. Este artículo da algunas pautas a este respecto.

Por vocación, las organizaciones de productores deberían ser financiadas por los miembros que las constituyen. Cuando las organizaciones de productores dependen en una proporción mayoritaria de financiamiento externo (del gobierno, de donantes internacionales, etc.) corren el serio riesgo de perder su independencia y autonomía debiendo sus dirigentes rendir cuentas ante el ente financiero antes que hacerlo frente a sus propios miembros. El dilema que se le plantea a la UNORCA como a cualquier organización de productores, es cómo lograr esa autonomía. El problema de la independencia financiera no pertenece sólo a la UNORCA, sino que afecta por igual a un porcentaje mayoritario de las organizaciones de la sociedad civil en América Latina, lo cual conduce a que frecuentemente éstas reflejen problemas propios de la estructura de gobierno como son el paternalismo y el clientelismo.

PROBLEMAS

Organización de productores y/o movimiento político

La Unión Nacional de Organizaciones Regionales Campesinas (UNORCA)³ tiene un doble rol: como organización de productores y como movimiento político.

¹ El autor de las reflexiones presentadas en este artículo es Tomás Lindemann. El artículo fue escrito en colaboración con Laura Meggiolaro. Se agradecen las importantes contribuciones en materia de contenidos técnicos y editorial del documento aportadas por Paolo Groppo, así como la cuidadosa revisión técnica de lo relativo al contexto mexicano aportada por Adriana Herrera.

² El presente artículo está basado en impresiones recogidas por el autor durante una visita técnica de apoyo al proyecto TCP/MEX/ en el año 2004 y por lo tanto presenta informaciones que pueden resultar superadas. No obstante, consideramos que el interés de las observaciones recogidas justifica su publicación tardía.

³ La descripción contenida en esta sección está tomada de la página Web de la UNORCA (Unión Nacional de Organizaciones Regionales Campesinas e Indígenas Autónomas) accesible en <http://www.unorca.org.mx/>

El doble rol de la UNORCA puede producir un conflicto de intereses. Por ejemplo, por un lado, en su carácter de movimiento político la UNORCA aboga por la revisión de algunas de las reformas estructurales de los años 80 y 90, mientras por el otro, en su carácter de organización de productores aboga por la inserción de sus asociados en la dinámica de libre mercado, tal como se presenta actualmente.

Importancia de la autonomía financiera de la UNORCA

En cuanto instituciones de la sociedad civil, las organizaciones de productores tienen la ventaja comparativa respecto a las instituciones de gobierno de que, por vocación, deben estar controladas por sus miembros. El control de los miembros sobre sus instituciones está en función de la proporción del capital financiero que los mismos aportan a su organización.

Este es un talón de Aquiles que cualquier organización debe confrontar. De hecho, a la fecha de preparación del presente artículo, la UNORCA confiaba para su subsistencia principalmente en ayuda financiera por parte del gobierno mexicano, lo cual podía producir una relación de dependencia respecto del mismo. El presente artículo analiza las consecuencias de la dependencia financiera por parte de instituciones de la sociedad civil respecto de cualquier entidad financiera incluyendo el gobierno nacional, ayudas bilaterales y otros posibles actores. Así mismo, el artículo propone algunas estrategias para eludir a la dependencia financiera.

CONTEXTO EN EL QUE OPERA UNORCA⁴

La estructura institucional de la UNORCA

La Unión Nacional de Organizaciones Regionales Campesinas (UNORCA) es una organización de tercer nivel, constituida por unidades productivas regionales integradas por organizaciones de base en diversos Estados.

Si bien UNORCA es claramente una entidad constituida a partir de la convergencia de organizaciones regionales representativas de diversas corrientes políticas, en sus casi 20 años de existencia se ha ido generando un centralismo en su estructura de funcionamiento que puede representar un riesgo para el futuro de la organización. Esta centralización en la sede de la UNORCA reflejaba, en el momento del presente informe, una estructura de gobierno altamente concentrada que da por resultado un debilitamiento de las organizaciones regionales.

Por esa razón, la UNORCA tenía previsto establecer módulos regionales de asistencia técnica⁵ que aseguraran una

mayor cercanía entre la entidad y sus organizaciones miembros.

Esta descentralización hubiese generado una mayor proximidad entre las sedes regionales y las organizaciones locales y hubiese también permitido capturar mayores recursos de los programas de gobierno que cada vez están más disponibles a nivel local.

Sin embargo, la puesta en marcha de los módulos regionales presentaba dificultades prácticas, como la del financiamiento, que debían ser subestimadas. La puesta en marcha de los módulos tenía como primer requerimiento que éstos pudieran ser auto sostenibles.

Al momento de la preparación del informe la UNORCA contaba con un pequeño equipo técnico en las oficinas centrales, conformada por un Director, con especialidad en trabajo comunitario y desarrollo organizativo, encargado del seguimiento y operación de las actividades de la UNORCA; una especialista en planeación agrícola, encargada de la elaboración de proyectos; una bióloga, encargada de atender los programas de biodiversidad de la organización; y dos agrónomos, especialistas en café, responsables de poner en marcha la empresa de café de la UNORCA. También se contaba con infraestructura informática, que consistía en cinco equipos con acceso a Internet. En algunos Estados donde la UNORCA tenía presencia se contaba con equipo técnico y también equipo de informática.

Por otro lado la Unión tenía acceso a subsidios por parte del gobierno para garantizar la subsistencia de su aparato institucional y también asegurar el acceso a programas y servicios del gobierno a sus afiliados.

La UNORCA se define como una organización de amplia participación, de lucha, de trabajo y propuesta. Está integrada por campesinos, pequeños productores, jornaleros, avocados, colonos, jóvenes, mujeres, pescadores y trabajadores del campo de muchos Estados de la República: Campeche, Chiapas, Chihuahua, Colima, Distrito Federal, Durango, Guanajuato,

⁴ Algunos datos de esta sección del artículo se basan en el documento borrador de la Nota Informativa, México, noviembre 2003, preparada por la Dirección de Asistencia en Políticas de la FAO.

⁵ Se pensaba establecer estos módulos en las dependencias regionales de la UNORCA ubicadas en los anteriormente mencionados estados. Los módulos estarían formados por grupos interdisciplinarios de asistencia técnica que habrían suministrado servicios a organizaciones de la Unión.

Guerrero, Hidalgo, Jalisco, México, Michoacán, Morelos, Nayarit, Oaxaca, Puebla, Querétaro, Quintana Roo, San Luis Potosí, Sinaloa, Sonora, Tabasco, Tlaxcala, Veracruz, Yucatán y Zacatecas.

La UNORCA impulsa la amplia participación social en el ámbito nacional e internacional y representa diversas expresiones del movimiento campesino internacional, como *Vía Campesina*, la *Coordinadora Latinoamericana de Organizaciones del Campo* y la *Federación Internacional de Productores Agricultores*.

ANTECEDENTES

Estructura agraria y sistema de tenencia de la tierra en México⁶

La reforma agraria mexicana ha sido un proceso complejo y prolongado. La reforma tuvo su origen en una revolución popular de gran envergadura, y se desarrolló durante una guerra civil. El Plan de Ayala, propuesto por Emiliano Zapata y adoptado en 1911, exigía la devolución a los pueblos de las tierras que habían sido concentradas en las haciendas. En 1912 algunos jefes militares revolucionarios hicieron los primeros repartos de tierras. En 1915 las tres fuerzas revolucionarias más importantes, el constitucionalismo, el villismo y el zapatismo, promulgaron las leyes agrarias. La atención al pedido generalizado de tierras se convirtió en condición de la pacificación y del restablecimiento de un gobierno nacional hegemónico: la Constitución de 1917 incluyó el reparto de tierras en su artículo 27. Desde entonces, y con sucesivas adecuaciones hasta 1992, el reparto de tierras fue mandato constitucional y político del Estado mexicano. Dicho reparto sigue siendo prerrogativa del Estado si se concibe la reforma agraria como un concepto más amplio que la mera distribución de la propiedad.

Durante el largo período que se extiende de 1911 a 1992 se entregaron a los campesinos algo más de 100 millones

de hectáreas de tierras, equivalentes a la mitad del territorio de México y a cerca de las dos terceras partes de la propiedad rústica total del país. Según las Resoluciones Presidenciales de dotación de tierras, se establecieron unos 30 000 ejidos y comunidades que incluyeron 3,1 millones de jefes de familia, aunque según el último Censo agropecuario de 1991 se consideraron como ejidatarios y comuneros 3,5 millones de los individuos encuestados. A fines del siglo XX, la propiedad social comprendía el 70 por ciento de los casi 5 millones de propietarios rústicos y la mayoría de los productores agropecuarios de México.

Las escasas dimensiones de los predios cultivables por unidad familiar, su fragmentación, la insuficiente calidad de la tierra y el alto riesgo económico de las actividades agrícolas han conducido a la actual administración a considerar que de los 4 millones de explotaciones agropecuarias del país sólo un millón pueden ser viables como empresas comerciales. De estas, 700 000 necesitan un apoyo considerable y prolongado para convertirse en empresas comerciales, y 3 millones deberían ser objeto de «atención social» debido a que no consiguen consolidarse como empresas agropecuarias. Estos factores han erosionado el funcionamiento del sector primario y del sector reformado a partir de la década de 1960. Entre 1964 y 1970, el Gobierno realizó un esfuerzo postrero para completar el reparto de las tierras del sector agrario. Sin embargo, el carácter autoritario de las políticas, la burocracia y la falta de alternativas para la población rural impidieron que los campesinos y otras fuerzas sociales adoptasen los planes propuestos. El movimiento estudiantil de 1968, que confrontó al Gobierno con las clases urbanas medias emergentes, obligó a convocar al sector social campesino para garantizar la paz y la sucesión presidencial. A cambio, se ofreció al sector agrario la continuación del reparto de las tierras, a pesar de que comenzaba a ser manifiesto que la política de redistribución de tierras

⁶ Esta sección está basada en el artículo de Arturo Warman publicado en *Reforma Agraria* (2003/1) con el título «La reforma agraria mexicana: una visión de largo plazo».

había sido ineficaz para alcanzar la justicia y el bienestar, y que, por el contrario, había agudizado los conflictos políticos agrarios, la incertidumbre y la precariedad.

Las repetidas crisis económicas nacionales hicieron que disminuyese el intervencionismo público y que los inversionistas privados se retirasen del sector primario. El campo mexicano se descapitalizó y la pobreza extrema se concentró en él. Desde 1965 el crecimiento del producto agropecuario fue en promedio inferior al aumento de la población nacional y, en algunos años, fue incluso inferior al aumento de la población rural. A pesar de los cambios en la estructura de la producción agraria, el suministro nacional de alimentos registró un déficit. Desde 1970, en promedio, cerca de la tercera parte del consumo aparente de granos básicos se ha cubierto con importaciones. La importancia relativa de las exportaciones agropecuarias en la balanza comercial ha disminuido. A fines del siglo XX un poco más de la quinta parte de la fuerza de trabajo nacional dedicada a la producción agropecuaria aportaba apenas un 5 por ciento del Producto Interno Bruto (PIB): esta cifra refleja la pobreza de los trabajadores del campo, la aguda desigualdad existente en el sector rural, y la situación marginal del sector rural en la economía y la política nacionales. El 57 por ciento de la población rural vive hoy en condiciones de pobreza extrema, que es la forma de pobreza que pone en riesgo la salud y las capacidades de desarrollo del individuo. Las tres cuartas partes de las personas más pobres viven en localidades agrarias de menos de 15 000 habitantes.

Los límites del modelo de desarrollo rural se encuentran, principalmente, en el esquema de usufructo mediante el cual se entregó la tierra a ejidatarios y comuneros. Este régimen impedía asociarse, rentar o enajenar tierras, obstaculizando la superación de propiedad del minifundio. Las tierras se podían heredar pero no podían ser utilizadas como garantía para acceder al crédito, desalentando la inversión en las mismas. Los campesinos ejidatarios la única forma que tenían para obtener dinero era producir excedentes de

maíz subsidiado por el gobierno, generando una sobreexplotación del sistema.

De hecho, durante el período post-revolucionario el Gobierno de México sostuvo una decidida política de apoyo a la pequeña producción campesina atribuyendo a la misma la responsabilidad de alimentar al país. Los campesinos aprovechando de esta política, concentraron todas sus energías y también una porción mayoritaria de su parcela, en la producción de maíz, ya que contaban con la certeza de que los excedentes de producción generados serían absorbidos por la Compañía nacional de subsistencia popular (CONASUPO). Con las reformas estructurales de los años 80 los precios de garantía acordados a los campesinos quedaron abolidos y el papel de CONASUPO fuertemente debilitado. Al mismo tiempo, inicia la apertura del mercado de productos agrícolas a los Estados Unidos, en el marco del Tratado de Libre Comercio (TLCAN) que permite el ingreso masivo de productos básicos (hasta entonces vedados), incluyendo el maíz.

La reformas al artículo 27 Constitucional en 1992

Durante la década de los 80 y de los 90, con la penetración del modelo neoliberal en occidente, que conlleva una tendencia hacia el individualismo, se debilitan las prácticas comunitarias con la consecuente dilapidación de capital social. El mercado asumió una importancia creciente y, consecuentemente, la tierra pasó a ser considerada cada vez más como una mera mercancía como otras⁷.

El deterioro progresivo y acelerado del sector rural se prolongó hasta 1992, cuando fue posible alcanzar un consenso suficiente, aunque distante de la unanimidad, para reorientar y dar dinamismo al desarrollo rural, combatir la pobreza, el atraso y la marginación. La primera etapa de ese proyecto de reorientación de largo alcance fue la reforma del artículo 27 Constitucional en materia agraria, que se supone «liberó los campesinos de la opresión de

⁷ P. Groppo. 2001. *Sistemas agrarios: hacia un nuevo enfoque territorial*. Versión preliminar. FAO. Roma.

los ejidos»⁸, con el fin de hacer de ellos agentes económicos productivos a través del ordenamiento de la propiedad, la asociación con inversionistas privados y con la posibilidad de pasar del régimen de propiedad social al dominio pleno⁹.

La reforma de la Ley Constitucional de 1992, fue una parte del paquete del ajuste estructural impulsado por el Banco Mundial. Los cambios fundamentales consistieron en: a) cancelar el reparto agrario como obligación permanente del Estado; b) otorgar la propiedad de la tierra a ejidos y comunidades como sociedades propietarias y, en consecuencia, establecer su derecho para definir las formas de explotación, e incluso adoptar el régimen de pequeña propiedad; c) proteger la asociación de ejidatarios y comuneros entre sí, con el Estado y con particulares, permitiendo la intervención de sociedades mercantiles en actividades agropecuarias, con restricciones en cuanto a su integración y extensión máxima; d) reconocer a la asamblea como órgano supremo del núcleo agrario, mientras que el comisariato ejidal y el consejo de vigilancia, de autoridades internas se transformaron en representantes; e) crear una nueva institucionalidad agraria: *i)* Tribunales Agrarios, dotados de plena autonomía para dictar sus fallos, transfiriéndoles las facultades jurisdiccionales que tenía el Presidente de la República; *ii)* Procuraduría Agraria (PA), como órgano de apoyo a los sujetos agrarios para la defensa de sus derechos; y *iii)* SRA, responsable de coordinar la política agraria y los procesos de ordenamiento de la propiedad social, colonias y terrenos nacionales; además de atender las actividades transitorias derivadas de la legislación anterior; f) proteger las tierras de las comunidades indígenas; g) mantener los límites de la pequeña propiedad, agregando la propiedad forestal. Sin embargo, sanciona que las mejoras introducidas por los propietarios

⁸ Ibidem.

⁹ Informe Nacional 1992-2005 México, presentado en la Conferencia Internacional sobre Reforma Agraria y Desarrollo Rural (CIRADR), Brasil, 2006.

no cambiarán sus respectivos límites; h) prohibir el latifundio y establecer mecanismos para su fragmentación¹⁰.

Esta fragmentación generó el minifundio y la parcelización de la tierra a través del programa PROCEDE (Programa de certificación de derechos ejidales y titulación de solares). El minifundio constituye un límite para el desarrollo porque su producción no satisface generalmente a las necesidades básicas de una familia. Adicionalmente, muchas veces la escasa superficie que se posee, está fraccionada; en promedio, los ejidatarios tienen dos parcelas.

Perdiendo importancia los ejidos, los ejidatarios tenían un incentivo para vender sus tierras. Esto coincidió también con la cancelación de los subsidios a la producción de maíz restando competitividad a la producción ejidal. Como resultado se verificó una tendencia a la venta de tierras ejidales.

Esto reforzó la ya existente tendencia migratoria hacia las ciudades, con la consecuente disgregación del núcleo familiar que dejó desprotegidas a las mujeres, ya que el marido se apropiaba del producto de la venta.

Este cuadro histórico determinó un agotamiento aún mayor del modelo de economía familiar de subsistencia en México y la desaparición masiva de un número indeterminado de productores de alimentos básicos que habían garantizado, hasta la década de los años 80, la soberanía alimentaria de México.

Impacto del TLCAN¹¹ NAFTA en la economía campesina

México ha firmado muchos tratados internacionales, siendo el TLCAN el de mayor relevancia. Si bien éste ha favorecido las exportaciones de frutas y hortalizas, algunos productos básicos como principalmente maíz, frijol, oleaginosas y otros cereales que cubren más del 50 por ciento de la superficie sembrada, han experimentado una baja en rentabilidad, no

¹⁰ Ibidem.

¹¹ TLCAN Tratado de Libre Comercio de América del Norte. NAFTA, North America Free Trade Agreement.

pudiendo competir con las importaciones de esos productos.

Cabe señalar que en la actualidad, de las 6 millones de unidades productivas que operan en el campo, sólo el 3 por ciento aporta el 80 por ciento del Producto Interno Agropecuario. Alrededor del 70 por ciento de los ingresos en el medio rural no son generados por actividades agropecuarias, y esta tendencia tiende a crecer.

El campo continúa experimentando una fuerte migración, sobre todo de gente joven, produciéndose una feminización y un envejecimiento de la población, donde el 34 por ciento de los propietarios tienen más de 60 años. Los datos del INEGI indican que existen en el país 133 000 comunidades con menos de 50 habitantes.

Según datos del 2000, la agricultura contribuyó en un 4,4 por ciento del PIB total. No obstante representar sólo el 4,4 por ciento de la economía, la agricultura absorbe casi el 20 por ciento de la fuerza laboral. Los principales productos son maíz, sorgo, frijol, trigo, café, tomate, frutas y algodón.

En 2001, la contribución de la agricultura a las exportaciones fue del 9,2 por ciento mientras que la de las importaciones fue del 9,9 por ciento.

Si bien esto parecería reflejar una balanza comercial relativamente equilibrada, es importante observar que los rubros de exportación, que siguen una tendencia dinámica, son especialmente los agroindustriales como la cerveza y el tequila. Además, durante el 2004 se han registrado importantes aumentos en las exportaciones de legumbres y hortalizas frescas, jitomate, algunas frutas frescas y ganado.

En total, las exportaciones del sector agrícola aumentaron de 6,9 a 7,6 miles de millones de dólares EE.UU. en el período 1998-2001.

Por otro lado, las importaciones consisten básicamente en granos, oleaginosas carnes y están registrando una importante tendencia al alza. Éstas aumentaron de 8,5 a 10,8 miles de millones de dólares EE.UU. en el mismo período.

La distribución del mercado de importaciones y exportaciones, según los rubros arriba indicados, ha dado por resultado que en el sector rural coexistan dos tipos de productores:

- a) quienes han estado en condiciones de aprovechar las reformas económicas y la apertura comercial, cuyos mercados son principalmente externos (hortalizas, frutas y ganado); y
- b) quienes compiten con importaciones (principalmente productores de granos básicos, porcicultores, ganaderos con hatos pequeños).

Los productores miembro de la UNORCA pertenecen en un 90 por ciento al tipo b), lo cual los pone en una situación de vulnerabilidad alarmante con serios riesgos de desaparecer, en su gran mayoría, en el curso de los próximos años.

PROBLEMAS ACTUALES QUE ENFRENTAN LOS PEQUEÑOS PRODUCTORES

Al momento de escribir este artículo, los pequeños productores en México enfrentan entre otros problemas, los relacionados con: 1) el desmoronamiento relativo del precio del maíz; 2) la comercialización; 3) el crédito; 4) la organización.

Desmoronamiento relativo del precio del maíz

Como es sabido, en México, la economía campesina está basada en el maíz, que por milenios garantizó la seguridad alimentaria de las familias. A partir de la industrialización acelerada que vive México desde los años 50, la economía campesina encuentra un mercado seguro en las ciudades en expansión, como es en particular la Ciudad de México, Guadalajara y Monterrey. Se beneficia de precios de garantía que estimulan al productor a concentrar todas sus energías en la producción de maíz ya que no sólo garantiza la seguridad alimentaria sino que además permite la generación de ingresos monetarios.

Los ajustes estructurales que inician desde fines de los 80, implican entre otras las siguientes consecuencias:

- a) el retiro de los precios de garantía (que implica la anulación de los subsidios a la producción agrícola);
- b) la apertura comercial (que permite el ingreso de productos subsidiados y elaborados en escala masiva) incluyendo maíz producido en Estados Unidos. Los productores de ese país operan con economías de escala, tecnología avanzada y subsidios tan significativos que cualquier comparación resulta claramente desproporcionada; y
- c) un vacío institucional que deja desatendidos y sin servicios a los agricultores afectando principalmente a los pequeños productores.

Con ello, el maíz producido localmente por pequeños productores en condiciones de franca adversidad (sin riego, en laderas), no obstante el subsidio que representa la sobreexplotación de la propia fuerza de trabajo por parte de los campesinos, adquiere costos de producción muy por encima de los del mercado. Sólo logran colocar sus productos algunos productores aislados que cuentan con sistemas de riego e infraestructura moderna así como capital de operación y acceso oportuno al crédito.

Problemas de comercialización

Con la desaparición de la CONASUPO, principal consumidor de la producción de granos básicos hasta fines de los 80, el acceso a los mercados se complica para los pequeños productores.

Los principales comercializadores de granos básicos y otros productos de la economía campesina son: las cadenas de supermercados; los mercados de abastos de las ciudades; los mercados sobre ruedas.

- A. Las grandes cadenas de supermercados prefieren recurrir al siguiente tipo de proveedores:
 - a) a sus propias unidades productivas, cuando cuentan con ese grado de integración a la producción;
 - b) a grandes productores que estén en condiciones de asegurar un suministro constante y de calidad adecuada;
 - c) a los *brokers* (agentes de comercialización) de los Estados

Unidos que, con la integración del TLCAN frecuentemente ofrecen precios altamente competitivos.

- B. Los mercados de abastos de las ciudades, en cambio, están controlados por las mafias locales que controlan los puestos de distribución comprando mercadería en función de relaciones políticas clientelares y/o paternalistas.
- C. Los mercados sobre ruedas que venden directamente sin intermediación los productos de campesinos en las ciudades presentándose una vez por semana en diferentes colonias de las ciudades. Su incidencia, sin embargo, parece ser relativamente limitada en términos de participación en el mercado global.

Problemas de crédito

En la perspectiva de los productores de la región norte, lejos de mejorar, la sustitución de BANRURAL¹² por Financiera Rural ha entorpecido ulteriormente su acceso al crédito, ya que:

- a) el costo del crédito es hoy un 8 por ciento más caro respecto de lo que cobraba BANRURAL;
- b) los créditos llegan con mayores retrasos debido a que se han redoblado las exigencias burocráticas para obtener el acceso al mismo.

Problemas de organización

Con la reforma del artículo 27 Constitucional en el año 1992, se estableció una nueva relación entre el Estado mexicano y la sociedad rural. La desaparición de las uniones ejidales, así como de las Asociaciones Regionales de Interés Colectivo (ARIC), cambia la situación y determina la necesidad de establecer los módulos.

En este contexto adverso el papel de la UNORCA se vuelve prioritario para favorecer el desarrollo de los pequeños productores rurales que se encuentran huérfanos de todo servicio por parte del Estado, sin

¹² BANRURAL era el Banco nacional de crédito antes de las reformas estructurales.

esperanza de acceso al crédito ni a precios razonables por sus productos.

La única estrategia a disposición de la ya mermada población de pequeños productores es la de fortalecer las organizaciones que los representan, como en este caso la UNORCA, con su apoyo decidido. El Estado en cambio debería favorecer el florecimiento de organizaciones como la UNORCA generando condiciones que permitan el acceso de los pequeños productores organizados a servicios técnicos y financieros del Estado.

ESTRATEGIA POLÍTICA DE LA UNORCA

Movimiento y/u organización de productores

Sin distinguir claramente entre estos conceptos, sus líderes describen a la UNORCA como una institución que es al mismo tiempo un movimiento político nacional, un vocero del movimiento internacional contra la globalización y una organización de productores.

Movimiento político

Con el objeto de revertir las principales consecuencias negativas que las reformas estructurales tienen sobre la población campesina, según lo descrito en la introducción de este informe, como movimiento político, la UNORCA promueve entre otras cosas la modificación de algunas de las principales reformas introducidas en los años 90, entre ellas:

- a) el cierre de las importaciones de maíz¹³;
- b) el restablecimiento de los subsidios a la agricultura;
- c) el restablecimiento de una comercializadora de granos para los pequeños productores;
- d) el restablecimiento de una empresa para el financiamiento de la actividad campesina.

Organización de productores

Como organización de productores, la UNORCA promueve:

- a) el acceso de los pequeños productores a programas y servicios del gobierno, en

- particular, los ejidatarios (y sobre todo aquellos asociados a la UNORCA);
- b) la reconversión productiva hacia una mayor empresarialidad y competitividad de sus miembros;
- c) la búsqueda de la seguridad alimentaria por parte de sus asociados y la consolidación de la cultura del maíz;
- d) la diversificación de la producción.

Vocero del movimiento contra la globalización y miembro del movimiento campesino internacional *Vía Campesina*

La UNORCA está representada en el movimiento internacional de campesinos, pequeños y medianos productores, mujeres rurales, indígenas, gente sin tierra, jóvenes rurales y trabajadores agrícolas migratorios a través de *Vía Campesina*, logrando así tener voz en los acontecimientos internacionales. Como vocero del movimiento, junto a *Vía Campesina*, la UNORCA participó activamente en la organización de las manifestaciones locales de oposición contra los contenidos de la reunión del G-7 en Cancún en 2003, para lo cual logró movilizar alrededor de 10 000 campesinos e importantes aportes por parte de la comunidad internacional. *Vía Campesina*, con todos sus miembros tuvo un rol importantísimo durante el foro paralelo de la Conferencia Internacional sobre Reforma Agraria y Desarrollo Rural (CIRADR), que tuvo lugar en Porto Alegre, Brasil, en el mes de marzo de 2006.

OBSERVACIONES

Arraigo y credibilidad de la UNORCA

El arraigo y credibilidad de la UNORCA en la base campesina es indiscutible y está ampliamente cimentado como lo ha demostrado reiteradamente la capacidad de convocatoria reflejada en la afluencia masiva de campesinos a las movilizaciones organizadas por la Unión.

Sin bien no contamos con los elementos para evaluarlo, el reconocimiento de la UNORCA entre la población campesina está probablemente relacionado con los siguientes factores:

¹³ Para informaciones más detalladas léase los puntos 1, 2, 3 de la carta de UNORCA. <http://www.unorca.org.mx/>

- a) La actividad movimientista de la Unión, ya que probablemente los principios que defiende la UNORCA, en cuanto movimiento político cuentan con muchos adherentes entre la población campesina.
- b) La capacidad (aún si ésta permanece claramente limitada) de obtener acceso a servicios y programas de gobierno para sus asociados.

Ventajas y desventajas de la actividad movimientista¹⁴

Ventajas

La actividad movimientista significa la adhesión de miles de campesinos a la UNORCA. Sienten que en ella están representados sus objetivos, tanto políticos y socio-económicos como histórico-culturales, y por lo tanto responden con su participación en manifestaciones y otros actos públicos convocados por la UNORCA.

Ello garantiza a la UNORCA una influencia en ocasiones decisiva en las políticas de la Secretaría de Agricultura, Ganadería, Desarrollo Rural, Pesca y Alimentación (SAGARPA) y otras agencias de gobierno, así como un importante posicionamiento en el espectro de los partidos políticos.

Esta influencia permitió a la Unión:

- a) el acceso a subsidios del gobierno para garantizar la subsistencia (incluyendo pago de alquiler de las oficinas, de salarios, material de oficina, viáticos, etc.) del aparato institucional de la UNORCA; b) el acceso para sus afiliados a programas y servicios del gobierno de enorme importancia y, por lo tanto, la lealtad de esos afiliados a la Unión.

Desventajas

Si bien el acceso a los subsidios por parte del gobierno, aparece hoy ante los ojos de la dirigencia de la UNORCA como la única posibilidad de subsistencia de la Unión, la necesidad de aceptarlos constituye una clara relación de dependencia.

Para efectos de este análisis, carecen de importancia las connotaciones morales o políticas del concepto de dependencia. El problema concreto de la dependencia, por la forma en que en este caso se presenta, es que la misma fuerza de la UNORCA tiende a reproducir algunos de los problemas de centralismo, burocratismo y clientelismo que caracterizan al aparato del gobierno.

Conflicto de intereses – doble rol de UNORCA

Como veíamos más arriba, la actividad movimientista de la UNORCA es importantísima pues hasta ahora de ella depende su propia sostenibilidad. Gracias a ella ha obtenido el financiamiento del gobierno para sus actividades, permitiéndole además, el acceso a programas y servicios del gobierno para sus propios miembros que son esenciales para la UNORCA en cuanto organización de productores que compiten en la economía de mercado.

El problema es que la UNORCA movimientista y la UNORCA organización de productores libran luchas contrapuestas. La primera es de resistencia al rumbo del gobierno, la segunda quiere cabalgar la onda del gobierno.

Esta contradicción implica un desgaste de energías que tiene consecuencias significativas en términos de la eficacia de UNORCA en cuanto organización de productores. Por ejemplo:

- a) cuando el personal dedicado a mejorar la eficacia y competitividad de las organizaciones de base y la formulación de proyectos orientados en ese sentido, promueve la diversificación de la producción desde el maíz hacia otros rubros más productivos entra en contradicción con la UNORCA movimientista, que promueve la recuperación de la economía del maíz; o
- b) cuando la UNORCA movimientista aboga por la restitución de subsidios a la producción agrícola a través de los precios de garantía para el maíz entra en conflicto con los proyectos que promueven la eficacia productiva de los pequeños productores.

¹⁴ Estas ventajas y desventajas se identifican aquí en relación con el papel de la UNORCA como organización de productores.

DESAFÍOS DE LA UNORCA

Distinguir entre el papel movimientista y el de organización de productores

Con el objeto de evitar de incurrir en el conflicto de intereses arriba mencionado, la UNORCA debería distinguir claramente entre estas dos caras contrapuestas de su doble personalidad. Esto sería muy importante, sobre todo para mantener la eficacia en su papel como promotor de eficacia empresarial de sus asociados.

Construir gradualmente la independencia financiera de la UNORCA central así como de las organizaciones de base

Los dirigentes de la UNORCA alegan que, dada la profunda crisis de la economía campesina, los productores no tienen la posibilidad material de contribuir con recursos presupuestarios a sus organizaciones.

Sin embargo, existe la evidencia irrefutable de que por muy miserables que sean las condiciones socio-económicas de las zonas rurales, existe en casi todos los casos disponibilidad de circulante monetario. Éste procede, entre otras, de las siguientes fuentes: a) de la venta de productos agropecuarios; b) del cobro por servicios; y c) de remesas de miembros de las comunidades que han emigrado a las ciudades vecinas o trabajan como braceros dentro o fuera del territorio nacional.

También es sabido que –por muy escasos que sean sus recursos– los productores rurales están generalmente dispuestos a gastarlos en causas que consideran justas. El ejemplo más evidente son las fiestas para los santos del pueblo.

Los esfuerzos de la UNORCA como organización de productores deberían concentrarse en demostrar la pertinencia de su trabajo para garantizar el incremento de las ganancias de los productores rurales. En la medida en que la UNORCA esté en condiciones de ayudar a sus miembros a generar mayores ingresos, mejor dispuestos estarán los mismos a contribuir para el mantenimiento de su estructura administrativa, con lo cual gradualmente podrá avanzarse hacia la autonomía financiera.

Acompañar a los productores rurales en la hercúlea tarea de incrementar sus ingresos es un desafío que no han logrado entidades tan destacadas como las administraciones coloniales, gobiernos de diferentes signos políticos, la acción de la iglesia, las ONG, los movimientos de resistencia, etc.

Las organizaciones de productores, como la UNORCA, tienen el desafío de mostrar que cuando los procesos son controlados desde la base tienen la oportunidad de aportar a una transformación de la vida de los pequeños productores rurales. La manera más obvia que los productores tienen para controlar a sus propias organizaciones es pagando por los costos de su mantenimiento.

Cuanto mayor es la dependencia financiera de la cúspide respecto de entidades financieras externas a la organización, menor será el control de la base sobre los procesos de organización. En la retórica de las instituciones, el concepto de calidad del capital se refiere a la proporción del mismo que es aportado por la base. Éste es quizá el argumento más contundente en abogar por la independencia financiera de la UNORCA hacia una situación donde la dependencia de la dirigencia se refiera directamente a los propios miembros que la financian.

La insistencia en la autonomía financiera no es un capricho. Moralmente, es una cuestión de dignidad básica. Políticamente, es la única estrategia para escapar de la trampa del paternalismo y el clientelismo que desde siempre han teñido las relaciones entre las bases y sus dirigencias en el contexto de la América Hispánica.

Si la UNORCA lograra solidificar su prestigio como agente de desarrollo, podrá capturar los quizás escasos pero no obstante importantes recursos monetarios que circulan en el medio rural. Paulatinamente, en la medida en que su credibilidad, en cuanto agente de desarrollo, se consolide, podrá quizá capturar una porción de la riqueza que entra en el país por vía de las remesas desde los Estados Unidos.

Capturar remesas para su uso en el desarrollo de la economía campesina

Una de las 3 fuentes más grandes de ingresos del patrimonio nacional en México lo constituyen los generados por las remesas de los braceros desde los Estados Unidos. La mayor parte de los braceros son de origen campesino y, por ende, cuando no miembros directos, aliados potenciales de la UNORCA. Una responsabilidad histórica de la UNORCA es, por lo tanto, la de constituirse en una instancia donde esos recursos puedan transformarse en un estímulo para el desarrollo.

Promover el pago por servicios ambientales

«El pago por servicios ambientales (PSA) es un mecanismo de compensación flexible, directo y promisorio, por medio del cual los proveedores de estos servicios reciben un pago por parte de los usuarios de los mismos [...] La idea fundamental de los sistemas de PSA es crear un mercado para un bien ambiental que habitualmente no tiene una estimación comercial. Desde el punto de vista económico, los sistemas de PSA requieren la asignación de derechos de propiedad *de jure* o *de facto* sobre las externalidades ambientales que causan beneficios a terceros (servicio ambiental). Es decir, el sistema parte de la identificación de agentes económicos responsables de la externalidad ambiental “positiva”, o “proveedores” del servicio, y de los agentes beneficiados (o usuarios) [...] Adicionalmente, los sistemas de PSA pretenden establecer un flujo de información entre los proveedores y usuarios, de manera que pueda surgir un intercambio de mercados entre ambos tipos de agentes»¹⁵.

Se pueden distinguir dos tipos de sistemas de PSA:

- a) de escala geográfica amplia, este tipo de PSA utiliza instrumentos de mercado para el pago de servicios cuyos usuarios no están restringidos al nivel local. Un ejemplo puede ser el pago por la

conservación de la belleza escénica, la conservación de la biodiversidad, la fijación de carbono y otros;

- b) aquéllos dirigidos a un mercado local. Los usuarios están generalmente circunscritos a una escala geográfica cercana al lugar donde los proveedores ejercen sus actividades productivas. Esta cercanía geográfica entre usuarios y proveedores debería facilitar el funcionamiento del PSA, reducir los costos de transacción y hacer más sencillo el flujo de información. Un ejemplo de esta tipología son los PSA por el servicio hídrico en cuencas.

Algunas organizaciones afiliadas a la UNORCA, como la de Quintana Roo, que se destaca por su Plan piloto forestal, una experiencia de pago por servicios ambientales en la captura de carbono, están incursionado con éxito en ese terreno.

Vemos en este desarrollo un potencial muy importante ya que es un área de creciente interés.

CONCLUSIONES Y RECOMENDACIONES

1. El tema de la independencia financiera es crucial para el florecimiento de cualquier institución sea pública (municipios) o perteneciente a la sociedad civil (cooperativas y organizaciones de productores). Esta importancia se verifica sea en las organizaciones de primer nivel, sea en las organizaciones de segundo y tercer nivel.

La calidad del capital financiero de una institución será más elevada cuanto mayor sea la aportación de las bases al mismo, ya que solo mediante fuertes contribuciones financieras pueden los miembros controlar el manejo de sus propias instituciones.

2. La UNORCA tiene que afrontar el costo político de identificarse con un papel específico sea este el de movimiento político que aboga por el cese de importaciones de maíz o bien el de organización de productores que suministra un servicio a sus asociados para proteger su competitividad.

¹⁵ FAO. 2003. *Payment schemes for environmental services in watersheds*. Roma.

3. La pequeña economía familiar en las zonas rurales de México, como en toda la región, se encuentra en una crisis de proporciones imprevisibles debida a factores analizados en este artículo y que tienen un impacto decisivo sobre la soberanía alimentaria del país. Este informe no aporta ninguna evaluación sobre la liberalización de la economía. Constata solamente el hecho objetivo de que existe un agotamiento del modelo de pequeña producción familiar. Este agotamiento es contrario al interés que el Gobierno de México tiene por una distribución más racional de su población en el territorio nacional, e

implica además, el abandono de tierras otrora productivas con la consecuente depredación de recursos naturales. La UNORCA tiene un papel de primera importancia para encontrar alternativas que permitan la reproducción de ese sistema productivo.

4. Las actividades agropecuarias convencionales de pequeños productores se han demostrado como no competitivas en un mercado liberal. Identificar alternativas que permitan restituir la rentabilidad de la pequeña producción familiar es responsabilidad de las organizaciones de la sociedad civil como es el caso de la UNORCA.



The sale and ownership of land in Mali: tradition, the market and legal procedures in land tenure

Until relatively recently, access to rural land in Mali was governed by customary rule and was inherited, given or loaned. These practices are gradually giving way to market transactions in developed and cash-crop areas near towns. Such transactions are relatively common but remain largely informal, although the administrative authorities at different levels are being asked to formalize the outcome. Besides the main parties – the seller and the purchaser – other actors involved in the formalization of a transaction include the traditional authorities, the intermediaries and the local administration.

These transactions do not result in full legal ownership, which requires the involvement of the above actors but also of surveyors and the land registration and conservation services.

The article describes and analyses the role of the actors and the rules, procedures and practices governing land acquisition. It highlights the limitations of official arrangements and deliberates on ways of securing land tenure in rural areas, through dual analysis of the legal provisions and observations on the ground.

Ventas de tierras y tenencia agraria en Malí: las prácticas de tenencia entre tradición, mercado y procedimientos legales

Hasta hace relativamente poco tiempo, en las zonas rurales de Malí el acceso a la tierra se regía por normas consuetudinarias: la tenencia se adquiría por herencia, regalo o préstamo. Sin embargo, en las zonas rurales cercanas las ciudades, donde las tierras son objeto de ordenación o se explotan para cultivos comerciales, estas modalidades van desapareciendo gradualmente para ser sustituidas por transacciones de carácter comercial. Pese a su alcance relativamente amplio estas transacciones mantienen un carácter prácticamente informal, por más que a distintos niveles se esté solicitando a las autoridades administrativas que den carácter oficial a sus resultados. En el proceso de oficialización de las transacciones participan, además de los interesados principales, varios agentes: el vendedor y el comprador, las autoridades tradicionales, los intermediarios y la administración local.

De hecho, el resultado de estas transacciones no es la plena propiedad de la tierra en el sentido jurídico del término, ya que para esto se requieren operaciones adicionales en las que deben intervenir, además de los agentes antes citados, el agrimensor y los servicios catastrales y de registro de tierras.

En este artículo se describe y analiza, por una parte, el papel que desempeñan los distintos actores, y por otra las normas, procedimientos y prácticas relativos a la adquisición de propiedad sobre la tierra. Asimismo se destacan las limitaciones de los mecanismos oficiales existentes y se proponen enfoques para establecer la seguridad de la tenencia de las tierras rurales, basados en el examen de las normas jurídicas y de la situación constatada sobre el terreno.

Les ventes de terre et l'appropriation foncière au Mali: les pratiques foncières entre la tradition, le marché et les procédures légales

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Jusqu'à une période relativement récente, l'accès à la terre en milieu rural, au Mali, était régi par des règles coutumières: héritage, don ou prêt. Dans les localités situées à proximité des villes, c'est-à-dire dans les zones aménagées et les zones de culture de rente, ces modalités sont en train de s'effacer progressivement au profit de transactions marchandes. Malgré leur ampleur relativement importante, ces transactions demeurent pratiquement informelles, même si, à différents niveaux, les autorités administratives sont sollicitées pour en formaliser le résultat. Au cours du processus de formalisation des transactions, plusieurs acteurs interviennent – outre les principaux intéressés – le vendeur et l'acheteur, les autorités traditionnelles, les courtiers et l'administration locale.

En fait, ces transactions n'aboutissent pas à la pleine propriété foncière, au sens légal du terme, car celle-ci nécessite d'autres opérations qui font intervenir, outre les acteurs précités, les géomètres, les services du cadastre et de la conservation foncière.

L'article décrit et analyse d'une part le rôle des acteurs et, d'autre part, les règles, procédures et pratiques d'acquisition de la propriété foncière. Il met en exergue les limites des dispositifs officiels et propose quelques axes de réflexion sur les voies de la sécurisation foncière en milieu rural, inspirée de l'analyse parallèle des dispositions légales et des observations de terrain.

INTRODUCTION

Il y a un peu plus d'un quart de siècle, les systèmes fonciers ruraux maliens ont amorcé des mutations profondes dont la marchandisation de la terre constitue un des traits dominants. En effet, l'héritage, le don et le prêt sont les principaux modes coutumiers d'accès à la terre en milieu rural. Mais dans la deuxième moitié des années 70 et, de façon plus marquée, une décennie après, ces modes se sont progressivement effacés au profit des transactions commerciales, surtout lors de l'accès de non-résidents à la propriété foncière. Toutefois, ils continuent d'exister encore dans plusieurs localités et demeurent même le principal moyen d'accès

à la terre des autochtones dans le besoin ou des allochtones désirant s'installer dans la localité concernée. L'introduction des transactions commerciales et leur ampleur dépendent de plusieurs facteurs qui sont, entre autres, la proximité de la zone avec les centres urbains ou semi-urbains, l'existence de périmètres aménagés ou de fronts pionniers, ainsi que le développement des cultures de rente.

Malgré l'envergure relativement importante des transactions foncières marchandes dans ces zones, elles demeurent pratiquement informelles, même si, à différents niveaux, les autorités administratives sont sollicitées pour en formaliser le résultat. Dans le processus

de formalisation des transactions, interviennent plusieurs acteurs, qui sont, outre les principaux intéressés – le vendeur et l'acheteur, les autorités traditionnelles, les courtiers et l'administration locale. En réalité, ces transactions n'aboutissent pas à la propriété foncière, au sens légal du terme. Elles portent sur un transfert informel des droits coutumiers dont la valeur pratique est de préparer la purge officielle desdits droits. L'accès à la propriété foncière nécessite d'autres opérations qui font intervenir en plus des acteurs précités, de nouveaux acteurs, qui sont les géomètres, le service du cadastre et de la conservation foncière.

La communication proposée vise à montrer le rôle des différents acteurs dans les transactions foncières et de façon plus générale, dans le processus de l'accès à la propriété foncière. Elle mettra un accent particulier sur les limites des dispositifs officiels et posera quelques axes de réflexions sur les voies de sécurisation foncière en milieu rural, inspirées de l'analyse parallèle des dispositions légales et des observations de terrain.

Elle est fondée sur des éléments de trois recherches de terrain, menées entre janvier 2001 et mai 2005 dans deux communes rurales et au service des domaines du cercle de Kati (Région de Koulikoro) (Djiré, 2005b; 2004a; 2005a) ainsi que d'un ouvrage sous presse sur les conventions locales (Djiré, 2003; Djiré et Diko, 2006).

Pour bien appréhender le rôle des acteurs dans les transactions et le processus d'accès à la propriété foncière, nous aborderons d'abord la législation foncière dans ses grandes orientations, notamment, en matière de régulation des transactions; ensuite, nous présenterons les pratiques locales de transactions et de formalisation, notamment, en ce qu'elles ont de commun et de différent avec la législation, avec un accent sur les avatars des procédures officielles. Enfin, sur la base de ces éléments, nous réfléchirons à quelques voies appropriées de sécurisation foncière en milieu rural.

LES DISPOSITIONS OFFICIELLES: LES TERRES NON APPROPRIÉES PAR LE TITRE FONCIER NE PEUVENT ÊTRE VENDUES CAR ELLES APPARTIENNENT À L'ÉTAT

Le caractère informel des transactions foncières en milieu rural ne peut être bien saisi sans un rappel, d'une part, du principe de domanialité qui constitue le fondement de la législation foncière et, d'autre part, des dispositions officielles régissant l'accès à la propriété et l'exercice des droits coutumiers.

Le principe de domanialité: l'expression d'une volonté monopolistique de l'Etat

Hérité de la colonisation, le principe de domanialité, consacre, au nom de l'unité nationale et de l'impératif de développement économique, le monopole de l'Etat sur la gestion foncière. Ainsi, à l'instar des législations foncières antérieures, le Code Domanial et Foncier institué par l'Ordonnance n° 00-027/P-RM du 22 mars 2000 portant Code Domanial et Foncier, modifiée et ratifiée par la Loi n° 02-008 du 12 février 2002¹ souligne dans son Article 1^{er} que le domaine national du Mali englobe l'espace aérien, le sol et le sous-sol du territoire national. Il se compose d'un domaine public et privé de l'État et des collectivités, ainsi que du patrimoine foncier des autres personnes, physiques ou morales, objet d'un titre foncier.

Les terres détenues en vertu des droits coutumiers sont celles sur lesquelles se réalisent les transactions informelles. Elles sont considérées comme faisant partie du domaine privé immobilier de l'Etat. Du point de vue de la loi, les détenteurs des droits coutumiers n'ont que des droits d'usage, qui sont des droits précaires. Ils ne possèdent pas de droit de disposition qu'ils pourraient transférer à des tiers, le titre foncier constituant l'unique preuve du droit de propriété devant les tribunaux maliens. Toutes les transactions y afférentes (vente, don, bail, hypothèque, etc.) doivent se faire par acte notarié.

¹ Plus loin: CDF ou Ordonnance 00-027.

Le caractère informel des transactions sur les terres détenues en vertu des droits coutumiers est lié à l'ambiguïté, ou tout au moins, au caractère incomplet des dispositions qui les régissent.

L'ambiguïté des dispositions régissant les droits coutumiers: une reconnaissance limitée

Tout en plaçant les terres détenues en vertu des droits coutumiers dans le domaine privé de l'Etat, le nouveau CDF leur reconnaît une grande valeur juridique. En effet, dans son Article 43, il confirme, non seulement les droits coutumiers exercés collectivement ou individuellement sur les terres non immatriculées, mais également, précise qu'aucun individu et aucune collectivité, ne peuvent être contraints de céder leurs droits, si ce n'est pour une cause d'utilité publique et moyennant une juste et préalable indemnisation. En outre, l'Article 46 reconnaît les conventions coutumières sur les terres non immatriculées et les droits fonciers.

Cette reconnaissance est renforcée par les dispositions de l'Article 48 qui souligne que les conventions conclues entre individus ou collectivités selon les règles et formes coutumières sur les terres non immatriculées et les droits fonciers, peuvent, en vue de la preuve, être constatées par un écrit.

Lorsqu'ils comportent une mise en valeur régulière, ils peuvent être concédés au profit de tout tiers ou être transformés en droit de propriété au profit de leur titulaire (Art. 45 CDF). De même, ils peuvent à la suite d'une enquête publique et contradictoire faire l'objet d'un titre opposable aux tiers.

De cette reconnaissance découle une disposition importante: la procédure d'expropriation pour cause d'utilité publique utilisée uniquement pour les titres fonciers est, sous certaines réserves, applicable en matière de purge des droits coutumiers.

Cependant, le CDF établit des restrictions à la reconnaissance officielle des droits coutumiers. Lorsqu'ils ne comportent pas emprise évidente et permanente sur le sol, ils ne peuvent bénéficier des différents effets

énumérés et ne peuvent, conformément aux dispositions de l'Article 46, être immatriculés. Cette précision semble pertinente pour assurer le respect de l'équité dans l'accès à la terre dans la mesure où il est courant que des familles, des communautés villageoises ou lignagères indiquent de vastes étendues de terres non défrichées, s'étendant quelques fois sur des centaines ou milliers d'hectares, comme faisant partie de leur domaine foncier. Tout au moins, les garde-fous instaurés par la loi ont l'avantage de limiter de telles prétentions et de fixer les limites des droits coutumiers.

De façon générale, la portée des innovations introduites par l'ordonnance de 2000 se trouve limitée par l'ignorance que les citoyens ont en général du droit officiel. En outre, un obstacle essentiel à l'application intégrale des dispositions relatives aux droits coutumiers réside dans le fait que le décret devant définir, conformément aux dispositions de l'Article 44, les formes et conditions de la procédure de constatation des droits coutumiers ne soit pas encore adopté.

C'est donc dans ce contexte marqué par un certain flou juridique, que se développent des pratiques hybrides d'accès à la propriété foncière: d'abord informelles, ensuite fondées sur les dispositions légales.

LES PRATIQUES FONCIÈRES LOCALES: DES TRANSACTIONS INFORMELLES POUR L'ACQUISITION DE TITRES OFFICIELS

Si, dans un passé relativement récent, on pouvait acquérir des terres en milieu rural, en offrant quelques noix de colas aux chefs de villages ou aux gestionnaires des terres lignagères ou familiales (pour exprimer le respect que l'on a à leur égard), depuis quelques décennies, ce n'est plus le cas, surtout dans les zones de forte demande foncière. L'accès à la propriété foncière passe nécessairement par l'achat de terres auprès des détenteurs coutumiers. S'il désire obtenir un titre officiel de pleine propriété, l'acquéreur entame, par la suite, les procédures d'obtention d'une concession

rurale, du bornage, de l'immatriculation et enfin de la cession par l'Etat.

Les entretiens avec une vingtaine de propriétaires fonciers et des habitants de Sanankoroba, Dialakoroba et Banco, ainsi que l'observation des transactions dans les zones enquêtées ont permis d'élaborer le schéma suivant qui retrace les principales étapes du processus d'acquisition de la propriété foncière.

L'achat de terre-étape préliminaire (informelle) de l'accès à la propriété foncière

La personne qui convoite un terrain dans un village, identifie, à travers ses relations (amitiés ou parentés villageoises, intermédiaires fonciers, etc.), un paysan désirent vendre un champ (généralement des terrains en jachère)².

Une fois, le vendeur contacté, une visite des lieux est effectuée. Si le terrain répond aux attentes de l'acheteur, le prix de l'hectare est débattu et rendez-vous est pris pour mesurer la superficie du champ. Pour montrer que la transaction lui tient à cœur, l'acheteur peut payer une avance calculée sur la base d'une estimation réalisée par le vendeur. Au jour convenu, les deux parties et l'intermédiaire procèdent à la mesure du terrain et installent des bornes provisoires. S'il en a les moyens, l'acheteur peut avoir recours, dès cette étape, aux services d'un géomètre agréé ou non. Les acheteurs avisés demandent la présence, lors de la première levée des propriétaires des champs voisins ou tout au moins prennent contact avec ceux-ci pour s'enquérir du bien-fondé des prétentions du vendeur.

La superficie du terrain précisée, l'acheteur acquitte la somme convenue et un acte de vente est dressé³. Cet acte sous seing privé porte la signature des deux parties et de deux témoins. S'il le juge nécessaire, l'acquéreur peut faire «légaliser»

² De plus en plus, ce sont les paysans eux-mêmes qui pour faire face à différents problèmes (mauvaise récolte, événements familiaux tels que mariages, baptêmes ou décès) décident de vendre des terres et en informent les «courtiers en foncier» qui commencent à chercher des clients.

³ Dans certains cas, de plus en plus rares, l'acheteur acquitte le montant de la somme suivant un échéancier arrêté de commun accord.

l'acte de vente à la Mairie ou à la «Sous-Préfecture» (services du Sous-Préfet). Dans certains villages, notamment ceux éloignés des chefs-lieux de commune, la vente est portée à la connaissance du chef de village.

Le contenu et la forme de l'acte sont fonction du niveau d'instruction du rédacteur. De façon générale, le vendeur reconnaît avoir «cédé», «vendu» ou «donné» à l'acheteur un champ ou un terrain (avec indication de la situation géographique et de la superficie du terrain). A Sanankoroba, des courtiers ont des fiches standard qu'ils remplissent et font signer par les protagonistes et leurs témoins, pour entériner les transactions dans lesquelles ils ont servi d'intermédiaires.

La «légalisation» par l'autorité administrative constitue en fait une certification de la signature du vendeur et des témoins. Les numéros des cartes d'identité, la profession et la résidence des signataires sont marqués sur l'acte. La certification donne lieu au paiement d'une redevance communale à Sanankoroba, mais est gratuite à Dialakoroba. Le document, dans les deux cas, porte un timbre fiscal et est enregistré dans un registre.

Le «petit papier», certifié ou non, n'a pas de valeur juridique irréfragable et ne s'impose pas aux tiers. Cependant, il peut être évoqué par l'acheteur (notamment dans une action de conciliation de la mairie ou du Sous-Préfet), en cas de litige avec le vendeur à propos des limites du terrain vendu ou du montant de la vente, car, il arrive parfois que certains paysans ou les intermédiaires de la transaction vendent le même terrain à plusieurs clients. Il est également fréquent que des terrains familiaux ou lignagers soient vendus par un membre du lignage à l'insu des autres. Lorsque la vente est remise en cause par ces derniers, l'acheteur se retourne contre le vendeur pour obtenir un remboursement ou une compensation. Le «petit papier» sert alors de preuve. Il peut, dans ce cas être utilisé pour justifier une poursuite pour escroquerie.

Dès la conclusion de la transaction, le champ devient «la propriété» de l'acquéreur qui peut en disposer sans délai. Certains

acquéreurs restent à cette étape et commencent à exploiter le terrain ou le laissent en friche. D'autres, et cela est de plus en plus fréquent, entament la seconde étape qui est celle de la régularisation de l'acquisition, à travers un titre officiel. Les paysans qui souhaiteraient obtenir un titre foncier sur les terres sur lesquelles ils exercent des droits coutumiers doivent suivre la même procédure. En effet, quoique le décret devant déterminer la procédure de constatation des droits coutumiers ne soit pas encore élaboré, il existe dans la pratique, des procédures similaires, héritées de la période coloniale et utilisées lors de la délivrance des concessions rurales.

L'acquisition de la concession rurale-première étape «formelle» de l'accès à la propriété foncière

L'acquisition de la concession rurale suit une procédure constituée d'un mélange de normes officielles et de pratiques informelles, parfois héritées de réglementations coloniales, aujourd'hui abrogées. La procédure diffère quelque peu, selon que l'on se trouve dans le cas «d'une attribution villageoise» (attribution de terrain par le chef de village ou achat auprès d'un villageois) ou d'une attribution par l'Etat.

Dans le cas d'une attribution villageoise. L'acquéreur de terrain ou le détenteur de droits coutumiers désirant transformer son acquisition en concession officielle adresse une demande au Préfet qui met en branle une procédure d'instruction comportant plusieurs étapes:

- Vérification au service des domaines du cercle, à la division du cadastre de la direction nationale des domaines, au génie rural⁴.
- Avis d'enquête «commodo et incommodo» dans le journal *l'Essor*.
- Avis du chef de village et de deux ou trois conseillers et signature d'un «procès-verbal de palabre».

⁴ Ces différentes correspondances ont pour objet la clarification de la situation du terrain, notamment sa situation par rapport au périmètre urbain de Bamako et sa situation juridique.

- Signature d'un certificat administratif par le Sous-Préfet.

Si aucune réclamation contradictoire n'est reçue par rapport au terrain, le Préfet signe la décision octroyant la concession. A la décision est annexé un cahier de charge précisant les droits et obligations du concessionnaire.

Dans le cas d'une attribution par l'Etat.

Ces attributions concernent généralement des espaces ruraux aménagés et/ou des lotis par l'Etat. Dans beaucoup de cas, il s'agit de parcellements de grandes plaines propices à l'agriculture. Le plan global de l'espace loti est dressé par le Service du génie rural. Les attributions sont faites par le Préfet à la demande des intéressés qui introduisent une demande de concession rurale. Ici la procédure est moins longue. L'attributaire «achète» un cahier de charge et fait faire par le génie un extrait de la carte du parcellement indiquant son lot. Les populations expropriées dans le cadre des opérations de parcellements, peuvent recevoir des parcelles de compensation.

Cependant, ces opérations donnent, parfois lieu à des conflits liés à la violation des droits coutumiers. Les conditions de réalisation du parcellement de la plaine et Nienguen Koro et de Nienguen Coura (Djiré, 2004a) illustrent parfaitement ces dérapages.

Il convient de souligner que de tels parcellements sont de plus en plus rares et ont lieu quelques fois, à l'initiative des communautés villageoises elles-mêmes ou, exceptionnellement, à l'initiative des collectivités décentralisées, notamment pour les parcelles à usage d'habitation (Djiré, 2004b).

L'immatriculation du terrain et la transformation de la concession rurale en titre de propriété

La loi a prévu la transformation de plein droit de la concession rurale en titre foncier, après la mise en valeur du terrain dont la constatation est faite par une commission. Si la mise en valeur est jugée conforme à l'acte de concession, la cession intervient

Le parcellement de la plaine de Nienguen Koro et Nienguen Coura: une absence de transparence à l'origine d'une grande insécurité foncière

Nienguen Koro et Nienguen Coura sont deux villages de la Commune Rurale de Sanankoroba, situés à 60 km de Bamako, capitale du pays. Ils sont bordés par une immense plaine qui les sépare du fleuve Niger. Dans la deuxième moitié des années 80, l'administration procède au parcellement de la plaine, sans y associer tous les villages riverains. La décision de parcellement répartit les parcelles entre quatre zones:

- une zone de servitude pour le marigot faisant partie du domaine public;
- une zone réservée au recasement des paysans exploitants des villages de Nienguen Koro et Nienguen Coura;
- une zone réservée pour servir de «domaine vital» pour le hameau des pêcheurs de Goungoundjou «relevant du village de Nienguen Koro»;
- une zone destinée à être distribuée à des tiers exploitants agrosylvopastoraux.

Apparemment, cette décision réalise une répartition équitable et rationnelle des parcelles. Mais en réalité,

cet objectif n'a pas été atteint pour tous les acteurs, à cause de l'opacité qui a entouré l'opération de parcellement. Celle-ci a été conduite avec la participation des notables de Nienguen Koro, seuls ampliateurs de la décision. Les habitants de Nienguen Coura qui en ont été exclus et ignorent l'existence d'un parcellement administratif, ont enlevé toutes les bornes implantées dans les zones qu'ils exploitent habituellement. Lorsque les «tiers exploitants», essentiellement des citoyens opérateurs économiques et fonctionnaires, ont voulu prendre possession des parcelles qui leur ont été attribuées, ils en ont été empêchés par les habitants de Nienguen Coura qui considèrent que leurs terres ont été vendues par leurs voisins au commandant de cercle qui les a rétrocédées aux Bamakois. Les conditions de réalisation de ce parcellement sont à l'origine de nombreux conflits entre les deux villages.

par acte signé par les parties, après le paiement d'un prix fixé par le service du domaine.

Toutefois, avant cette constatation, intervient l'immatriculation de l'immeuble. La procédure d'immatriculation comporte un préalable nécessaire qui est le bornage du terrain. La demande d'immatriculation est adressée sous forme de réquisition du Préfet au conservateur de la propriété foncière. Le Code domanial et foncier impose plusieurs mesures visant à assurer la publicité de la procédure: insertion d'un extrait dans un journal autorisé à publier les annonces légales, notification au Procureur de la République, affichage au siège du tribunal et à la mairie.

Le bornage est en principe effectué en présence du représentant de l'administration et, autant que possible des propriétaires riverains dûment convoqués. A l'expiration du délai d'un mois assigné pour la révélation des droits des tiers ou dès réception du procès verbal de bornage, le conservateur procède à différentes

vérifications exigées par la loi. Si tout est régulier, il procède à l'immatriculation de l'immeuble sur les livres fonciers (Article 154 du Code domanial et foncier). L'immatriculation a pour effet principal l'établissement du titre foncier attestant de la propriété de l'immeuble. L'immatriculation est d'abord faite au nom de l'Etat. Lorsque le demandeur acquitte la somme fixée, la mutation est faite en son nom et il reçoit un titre foncier dont les données sont reportées dans le livre foncier.

Les mesures de transparence entourant la procédure de l'immatriculation sont renforcées par diverses opérations d'inscription visant à assurer la régularité du titre ainsi que de nombreuses dispositions engageant la responsabilité du conservateur en cas de non-respect de la loi, d'erreurs ou d'omissions. Cependant dans la pratique, se produisent parfois des dérapages qui vicient la procédure et se traduisent par de nombreux effets préjudiciables à la sécurisation foncière visée.

LES AVATARS DE L'ACCÈS À LA PROPRIÉTÉ FONCIÈRE EN MILIEU RURAL: DES PROCÉDURES COMPLEXES ET COÛTEUSES-SOURCES D'INSÉCURITÉ ET D'EXCLUSION

De tout ce qui précède, il ressort que la procédure d'accès à la propriété foncière est longue et complexe. Cette complexité donne lieu à diverses pratiques de contournement qui affectent la crédibilité et la sûreté des titres émis. En outre, elle est fondée sur des mécanismes inconnus des populations rurales et comporte des coûts qui excluent la grande majorité de la population de la propriété foncière.

La complexité de la procédure: une source de contournements et de nombreuses irrégularités

Les irrégularités constatées sur le terrain ont trait aussi bien à l'accomplissement des procédures préalables d'octroi des concessions rurales que de l'immatriculation des terrains. Elles concernent surtout les différentes enquêtes diligentées au cours des deux phases et surtout la publicité qui devrait les accompagner. Qui plus est, certaines pratiques constatées dans la tenue des livres fonciers soulèvent des questionnements quant à l'efficacité des mesures édictées par la loi.

Le nombre élevé de demandes de concessions rurales crée un embouteillage constant au niveau de la Préfecture et des services techniques concernés et un coup de pouce se révèle souvent nécessaire pour accélérer l'étude du dossier. L'aboutissement de la requête exigeant un suivi régulier, les requérants ont en général recours aux services d'intermédiaires⁵. Entre ces derniers et certains agents chargés d'assurer la régularité de la procédure s'instaurent des relations de coopération qui se muent au fil du temps en complicité.

Ainsi, à cause de la faiblesse des contrôles, il arrive que des concessions soient octroyées sur des terrains situés dans le périmètre urbain de Bamako⁶. Le procès verbal de palabre est signé par

les autorités villageoises sans que les concertations requises aient toujours lieu. De plus, il arrive que les avis informant le public de la demande de concession ou de l'enquête publique devant précéder l'immatriculation soient publiés seulement la veille, voire même après l'enquête.

L'affichage desdits avis aux lieux indiqués n'a pas toujours lieu; les invitations personnelles devant être adressées aux voisins du terrain convoité ne le sont pas. Si on ajoute à cela le grand taux d'analphabétisme en milieu rural, on comprend aisément que les paysans ne soient pas toujours informés des différentes opérations (voir le cas du parcellement de Banko [Djiré, 2004a]).

Au cours de la recherche de terrain d'une étude financée par l'IIED dans le cadre du programme de recherche CLAIMS et dont les résultats sont sous presse (Djiré, 2005), on a suivi cinq dossiers de demande de titres fonciers. Dans ces cinq cas, la procédure a été accélérée grâce à l'intervention d'un «courtier en foncier» qui a lui-même rédigé et déposé les demandes de concession, suivi les dossiers dans les différents services de contrôle et, à la préfecture, diligenté le dépôt des avis d'enquête à la rédaction de *l'Essor*. Les signatures du procès verbal de palabre et du certificat administratif ont également été étroitement vérifiées par le courtier. Sur la foi de l'accomplissement des procédures requises, le Préfet a attribué une concession sur lesdits terrains, nonobstant le fait que dans un des cas, l'avis d'enquête a été publié un jour après la date fixée pour l'enquête.

Ainsi, les cinq dossiers ont été dûment signés sans qu'une reconnaissance physique des terrains convoités ait été réalisée par les autorités compétentes. Cette négligence explique certainement le fait qu'un des dossiers concernant une zone située à l'intérieur du périmètre urbain et portant sur un hectare ait été accepté. Lors du bornage, le géomètre agréé n'a pas fait le déplacement⁷.

⁵ La vingtaine de concessionnaires et de propriétaires fonciers interviewés à Sanankoroba et Banko ont reconnu avoir eu recours aux services d'intermédiaires.

⁶ Elles ne devraient pas porter sur plus d'un quart d'hectare.

⁷ Toutefois, il convient de souligner qu'au cours de l'enquête «commodo et incommodo», le représentant de l'administration devant superviser l'opération s'est bien rendu au village et a vérifié auprès du Sous-Préfet l'authenticité des signatures requises.

À noter toutefois, que les agents de l'administration affirment, à leur décharge, qu'ils sont induits en erreur, par le courtier ou le propriétaire du terrain qui jurent leurs grands dieux que le dossier est correct, ou même par le géomètre, un expert assermenté qui a dressé le plan. En outre, il arrive parfois que lorsqu'ils se rendent sur le terrain pour une identification des lieux, les propriétaires de terrain ou leur mandataires les guident sur des terrains situés en dehors du périmètre urbain alors que les lots convoités y sont bien localisés.

Les différentes anomalies constatées donnent l'impression que les acquéreurs de titres fonciers cherchent plus à se munir de documents officiels, formellement opposables à des tiers, qu'à vouloir suivre les procédures visant à garantir la régularité des titres. Acceptées tant que discrètes, les anomalies soulignées semblent structurelles. Elles sont soutenues par une logique où le respect des procédures et règles est subordonné aux relations personnalisées, parentales, de clan ou clientélistes. Ces pratiques profitent à l'élite urbaine (fonctionnaires et opérateurs économiques), au détriment des populations rurales.

Certaines pratiques observées dans la tenue des livres fonciers permettent aussi de s'interroger sur le respect des prescriptions légales. Conformément à l'Article 85 du Code domanial et foncier, les livres fonciers et le registre des oppositions ainsi que celui des dépôts sont cotés et paraphés, avant tout usage, par le Président du tribunal. Mais en réalité, la date de paraphe de certains livres est postérieure à celle de l'inscription du premier titre.

Les agents du Bureau des domaines de Kati expliquent ce décalage par le fait que le paraphe et la cotation des registres par le président du tribunal prenant beaucoup de temps, ils prennent l'initiative d'enregistrer les dossiers qui leur parviennent dans un cahier et les reportent ensuite sur les registres dûment paraphés. Pour éviter de tomber en rupture de stock, le Bureau du domaine adresse au tribunal plusieurs

registres à parapher. Cette initiative fait que des registres successifs portent la même date de paraphe. Nonobstant la clarté de ces explications, on ne peut manquer de s'interroger sur la validité juridique de tels documents ou tout au moins sur le maintien de l'exigence du paraphe.

En outre, la consultation du livre foncier révèle que certains volumes contiennent de nombreuses pages vierges pourtant dotées de numéros de titres fonciers. Deux explications sont données pour justifier cette anomalie. La première est que lors des morcellements de titres fonciers, les titres des nouvelles parcelles sont portés dans le livre foncier, en attendant d'être affectés par le propriétaire à des personnes physiques ou morales dont les coordonnées seront inscrites sur les pages correspondantes. La seconde est que certains citoyens détenteurs de concessions rurales accomplissent toutes les procédures de transformation de la concession en titre foncier, mais s'éclipsent au moment du paiement du prix de la cession du terrain et ce, alors que le numéro du titre a été déjà inscrit. Dans ces cas, la procédure est interrompue jusqu'à ce que les intéressés régularisent la situation. Mais selon certains interlocuteurs, ces pratiques qui existaient au cours des premières années du service n'ont plus lieu. Désormais, sont inscrits seulement les titres dont la procédure est dûment arrivée à terme.

Ainsi, les explications qui précèdent incitent à voir derrière certaines de ces anomalies, moins des preuves de malversations de la part des agents, que des tentatives de trouver des solutions pragmatiques à des problèmes réels liés à la complexité de la procédure. En outre, le personnel semble nettement insuffisant au regard de la quantité des dossiers et, dans sa majorité, mal formé pour l'accomplissement des différentes tâches. Cependant, si les insuffisances constatées ne relèvent pas toujours d'une volonté de malversation, elles laissent toutefois la porte ouverte à de telles pratiques.

L'ignorance des procédures et leur coût élevé: une source d'exclusion et d'insécurité

A la complexité des procédures légales, qui sont méconnues des populations rurales, s'ajoute le coût financier relativement élevé des différentes opérations avec comme corollaire l'exclusion des paysans de la propriété foncière et la création de situations conflictuelles (voir par exemple le cas du parcellement de la plaine de *Nienguen Koro* et de *Nienguen Coura*).

Le croisement des informations de différentes sources permet d'établir que le coût moyen d'un titre foncier d'une superficie d'un hectare dans la Commune rurale de *Sanankoroba* s'élève en moyenne à 959 990 FCFA. Pour les paysans détenant des droits coutumiers et donc exonérés des frais d'acquisition initiale et des frais de signature des autorités villageoises, le coût s'élève à 719 990 FCFA.

Cependant, les sommes indiquées ne concernent que les cas où le requérant entame lui-même les différentes démarches. Lorsqu'il a recours aux services d'un «courtier», il acquitte des sommes supplémentaires dont le montant varie en fonction de plusieurs paramètres. Dans les cinq dossiers suivis, le courtier a requis une somme de 350 000 FCFA par hectare⁸ pour l'obtention de la décision de concession rurale et une somme supplémentaire de 325 000 FCFA si la procédure doit être conduite jusqu'à l'obtention du titre foncier. Dans ces cinq cas, le titre foncier sur un hectare de terrain acquis par «attribution villageoise» est revenu à 1 100 000 FCFA. Cette somme se compose des honoraires payés au courtier (675 000 FCFA), du prix de la cession par l'Etat (360 000 FCFA), des frais d'enregistrement, de timbre et de mutation (respectivement 54 000, 6 000 et 5 240 FCFA). Elle ne prend pas en compte les frais préliminaires d'acquisition ni de délimitation initiale du terrain.

Le montant relativement élevé des différentes procédures ainsi que du prix

⁸ En fait, la négociation est faite par dossier, les dossiers ne dépassant pas généralement un hectare. Mais lorsque le terrain mesure un demi-hectare, le courtier peut accepter, la moitié de la somme.

NOMBRE DE TITRES FONCIERS

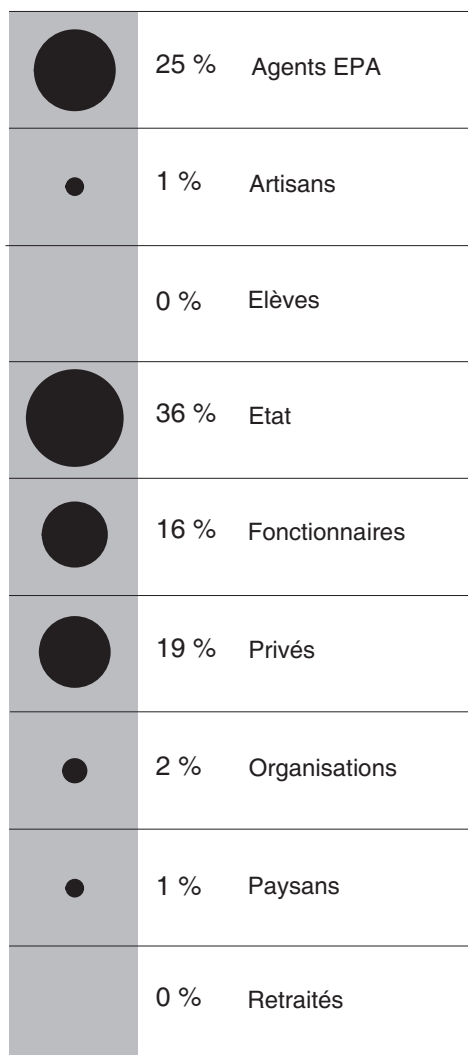


FIGURE 1
Répartition des titres fonciers entre les catégories socioprofessionnelles dans la Commune Rurale de Sanankoroba

officiel de l'hectare exclut de fait un grand nombre de citoyens de la propriété foncière.

Le graphique ci-dessus, établi sur un échantillon de 268 titres du répertoire récapitulatif des titres fonciers établis à la date de septembre 1999, montre la répartition des titres fonciers par catégorie socioprofessionnelle dans la Commune Rurale de Sanankoroba. Les agents de l'Etat (fonctionnaires et agents d'établissements publics) occupent la première place, avec un total de 40, donc 29 pour cent. Ceux-ci sont suivis par l'Etat lui-même (35,44 pour cent). Ensuite, viennent les opérateurs économiques (19,40 pour cent) suivis des

organisations de droit privé (1,88 pour cent), les paysans (1,49 pour cent), les artisans (0,75 pour cent), les retraités (0,37 pour cent), les élèves (généralement des prête-noms pour des parents possédant plusieurs titres 0,37 pour cent).

Les avatars qui accompagnent les différentes procédures sont souvent sources d'insécurité foncière pour les producteurs ruraux et conduisent quelques fois à des conflits entre ceux-ci et les nouveaux acquéreurs⁹. Le bâchage des procédures conjugué à la spéculation foncière, entraîne quelques fois la délivrance de deux titres fonciers sur le même terrain¹⁰.

CONCLUSIONS: QUE PEUT-ON FAIRE?

De tout ce qui précède, il ressort que l'accès à la propriété foncière au Mali relève d'un véritable parcours du combattant que seuls quelques rares privilégiés arrivent à franchir, grâce aux moyens financiers dont ils disposent, aux «relations» qu'ils possèdent parmi les techniciens du foncier et à la connaissance qu'ils ont des textes et des procédures en vigueur. Dans ce contexte, comment faire pour assurer l'accès sécurisé d'un plus grand nombre de citoyens, notamment, des producteurs ruraux à la propriété foncière?

«... Innover sans tout détruire!» Cette solution proposée par Vanderlinden (2000) pour résoudre la question de l'enseignement du droit en Afrique, semble appropriée pour caractériser également les réformes à opérer en vue de réaliser une plus grande sécurisation des transactions foncières et d'assurer un accès plus équitable à la propriété foncière. Les dispositions législatives et réglementaires existantes ainsi que les pratiques foncières locales recèlent des éléments positifs qui doivent être consolidés pour aboutir à la sécurisation attendue. Dès son accession

⁹ Voir les études de cas sur le parcellement de la plaine de Nienguen et le lotissement de Banco (Djiré, 2004a; 2005b) ainsi que le litige Bathily-Manguilé (Djiré, 2005b)

¹⁰ Deux cas de ce genre nous ont été rapportés lors de notre séjour à Kati. Une autre qui a défrayé la chronique au Mali, concerne la délivrance d'un titre foncier sur un terrain immatriculé au nom du Ministère de la justice et destiné à accueillir le siège de la Cour d'Appel de Bamako.

à l'indépendance, le Mali a opté pour l'institution du cadastre, choix confirmé dans les législations successives. Mais, malgré les diverses réformes introduites, les dispositions demeurent encore lourdes et irréalisables en milieu rural. Elles doivent être sérieusement allégées. Parallèlement, dans diverses localités se développent des pratiques de sécurisation foncière, à travers notamment des tentatives de formalisation des transactions et des conventions locales. Ces pratiques doivent être reconnues et consolidées. Dans ce cadre, trois actions semblent déterminantes.

Sortir les transactions foncières de l'informel.

Il s'agit là d'une revendication des associations paysannes du Mali (AOPP, 2006). Entre les prêts traditionnels et la donation de terres, il existe un flou qui favorise les remises en cause quelques fois brutales des accords initiaux. Par ailleurs, les ventes de terres ne se réalisant pas toujours dans la transparence, les remises en cause des transactions par certains ayants-droit sont également fréquentes. Cependant, «les pratiques locales inventives, productrices de nouveaux modes de formalisation des transactions produisent donc des formes informelles ou semi-formelles, simplifiées et accessibles, pour l'enregistrement des transactions. Elles contribuent ainsi à rendre plus explicites et plus stables, plus visibles et prévisibles, et donc relativement plus sécurisantes, des interactions ou transactions foncières qui se font dans un contexte complexe, changeant et incertain» (Mathieu, 2001; voir aussi Mathieu *et al.*, 2003 à propos du Burkina Faso). Comme l'enseignant les pratiques dans certaines localités, la formalisation pourrait se faire par écrit, sur des formulaires standardisés prenant en compte la grande variété des transactions locales, avec la certification d'une autorité locale (chef de village et/ou maire) et de deux témoins. Le document pourra être enregistré au niveau du conseil de village et/ou de la Mairie.

Mais la formalisation totale des transactions marchandes, c'est-à-dire leur

enregistrement officiel, a pour préalable la constatation et l'enregistrement des droits coutumiers sur lesquels elles portent. En effet, lesdits droits ne produisent la plénitude de leurs effets, y compris le droit de concession à un tiers et le droit d'enregistrement, que lorsqu'ils ont été constatés à la suite d'une enquête administrative. Toutefois le décret devant définir les modalités de constatation et d'enregistrement de ces droits n'est pas encore adopté. Il convient donc d'élaborer assez rapidement ce décret, tout en tenant compte des bouleversements, remises en cause et litiges qu'un processus massif de constatation de droits coutumiers ne manquerait pas de susciter.

Promouvoir les conventions et réglementations locales relatives au foncier. Plusieurs expériences de terrain montrent que les conventions et réglementations locales, bien appliquées, permettent d'assurer une sécurité foncière relative. Elles permettent, entre autres, d'interdire les ventes de terres dans les zones sensibles (Djiré, 2004a) ou de les réguler (Djiré et Dicko, 2006). De telles initiatives devraient être encouragées par les pouvoirs publics et les entraves à leur réussite éliminées. Elles peuvent préparer et accompagner les actions de constatations et d'enregistrement des droits coutumiers.

Améliorer les mécanismes officiels d'enregistrement. Les conflits fonciers étant très souvent liés à l'imprécision quant à la consistance et aux limites des droits fonciers ainsi qu'à l'identité de leurs détenteurs, la nouvelle législation a opté pour une amélioration du cadastre. Ainsi, l'Article 49 du CDF institue dans toutes les communes du Mali un cadastre ayant pour objet de préciser les indications relatives à la propriété, aux droits réels, à la contenance, à l'affectation ou à la nature de culture et l'évaluation des immeubles bâtis et non bâtis.

L'Article 2 du Décret n° 02 - 113/P-RM du 6 mars 2002 fixant les modalités d'organisation du cadastre définit le

cadastre comme étant l'état civil de la propriété foncière. Il a pour but la préparaion des documents administratifs et des plans, en procédant:

- au recensement de toutes les propriétés foncières;
- à la reconnaissance et la définition de leurs limites;
- à la constatation de leur mise en valeur;
- à leur évaluation en vue de l'établissement des impôts liés au foncier.

Le cadastre assure la garantie de la propriété foncière et sert de base aux grands travaux d'aménagement du territoire. Sa confection s'accompagne obligatoirement de la délimitation et du bornage des propriétés publiques et privées.

Conformément à l'Article 8 du Décret, dès l'ouverture des opérations de confection du cadastre, une commission de délimitation et de bornage est constituée dans chaque commune et elle est présidée par le Préfet. Cette commission comprend, outre des représentants de divers services, un représentant de la mairie, les chefs de villages et de quartiers ou leurs représentants ainsi qu'un représentant de l'Institut géographique du Mali et le géomètre chargé des opérations foncières.

Dès l'achèvement des travaux techniques, les résultats de la confection sont communiqués par notification individuelle aux propriétaires et titulaires des droits réels.

Une copie des plans cadastraux fonciers, fiscaux et des documents annexes est déposée pendant un mois à la mairie où les intéressés sont autorisés à en prendre connaissance. Les réclamations peuvent être présentées, dans ledit délai, au représentant du cadastre qui se trouve à la mairie aux jours et heures portés à la connaissance du public.

Les Articles 11 à 21 précisent les conditions, procédures et modalités techniques de l'établissement des plans cadastraux, et l'Article 22 traite des documents administratifs constitutifs du cadastre. Le cadastre confectionné fait l'objet d'une mise à jour annuelle réalisée aux frais de l'État (Article 24).

La constatation des changements est effectuée suite à la déclaration des propriétaires ou titulaires de droits réels, ou alors d'office par l'administration. Tout changement de limites de propriété, notamment par division, lotissement, partage, doit faire l'objet d'un document d'arpentage de morcellement.

Ces dispositions semblent très pertinentes, mais leur portée est limitée par deux contraintes majeures. D'une part, l'immatriculation préalable au nom de l'État des terres du domaine privé de l'État, comporte des frais que les populations rurales supporteraient difficilement. D'autre part, il n'est pas certain, qu'au stade actuel du développement socioéconomique du pays et des disponibilités tant en ressources financières que matérielles et humaines, que la commission ci-dessus indiquée puisse être mise en place simultanément dans plusieurs communes. Une structure moins lourde aurait été plus réaliste. La complexité des procédures établies et le coût prévisible de l'opération autorisent à croire qu'il s'agit pour le moment d'une déclaration d'intention.

La mise en œuvre du Projet de gestion du patrimoine foncier communal (PAFOC), conforte quelques peu les appréhensions formulées. Ce projet est le fruit de la coopération germano-malienne, et il a pour maître d'œuvre le Ministère des domaines de l'État et des affaires foncières. Il a démarré en septembre 2003 et a pour objectif d'appuyer des communes du Mali dans la gestion efficiente et durable de leurs ressources foncières, sur la base d'un système d'informations foncières (SIF) fiable. Il constitue la phase expérimentale du programme gouvernemental de mise en place du cadastre dans toutes les communes du pays (Ministère des domaines de l'État, Secrétariat général, 2005a).

Cette phase expérimentale couvre six localités, dont trois communes urbaines (Ségou, Koulikoro et Kati) et trois communes rurales (Macina, Baraouéli et Markala) situées dans deux régions administratives du pays (Koulikoro et Ségou). Les résultats attendus sont:

- l'élaboration et la mise en œuvre de propositions d'adaptation des textes réglementaires relatifs à l'inventaire des biens foncières des communes et à la gestion du cadastre aux spécificités locales;
 - le renforcement des capacités en gestion foncière des techniciens et cadres des institutions étatiques et communales ainsi que des prestataires privés;
 - la réalisation d'un inventaire foncier et mise en place de concepts pour l'évaluation des biens foncières dans les communes sélectionnées;
 - l'utilisation des SIF par les administrations communales, les services techniques décentralisés ainsi que les prestataires pour les besoins communaux.
- Prévu pour une durée totale de sept ans, le PAFOC se réalisera en deux phases:
- une première phase de trois ans qui a démarré en octobre 2003 portera sur les six communes déjà ciblées;
 - une seconde phase de quatre ans verra l'extension du projet à d'autres localités.

Le coût global du projet s'élève à 5 100 000 euros, soit 3 345 380 700 FCFA, dont 4 500 000, soit 2 689 423 700 FCFA d'apport de la République fédérale d'Allemagne et 600 000 euros, soit 393 574 200 FCFA de contrepartie malienne. Le budget alloué à la première phase s'élève à 2 556 000 euros, soit 1 676 626 092 FCFA.

Si le projet semble dans l'ensemble bien conçu, il est également bien coûteux.

Sans préjuger des résultats auxquels le projet pourra aboutir, on peut, d'ores et déjà, s'interroger sur la nécessité d'un investissement aussi coûteux pour un pays sans grands moyens financiers et la pertinence de certains choix techniques, notamment les prises de vues aériennes et «les photos mosaïques de grande précision». Si de tels outils, peuvent s'avérer importants pour la confection du cadastre, il est tout aussi, sinon plus important, de mettre en place un système d'informations foncières fondé davantage sur les dynamiques locales et les actions comprises et réalisables par les acteurs locaux.

Des projets d'une grande ampleur et ambitieux dépendant principalement de l'aide étrangère ne sont pas toujours de nature à pouvoir être pérennes¹¹. Il conviendrait d'aller davantage vers une identification et un système d'enregistrement simplifié des droits fonciers, fondé sur les pratiques et les ressources locales¹². Comme mesures d'accompagnement, les dispositions relatives aux droits coutumiers et aux différentes procédures doivent être complétées, allégées et diffusées au niveau des acteurs concernés. Parallèlement, des réflexions devraient être menées sur la nécessité de l'émergence de para-juristes et d'auxiliaires géomètres locaux pour appuyer les structures domaniales dans la constatation et l'enregistrement des droits fonciers. La mise en œuvre des mesures ci-dessus indiquées, constituerait, de notre point de vue, la meilleure façon d'aller à l'innovation, tout en conservant les acquis.

BIBLIOGRAPHIE

- Djiré, M. et Dicko, A.K.** 2006. *Les conventions locales à la croisée des chemins: état des lieux et perspectives dans le contexte de la décentralisation au Mali*. Sous presse à Karthala.
- Djiré, M.** 2004a. *Réformes législatives et pratiques foncières locales*. Quelques études de cas sur les droits d'accès à la terre et la gestion des ressources naturelles dans les communes rurales de Sanankoroba et Dialakoroba. Rapport de recherche CLAIMS. IIED, Bamako. (Miméo)
- Djiré, M.** 2004b. *Mythes et réalités de la gouvernance locale – L'expérience de la Commune rurale de Sanankoroba, Mali*. Publication zones arides IIED, Dossier n° 130. Londres.
- Djiré, M.** 2005a. *Appropriation de la terre et immatriculation – Les avatars d'une procédure (nécessaire?)* Rapport de recherche CLAIMS, IIED. Sous presse au Programme Zones arides

de l'IIED (disponible sur Internet: http://www.mpl.ird.fr/colloque_foncier).

- Djiré, M.** 2005b. Un peuple, un but, une foi, mais plusieurs droits ? Itinéraire d'une recherche sur les dynamiques locales et la sécurisation foncière dans un contexte de décentralisation à Sanankoroba. Dans G. Hesselting, M. Djiré et B. Oomen (éds), *Le droit en Afrique*. Droit étatique et expériences locales au Mali. Paris, Khartala.
- Mathieu, P.** 2001. Transactions informelles et marchés fonciers émergents en Afrique. Dans T. Benjaminsen et C. Lund (éds), *Politics, property and production: Understanding natural resource management in the West African Sahel*. Uppsala: Nordic Africa Institute.
- Mathieu, P., Lavigne-Delville, Ouedraogo, Ph., Paré, L. et Zongo, M.** 2003. *Sécuriser les transactions foncières au Burkina Faso*. Londres, IIED (Drylands Issue paper No. 117) (disponible sur Internet: <http://www.iied.org/pubs/display.php?o=9170IIED&n=42&l=286&s=DIP>).
- Ministère des Domaines de l'Etat et des Affaires Foncières.** 2005. Secrétariat Général, Note sur le PAFOC.
- PAFOC.** 2003. Dossier de presse (Conférence de presse du 19 décembre 2003). Ordonnance n° 00-027/P-RM du 22 mars 2000 portant Code domanial et foncier.
- Vanderlinden, J.** 2000. Enseigner sans reproduire – Rénover sans tout détruire. Propos hétérodoxes au départ de quelques constats élémentaires. Dans J.-Y. Morin et G. Otis (éds), *Les défis des droits fondamentaux*, Bruxelles/Montréal, Bruylant/AUF.

¹¹ Déjà au début 2005, le PAFOC, suite à quelques difficultés rencontrées par la GTZ avait connu un relatif ralentissement de ses activités.

¹² On espère que lors de l'évaluation des résultats de la 1^{re} phase, le projet aura tiré toutes les leçons de ses limites éventuelles et revu à la baisse ses ambitions pour la suite de ses activités.

Instaurer une bonne gouvernance dans le système d'administration des terres: la situation des Philippines

Le système d'administration des terres des Philippines, comme celui d'autres pays en développement, constitue un actif important et un élément catalytique du programme de lutte contre la pauvreté et de développement économique du pays. Toutefois, une gouvernance faible, y compris le manque d'efforts sérieux visant à réformer le secteur, minent non seulement le très grand potentiel de ce secteur, mais menacent aussi la compétitivité globale du pays. Le présent article analyse ce système complexe, décrit de plus près les lois, institutions et processus qui affectent l'ensemble de la population, notamment les pauvres, et suggère des principes de bonne gouvernance pour l'avenir. L'instauration d'une bonne gouvernance dans l'administration des terres d'un pays ayant un système juridique et politique très compliqué représente un défi énorme, qui n'est toutefois pas impossible à relever.

Instituir el buen gobierno en el sistema de administración de tierras: la perspectiva de Filipinas

Al igual que en otros países en desarrollo, el sistema de administración de tierras de Filipinas es un activo importante y un catalizador del programa de reducción de la pobreza y desarrollo económico del país. Sin embargo, una gobernanza deficiente, en particular por la ausencia de esfuerzos serios por promover la reforma del sector, no solo menoscaba su enorme potencial sino que amenaza también la competitividad del país a nivel mundial. Este artículo aclara la compleja estructura del sistema, ofrece una visión detallada de las leyes, instituciones y procesos pertinentes y de cómo afectan a toda la población, en especial la más pobre, y propone principios de buen gobierno como camino por seguir. Instituir el buen gobierno en la administración de tierras de un país donde el entorno jurídico y político es tan complejo supone muchas dificultades, pero esto no significa que sea imposible.

Instituting good governance in the land administration system – the Philippines’ perspective

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The land administration system in the Philippines, as in other developing countries, serves as an important asset and a catalyst for the country’s poverty reduction and economic development agenda. However, weak governance, including the lack of serious efforts for instituting reform in the sector, not only undermines its huge potential but threatens the country’s global competitiveness. This article untangles the complexity of the system; provides a closer look at the laws, institutions and processes as they affect all people, especially the poor; and suggests good governance principles as the way forward. Instituting good governance in land administration within a country with a highly complicated legal and political environment comes with enormous challenges, but is not without hope.

INTRODUCTION

The absence of good governance is the reason why many countries – especially developing countries – continue to fail in their efforts at poverty reduction and in their quest for economic and human development (ADB, 2005). Such a situation breeds inefficiency and corruption and further undermines government development efforts.

The Philippines is not an exception. Weak governance is a factor that contributes to the country’s slow economic growth and undermines its dream of becoming one of the economic “tigers” in East Asia. According to the Office of the Ombudsman, the government has lost an estimated US\$48 billion to corrupt practices over the last twenty years and, as estimated by the Commission on Audit, about US\$40 million are lost to governmental corruption every year (World Bank, 2001). In early 2001, allegations of corruption and weak governance were the primary cause of the second “People Power” revolution (the first one occurred in 1986, toppling the Marcos dictatorship) that changed the national leadership. But despite the change

in government, the country’s low score of Corruption Perception Index (based on Transparency International) has continued, since 2000, to slip, which indicates an increasing perception of corruption.

Against this backdrop, it is essential to accept that weak or bad governance exists, understand its complexities and address the questions relating to how such a phenomenon occurs. However, this article will not address the gigantic task of solving governance and corruption issues in the Philippines, but rather will try to contribute to the discussion on the land administration sector. The article has five sections. First, it defines land administration and describes its importance within the Philippine context. The second part provides an overview of the existing system, and the third delves into the specific details of how the system works in key areas and the roles of key “players”. The fourth part will attempt to point the way forward by introducing good governance principles and some concrete recommendations. The closing section provides some concluding remarks.

POTENTIAL ROLE OF LAND ADMINISTRATION

Until recently, land administration in the Philippines as a concept has been intertwined with the broad aspects of land management. Its definition is limited as to the activities and functions related to land classification, mapping, land surveys, first registration of titles and land rights, subsequent registration of land transactions and transfers, settlement of land disputes and land valuation and taxation.

A wealth of literature and empirical findings have pointed out that a good land administration system aids in the social, economic and ecological development of a society. Indeed, it is a precondition for economic progress, social stability and sustainable development. The challenge is to make it efficient and effective, so as to unleash its potential contribution to the country's development. In terms of the Philippines, the facts and figures enumerated below illustrate the importance of a well-functioning land administration system for the country and underscore the urgent need to introduce good governance in the system.

Facts and figures

Land administration provides security of tenure. The Philippines has a total land area of 30 million hectares, 50 percent of which are considered forest lands, 47 percent are classified as alienable and disposable lands and about 3 percent are unclassified lands. It is estimated that there are about 24.2 million parcels within alienable and disposable lands with 13.1 million parcels already titled and 11.1 million parcels untitled (DENR-LAMP, 2004a). Moreover, most of the forest lands in the Philippines are occupied and used by people without secure rights, while Metro Manila alone is home to some 4 million informal settlers (Teh, 2005).

Land administration facilitates asset reform programmes. Land administration facilitates asset reform programmes of the government, particularly in the recognition and protection of rights of agrarian reform

beneficiaries, indigenous peoples and informal settlers in urban areas. It has the potential to speed up the whole process through identification of programme areas, adoption of appropriate and low-cost land surveys, identification and demarcation of boundaries, implementation of alternative dispute resolution mechanisms and adoption of appropriate fee structures and land valuation. Land administration also protects the rights of the poor through an effective land registration system, and has the potential to provide control mechanisms (e.g. land ceilings), detection of violations and real-time information to the land market.

Land administration transforms dead capital into live capital.

Hernando De Soto, a well-known Peruvian economist, valued the dead capital in the Philippines at US\$132.9 million in 2000, which is approximately P5.855 trillion (De Soto, 2000). A land markets study undertaken in 2004 has confirmed the findings of De Soto, although with lower estimates. It was calculated that the true negotiable value of the Philippine land market in 2000 was about P4.925 trillion at current prices, and is expected to increase to P11.552 trillion by 2010. About 60 percent are in the informal land market (Urbis Philippines, 2004).

Land administration boosts the economy.

The Philippine land market, as mirrored by gross value added (GVA) in real estate and ownership of dwellings, is a key component of the Philippine economy. Between 1990 and 2000, it contributed an average of US\$2.728 billion a year, and accounted for 6.6 percent of the country's gross domestic product (GDP). The land market is also a key economic growth engine. For every percent increase in the GVA of the land market, there is a corresponding 1.12 percent increase in the country's GDP. As an asset, real estate is even more important, accounting for 40 to 45 percent of all financial investments made. It is a major motivation for household savings, constituting 80 to 85 percent. In addition, it affects inflation, financial holdings and

labour mobility, as well as government budgets through taxes (Urbis Philippines, 2004).

However, both the real estate sector and real estate taxes have shrunk as a part of GDP since 1991. Below-average growth in the real estate sector cost the economy about US\$2.0 billion from 1991 to 2000 (Bloch, 2004).

OVERVIEW OF THE EXISTING LAND ADMINISTRATION SYSTEM

The existing land administration system in the Philippines can be summarized in two words: multiple and complex. The whole system is governed by multiple laws, regulations, processes and standards, and is managed by multiple institutions with limited collaboration. These arrangements lead to a complex, overlapping and inconsistent system, which erodes the investment climate and affects the poor disproportionately.

Legal and regulatory framework

In the Philippines, a dual system of land titling exists – administrative and judicial. Any person who is qualified and wants an ownership title can either go to the courts or to any of numerous administrative agencies. Various laws have created multiple nomenclatures for titles, which to a large extent cause confusion among the public and for the investors, and also affect the value of the property, albeit artificially. Multiple laws that govern the current land administration system can be characterized as obsolete, prescriptive and no longer responsive (e.g. Public Land Act of 1936, as amended, Property Registration Decree of 1978, Cadastral Act of 1913, etc.) Subsequent laws (e.g. Indigenous Peoples Rights Act of 1997, Urban and Housing Development Act of 1992 and Local Government Code of 1991, among others) were enacted, and though relevant in most cases, were legislated without considering or harnessing the previous laws, which resulted in some inconsistencies – or worse, loss of the fundamental principle. For example, the latest amendments of

the Public Land Act extending the time in which free patent application can be lodged have included the payment of real property taxes as an additional requirement. No evidence was found that such amendment is intentional.

Institutional framework

The existence of numerous institutions managing the whole system – large, conservative and uncoordinated – complicates land administration and serves as a major hindrance for a holistic reform of the system. The institutions create an enormous number of rules and regulations without regard to consistency within their own jurisdiction, and without complementarity with measures undertaken by other agencies. With each agency empowered by overlapping, inconsistent and outdated laws, each working within its own walls and lacking a client-focused service mentality, the whole system becomes confusing, bureaucratic and expensive.

Technical and administrative framework

The existence of professional educators and professionals does not guarantee a well-functioning and responsive land administration system. This is true in the Philippines. In public and private practice, the professionals have failed to upgrade their knowledge and training beyond the limits of the existing inefficient system. In most of the land administration institutions, including the private sector, the use of modern technology is very limited due to personal reluctance, lack of resources (human and fiscal) and the lack of a vision for an efficient delivery of services. Human resources development in the public sector is not a priority. As far as cadastre is concerned, each agency is collecting land information and maintaining land records and maps with its own standards and protocols and the exchange of information is limited. The poor land records management system is aggravated by human factors (e.g. mishandling) as well as natural ones (floods, etc.).

Land markets

Given the inefficiency of the land administration system, efficiency in the land markets cannot be expected. Investors as well as ordinary households have a low level of confidence in the formal registration system and the rule of law is easily manipulated. Up to now, land market activities in rural areas were restricted by agrarian reform and public land laws that discourage the credit market and stagnate formal rural land markets. In urban areas, land speculation is rife, distorting the land markets as well as the housing markets. As a consequence, and with the ineffective and often conflicting land valuation methodologies, the financial markets needed for capital formation and investment are also not functioning.

Figure 1 represents the state of the existing land administration system in the Philippines and its inevitable impacts.

The titling process

In rural areas

Access to government land by the poor, particularly through the provision of the Public Land Act of 1936, as amended, was limited due to the unreasonable time requirement for occupation, requirement of payment of back taxes, the public's lack of familiarity with the process and institutional weaknesses. Realization of land ownership under the administrative procedure is slow, expensive and inefficient. Going to the courts for titling purposes requires a great deal of capital investment and patience. On the other hand, redistribution of private agricultural lands to the landless farmers through the agrarian reform programme that started in 1998 under the Comprehensive Agrarian Reform Law has proved to be a slow process, both controversial and endless to implement, primarily because of limited

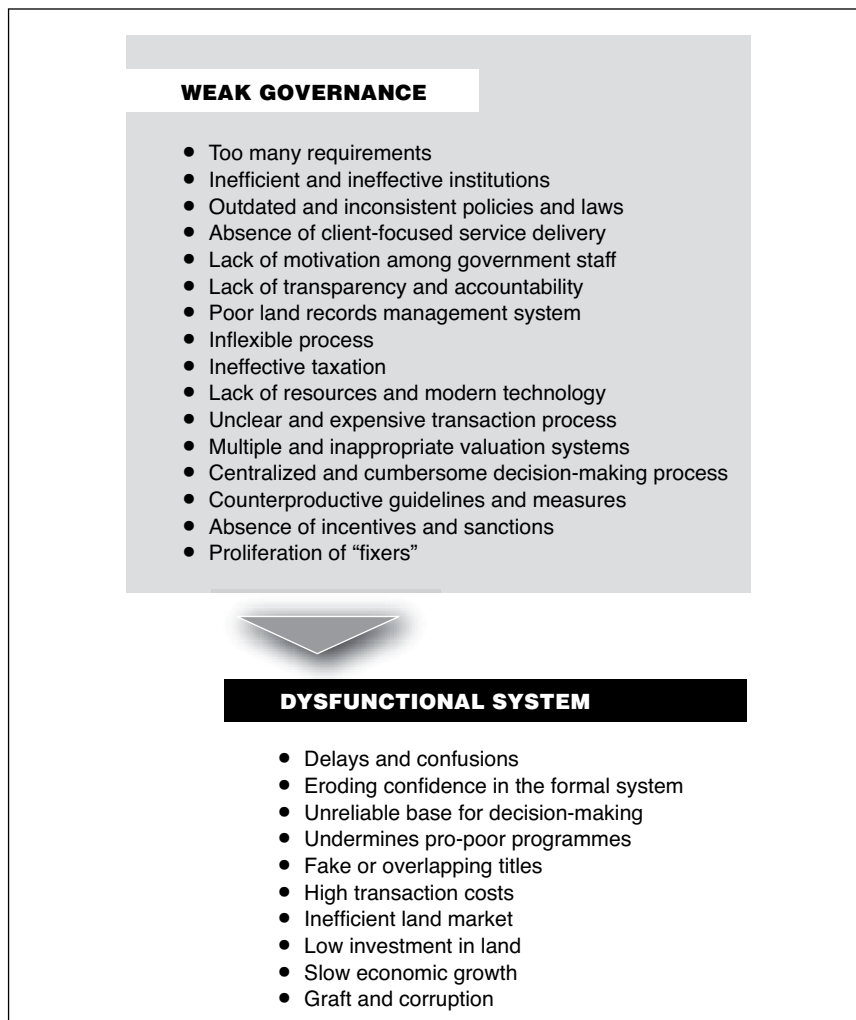


FIGURE 1
A closer look at the Philippines' land administration system

resources and the strong opposition mounted by large landholders (through legal means or otherwise).

In urban areas

President Arroyo, since 2001, started designating idle government lands in the urban areas as socialized housing sites. As noted by UN-HABITAT (2004), the policy did not cover informal settlements within private lands but, nonetheless, it was a positive and pragmatic response that has encouraged poor households to improve their homes and neighbourhoods. However, converting these proclamations into titles is not a panacea. The inefficient system and the institutional weaknesses have led to inertia in the implementation of this laudable initiative. Thus, it can be concluded that the present land administration system affects all pro-poor programmes, including those initiated by the highest office of the land.

The lack of vision, focus and deadlines in finishing these types of land reforms has contributed further to the deterioration of the people's trust in the government. Take the case of Mr Bonifacio, one of the urban poor in Manila, who has spent 18 years of his life trying to secure a title over a small piece of proclaimed government land he is occupying (DENR-LAMP, 2004b). Until now he has not received the title.

The registration process

The examination of six people's experiences in registering a transfer of land title revealed that "facilitation" fees were sought in every case and paid in at least four cases (Isles, 2002). The minimum time required to register the title transfer was two weeks (with payment of a bribe). The maximum time required was over two years, upon the intervention of the Office of the President. The same transaction, in Thailand, can be done in two-and-a-half hours (Burns, Brits and Grant, 2002).

The inappropriate practices inherent in the system are the main cause of the proliferation of fake, fraudulent and overlapping titles, as well as lost revenues

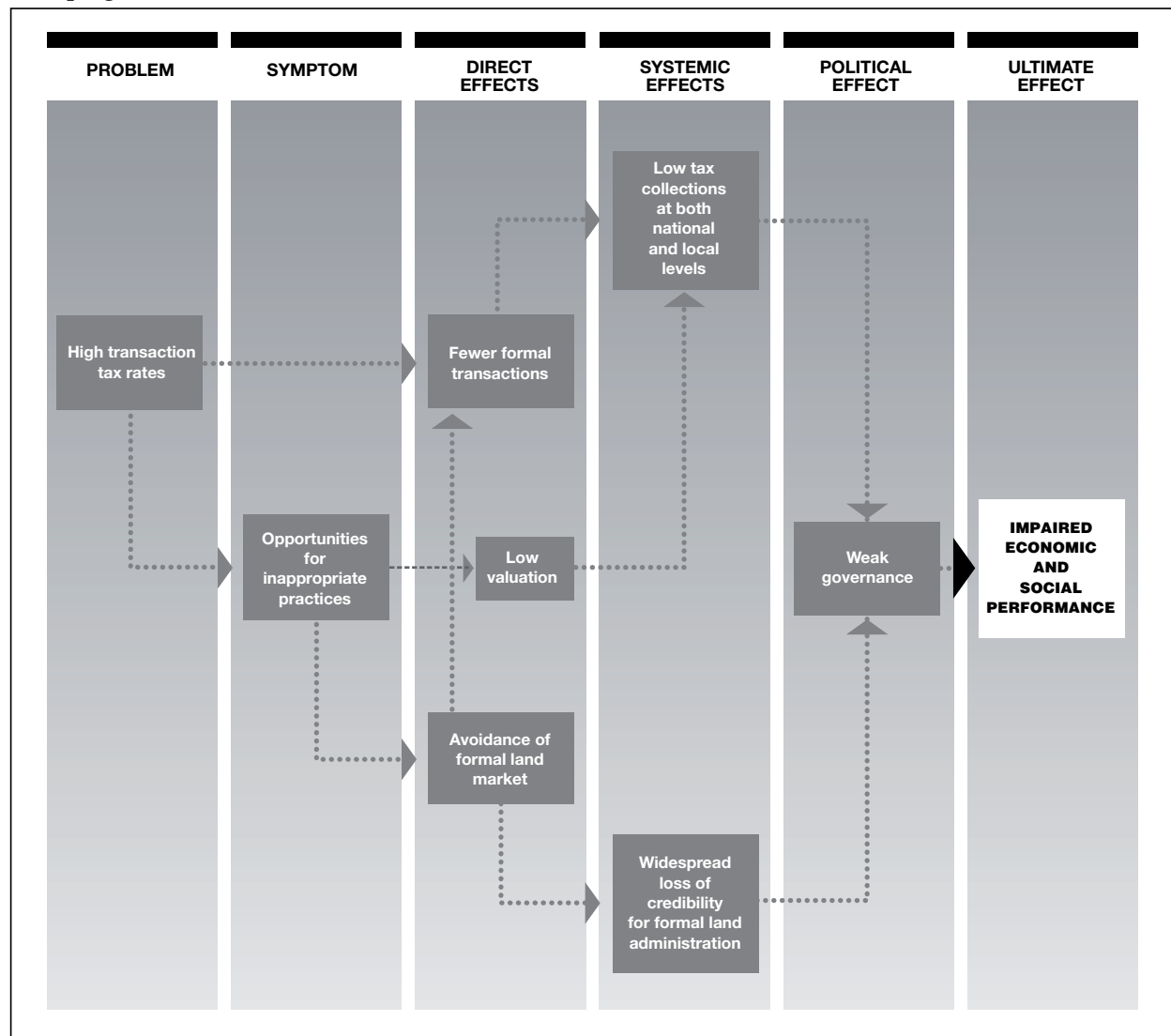
for the government. Moreover, for each transaction, a new certificate of title is issued, which makes the recording system difficult and the documentation voluminous; furthermore, without proper validation and linkage to the spatial information, the whole system is vulnerable to overlapping claims and double issuance of titles.

The system is prone to errors, for example because recording is done manually and for each transaction. The technical description (metes and bounds) of the property has to be typed on the face of the title, which then becomes part of the legal document. Any mistakes, even obvious typographical errors, require a decision of the court to be corrected and at the expense of the titleholders. An assurance fund exists for possible compensation for any mistakes and errors made by government staff on the issuance of title, but few have ever dared to go through the process because it requires a costly court procedure and will have to be fought against an army of government lawyers. And even if such a lengthy legal battle could be won, the budget for compensation has still to be approved by Congress. As a result, there has never been a successful claim against the assurance fund.

The land valuation and taxation process

For a typical transfer of title (e.g. sale), the person will have to bear the 6 percent capital gains tax (not really based on determination of capital "gains"), documentary stamp tax of 1.5 percent and transfer tax of 0.5 percent. Prior to registration of a transfer, all arrears on real property taxes and a certain percentage for registration fee must be paid. Transaction costs involved in the formal system are high. The government fees and taxes, excluding costs of survey, lawyers' advice and cost of notary public and real estate brokers, dissuade people from transacting in the formal system and encourage informal transactions and corruption. The use of different valuation methodologies to establish the basis for taxes and fees

FIGURE 2
The “players”



Source: DENR-LAMP, 2002.

by various land administration and taxation agencies complicates the matter, which actually tends to devalue the land to compensate for the high tax rates. Government losses on five government properties leased to private individuals in Davao City alone range from US\$18 000 to US\$70 000 annually due to the application of inappropriate valuation practices (PEENRA/LMB, 2000).

Meanwhile, the set legal figures were used as the basis for “under the table” negotiations. Imagine a transaction where the amount in consideration is about US\$1 million; about 10 percent of this would be the collectible taxes and fees, or about US\$100 000. But for only 50 percent of that – as a negotiated tax avoidance – the legitimate taxes can

be avoided. Thus, US\$100 000 is lost to government coffers while US\$50 000 is gained by an underpaid public servant – an amount more than his or her retirement check.

The imposition of taxes and fees even on pro-poor programmes not only slows down their implementation but creates a bad impression of the seriousness of the government. These and other factors have hindered the success of these programmes. As De Soto clearly pointed out, in the Philippines, not only are the entry costs high but also the maintenance cost, which has prompted the people to opt out of the formal system (De Soto, 2000).

Figure 2 shows how high transaction costs impair the social and economic performance of the country.

The major players

The structural defects, lack of coordination and lack of leadership among agencies responsible for the land administration system all contribute to weak governance and are a barrier for viable reform measures. For instance, a government project, faced with major difficulties dealing with the land registry office in operating a “one-stop-shop” for land titling activities, has recommended that there be a presidential directive, in the hope of improving the institutional arrangements (DENR-LAMP, 2004c).

The presence of private sector and strong civil society groups is one of the few strengths of the land administration system in the Philippines. However, the private sector will have to improve its capacity (e.g. technology, skills) and will have to introduce “self-policing” mechanisms. The civil society groups, on the other hand, have yet to include land administration as an indispensable element of their sectoral agenda.

Other institutions

Any structural reforms in the system will have to go through a Congress where politicking and various interests prevail. On the other hand, enforcement of property rights and conflict resolution are mostly handled by the courts. As always, the courts cannot cope with the enormous task of deciding voluminous numbers of cases within reasonable time and cost (and yet, they still have the task of deciding the first title registration of land ownership). Oversight agencies and other government entities have yet to see land administration as representing a wealth of opportunities, rather than as a burden on the government’s financial resources and a mundane service.

THE WAY FORWARD

Instituting good governance principles

The urgent need to transform the whole Philippine land administration system into a viable asset to steer development of the country and overturn the threatening effects of poor land governance is undeniable. But

any initiatives to overhaul the system will need to be done with caution. Below are suggested good governance principles to serve as a guide in pursuing viable reform options and in crafting concrete proposals to improve the system.

1. Leadership and participation.

Leadership is an indispensable element of the reform process. Without it, success will be very difficult to achieve. Active participation of key stakeholders such as the private sector, civil society groups and other institutions is necessary to drive the appropriate changes in the system, to provide credibility and sustainability of the strategic vision and its implementation and to gain ownership of the whole process. These elements will serve as a strong shield against vested interests and can provide strategic focus to achieve desired results within a reasonable time frame.

2. Clarity and simplicity. Rules, guidelines and procedures – including fee structure and taxation schemes – should be clear, simple and understandable. The review and approval process must be time-limited, and all the required services should be delivered at one geographical point, if at all possible. Any overlaps, excessive requirements, lengthy and confusing procedures and complicated taxation and fee structures should be avoided. Clarity and simplicity are two dominant factors that reduce opportunities for corrupt practices and informal transactions.

3. Transparency and accountability.

Information regarding the processes, regulations and decisions that affect or may affect the public should be accessible in a complete and understandable manner. The roles and powers of the different institutions (including the private sector, civil society groups and others) must be clearly defined, understood and monitored. All the players – and particularly their decisions, behaviour, actions and

representations – must be accountable not only to their superiors and constituents but also to the general public. These twin concepts are the cornerstones of good governance and promote checks and balances in the system.

- 4. Fairness and equity.** All laws, regulations and processes should be fair and should be implemented and enforced without any biases. Any perceptions to the contrary will diminish public trust and will lead to the breakdown of the formal system. Equity considerations should also be put in place to allow all men and women to have equal opportunities in the land administration process. In this case, priority in providing education and assistance must be given to underprivileged groups, particularly the poorest of the poor. Fairness and equity are the driving forces that strengthen the social acceptability and credibility of the system.
- 5. Efficiency and effectiveness.** Efficiency is concerned with how fast the service can be delivered while optimizing the often constrained resources; effectiveness relates to the quality of the work, consistency and responsiveness. Improvements in this regard should never stop but should be treated as a continuing process. These two elements are catalysts and serve as a tangible measure of a well-functioning land administration system.
- 6. Sustainability.** Reform implementation must be able to prosper without unnecessary interference by external forces (such as politics) or administrative factors (such as lack of resources). The idea is to establish the fundamentals. First, create a broad-based constituency for the intended reforms from various sectors at various levels. Also, concrete measures need to be undertaken, however small, to demonstrate some success and encourage more support, politically and financially. The second step is to invest

in people and institutions. Capacity-building programmes need to be undertaken, including the introduction of new and appropriate concepts and technologies and exposure to international trends and best practices. Third, institute the structural reforms – legal and institutional. This will ensure long-lasting reforms in the land administration system. Last is to ensure that the “voice” of users/clients is heard at all stages and in all decision-making processes. Sustainability is perhaps the most compelling measure to ensure success.

From principles to concrete actions

In a complex and somewhat unfriendly environment, instituting reforms in the present land administration system is not without challenges. Weak governance makes the land administration fail in its promises to contribute substantially to the country’s development and social stability. Instituting good governance principles as the guidepost for reform unlocks the full potential of land administration. Here are some practical recommendations on how to proceed:

Set up the vision. Everything starts with a vision. The future land administration system must be client-focused, effective and sustainable, and a time-bound action plan and milestones should be set and agreed with key stakeholders. Land administration should not be treated as an issue in isolation but rather should be integrated in the broader spectrum of the country’s vision and development planning. At this stage, it is important that agents and “champions” of change have been identified and motivated to lead, at least in the initial stages of the reform.

Advocate for the reforms. Advocacy comes in three stages: public awareness and education, consensus building and mobilization. At the earlier stage, one must be able to steer discussions on the issue, its significance and the possibility of change.

Promoting awareness and education should not be limited to government agencies but must also extend to the private sector, civil society and influential groups (e.g. decision-makers, media personalities, legislators and economic managers). In consensus building, one must be able to get support from the audience and capitalize on their strengths and possible contribution. But one should not expect that everybody who declares support will actually take action and will mobilize their forces and resources. However, in this stage, eventual champions and partners will emerge, and they should be encouraged.

Re-engineer the whole system. There are many possible reforms that can be introduced in the present complex regime of land administration in the Philippines. The specified recommendations are only a few of the practical measures possible, and are directed to three critical areas: policy and legal, institutional and technical and administrative arrangements. The strategy, however, is two-pronged – initiating structural reforms at the policy level and demonstrating small successes at the field level.

Policy and legal reforms

Structural defects in the system have to be addressed as quickly as possible. In 2002, the Department of Environment and Natural Resources-Land Administration and Management Project (DENR-LAMP), a four-year project (Phase 1) supported by the World Bank and the Australian Government, aimed to introduce reforms in the land administration sector in preparation for a long-term programme, in agreement with most of the stakeholders, and made 14 recommendations to address the structural defects of the system:

1. Strengthen leadership and management of reform.
2. Remove duplication and overlap in delivery of services.
3. Improve the efficiency, responsiveness, transparency and accountability of services.

4. Consolidate and coordinate production of and access to land information.
5. Abolish judicial processes for issue and registration of title in favour of simple administrative processes.
6. Reform and consolidate land administration laws.
7. Clarify rights of persons occupying land to obtain a title.
8. Progressively extend the Torrens Title Register to record all rights relating to land.
9. Devolve responsibility for taxation of real property ownership and transfers to local government.
10. Streamline land transfers and remove disincentives to their formal registration.
11. Progress towards cost recovery for services.
12. Remove local government political intervention in the assessment of property values.
13. Adopt a single valuation basis for all real property taxation.
14. Develop, implement and enforce uniform, best practice valuation standards within government.

Institutional arrangements

On the institutional side, capacity-building initiatives must be prioritized in the public sector as well as in the private sector. Institutional overlaps – including functions related to approval of surveys, collection and maintenance of land records and information – must be addressed so as not to waste scarce government resources and create overlaps, inconsistency and confusion. Free exchange of information must also be institutionalized (e.g. making available cadastral maps to agencies working on land valuation and land-use planning). Improving coordination mechanisms among concerned agencies and concerned local government units and forging sustainable partnership agreements are essential ways to enhance performance while avoiding duplication and unnecessary burden on the public. Introducing formal incentives and sanctions mechanisms and enforcing them seriously may be a

good way to encourage productivity and motivation among government staff and dissuade malfeasance. Decentralization of decision-making processes at appropriate levels, establishment of one-stop shops and introduction of modern and appropriate concepts and technology are ways to achieve efficiency, improve responsiveness and enhance transparency and accountability in the process.

Technical and administrative arrangements

Some innovations and simple changes to technical and administrative arrangements could produce a huge improvement in the system in terms of operational efficiency, service quality and effectiveness. A simple reduction of survey accuracy standards and allowing low-cost and less-accurate survey methods for low-value lands (e.g. agricultural lands) would promote the government's anti-poverty programmes, particularly on securing tenure rights in the rural and upland areas. Systematic land titling procedures should also replace the sporadic way of issuing titles, to enhance transparency and productivity. Alternative dispute resolution mechanisms at the field level also should be institutionalized. As the study of Ariaso *et al.* (2003, pp. 87–89) revealed, most people will opt for amicable settlement and *barangays'* (village) decisions on what will be most acceptable.

The most obvious but challenging task is to address the simple questions of how long the process will take and how much it will cost. To answer the “how long” questions, it is imperative that procedures be streamlined and requirements simplified to the minimum, as required by law, and that changes be implemented consistently across regions. Previously, the Department of Environment and Natural Resources, through an administrative issuance, restricted access of married women to homestead grants without any legal basis, which should have never occurred. It took more than 60 years for the said agency to correct this mistake.

As to the question of cost, steps can be taken to simplify the fee structure – for

example, by bundling all related fees into a single fee or setting a flat fee to avoid complicated formulas. It is essential, however, that such fees should be collected at a point where the final service or document is to be delivered. The fewer the steps and the fewer the collecting agents the better. Essentially, one must be able to answer quickly pressing questions from the general public, both with certainty and also providing clarity and transparency; encourage people's participation; and reduce inappropriate and corrupt practices.

Monitor progress. Reform is a continuing process. Monitoring of progress will have to be done during the reform initiatives and needs to be institutionalized during the implementation stage by creating feedback mechanisms. Notification of milestone achievements will have to be disseminated to all concerned to build support and enthusiasm. The reform process should never cease and further improvements to the system should always be an objective. However, it is fundamental to understand that monitoring *per se* is a concern of everybody and a joint responsibility of all partners.

Make it sustainable. The four means to establish the essential foundations for sustainability (see above) must be integrated in all aspects of reform proposals and the reform process. Capacity-building programmes need to be implemented and initiatives and activities of the private sector and civil society should be promoted. Also, the system must be able to be flexible and responsive to changing demands. In the long run, the lead institution must aim to self-finance all its operations and activities to ensure high standards of service delivery, achieve further improvements and enhance sustainability.

CONCLUDING REMARKS

This article shows how important the role of the land administration system is for the country's poverty reduction and economic development programmes. It provides a

clear picture of how huge its potential is to stimulate economic growth, ensure social equity and improve the investment climate. The challenge is to accept that inefficiency and weak governance in the system exist and to act decisively to remedy them.

The dysfunctional system has been obvious for many years but its operations have been concealed from outsiders' notice. Its impacts are not directed towards a specific group of stakeholders but rather affect everybody, though unfortunately, the poor are affected disproportionately. There are a lot of opportunities for change and some of these are basic, though still not without difficulties and challenges. Good governance principles, in this regard, have to dominate all aspects of reform proposals and the process itself. Such principles should serve as a guide for all undertakings, actions and decisions to increase the possibility of success.

This article has highlighted how governance matters in managing the land administration system. The Philippines' situation mirrors what is happening in other developing countries at different stages of development and at different phases of initiating land administration reforms. Finally, the tasks ahead seem insurmountable but are worth undertaking given the huge potential that an efficient and sound land administration system has to contribute to the country's global competitiveness. As Oliver Wendell Holmes once said, "the greatest things in this world are not so much where we are, but in which direction we are moving".

REFERENCES

Ariaso, D., Tamayo, N., Amores, B., De Paz, D., Aure, F., Perez, R., Solis, V., Operario, E. & Ariaso, R. 2003. *A review of existing mechanisms and structures in the resolution of land-related disputes in rural areas*. CD-ROM. Philippines-Australia LAMP Technical Reports. Quezon City, Philippines.

ADB (Asian Development Bank). 2005. *Country governance assessment, Philippines*. Manila.

Bloch, P. 2004. *Cost recovery of land services and land as a basis for government income*. Paper

presented at LAMP Policy Forum, 17–18 November 2004. Manila.

Burns, T., Brits, A. & Grant, C. 2002.

Comparative study of land administration systems. Working paper presented at Regional Workshops on Land Policy Issues, Asia Program, 4-6 June 2002, Thailand. CD-ROM on Workshop Documentation.

De Soto, H. 2000. *The mystery of capital. Why capitalism triumphs in the West and fails everywhere else*. New York, USA, Basic Books.

DENR-LAMP (Department of Environment and Natural Resources-Land Administration and Management Project). 2002. *Policy integration report*. CD-ROM, Philippines-Australia LAMP Technical Reports. Quezon City, Philippines.

DENR-LAMP. 2004a. *Land tenure status study*. Quezon City, Philippines.

DENR-LAMP. 2004b. *The LARA project video*. Quezon City, Philippines.

DENR-LAMP. 2004c. *Integrated lessons report*. Manila (available at <http://www.phil-lamp.org>). December 2005.

Isles, C. 2002. *Transfer of titles. Realities on the ground*. Case study commissioned by Philippines-Australia LAMP. Quezon City, Philippines.

PEENRA/LMB (Philippines Economic – Environmental & Natural Resources Accounting System/Lands Management Bureau). 2000. *Valuation and rental determination of DENR administered patrimonial properties*. Manila.

Teh, A.R. 2005. *Land administration and management in the Philippines: reforms and innovations*. Paper presented at Expert Group Meeting on Secure Land Tenure: New Legal Frameworks and Tools. Bangkok, 8–9 December 2005. Bangkok, United Nations Economic and Social Commission for Asia and Pacific.

UN-HABITAT. 2004. *Urban land for all*. Nairobi, United Nations for Human Settlements Programme (available at <http://www.unhabitat.org/campaigns/tenure/documents/>).

Urbis Philippines. 2004. *Land markets study-final report*. DENR-LAMP. Quezon City, Philippines.

World Bank. 2001. *Combating corruption in the Philippines – an update*. Philippine Country Management Unit. Manila, East Asia and Pacific Regional Office, World Bank.

Le Programme nigérian de mise en valeur des terres agricoles: effets sur les revenus agricoles dans les États d'Oyo et Osun

Cette étude analyse les effets du Programme national de mise en valeur des terres agricoles sur les revenus agricoles dans les États d'Oyo et Osun, au Nigéria. Dans chaque État, 60 agriculteurs, également répartis entre le groupe participant et celui qui ne participait pas, ont été choisis de façon aléatoire. L'étude a montré que le programme réalisé dans ces deux États a atteint moins de 2 pour cent des objectifs fixés pour la mise en valeur des terres et le placement des participants au cours des sept ans qu'a duré le projet (1992-1999) et le taux de rotation des participants a été de 76 et 79 pour cent respectivement pour les États d'Oyo et Osun. De même, les revenus agricoles nets des agriculteurs (allant de 164 à 267 dollars EU) étaient nettement insuffisants pour satisfaire leurs besoins et ceux de leur famille. L'article présente certaines recommandations visant à améliorer les résultats de projets analogues pour l'avenir, qui prévoient notamment des financements adéquats, ainsi que la fourniture d'infrastructures rurales et de crédits aux participants.

El Programa nacional de fomento de tierras agrícolas de Nigeria: repercusiones en los ingresos agrícolas de los Estados de Oyo y Osun

Este estudio evalúa el impacto del Programa nacional de fomento de tierras agrícolas de Nigeria en los ingresos agrícolas de los Estados nigerianos de Oyo y Osun. En cada uno de ellos se seleccionaron al azar 60 agricultores, con una distribución equitativa entre los que participaron y no participaron en el Programa. El estudio demostró que en estos dos Estados el Programa había alcanzado menos del 2 por ciento de los objetivos establecidos por lo que respecta al fomento de tierras y asentamiento de los participantes durante los siete años de duración del proyecto (de 1992 a 1999), y mostró que la rotación de los participantes había sido del 76 por ciento en Oyo y del 79 por ciento en Osun. Al mismo tiempo, los ingresos agrícolas netos de los campesinos (que oscilaban entre 164 y 267 dólares EE.UU.) eran decididamente insuficientes para satisfacer sus necesidades y las de sus familias. El artículo contiene algunas recomendaciones para mejorar los resultados de proyectos similares en el futuro, entre ellas las de proporcionar financiación adecuada así como infraestructura rural y crédito a los participantes.

The National Agricultural Land Development Programme in Nigeria: impact on farm incomes in Oyo and Osun states

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The study assesses the impact of the National Agricultural Land Development Programme on farm incomes in the Oyo and Osun states of Nigeria. In each state, 60 farmers, equally distributed between the participating and non-participating, were randomly selected. The study showed that the programme in these two states achieved less than 2 percent of the targets set for land development and placement of participants during the project life of seven years (i.e. 1992–99), and showed a participant turnover of 76 and 79 percent for Oyo and Osun states, respectively. Similarly, net farm incomes by the farmers (ranging from US\$164 to US\$267) were grossly inadequate to satisfy the needs of the farmers and their families. The article makes some recommendations to improve the performance of similar projects in the future. These include adequate funding, as well as the provision of rural infrastructure and credit to participants.

INTRODUCTION

The Nigerian economy is basically agricultural. The sector contributed up to 60 percent of gross national product (GNP) and employed over 70 percent of the total labour force by 1981. However, by 1998, the sector's contribution to GNP had declined to only 40 percent as a result of the increased contributions of petroleum and the neglect of agriculture. This relative decline in the importance of agriculture to the Nigerian economy is worth noting. Self-sufficiency in food production has been impaired, while the plan to create a robust and diversified export structure has not been achieved.

The last 40 years of Nigeria's existence as a sovereign nation have witnessed the introduction and implementation of a number of agricultural development programmes. The list includes Farm Settlement Schemes, Operation Feed the Nation (OFN), the Green Revolution Programme, Agricultural Development Programmes (ADP), River Basin Development Authorities (RBDAs), the School-to-Land Programme and the Land Use Act.

They were all designed to bring about the development of the agriculture sector. Another in the growing list of such programmes was the National Agricultural Land Development Programme (NALDA). Established in 1991, its major objective was to utilize the nation's land and human resources optimally to raise the quality of life of rural people. This included the provision of strategic public support for agricultural land development and economically viable farmholdings to consolidate scattered, fragmented farms. The programme also aimed at the evolution of economically viable village settlements that would reap economies of scale in the provision of social services (water, health, primary schools, etc.) and agricultural technologies.

The land and the people are the strategic resources for rural development in Nigeria. If there is to be national development, therefore, policies must be operationally relevant to both the improved use of land and the energetic participation of the people. Every system of local economy of agriculture (all over the world) was at once both a

system of local organization and a system of land use. Such local systems of economy were generally based upon three general principles: (1) group control of access to opportunities to use land; (2) allocation of land-use opportunities to members of the group by an authority; and (3) individual family responsibility for survival through the exploitation of opportunities to use the land (Parsons, 1970). Within each stage of development there are systems of rules for the use of land, which mature under the stress of scarcity and conflict into systems of rules for land tenure regulating the use, occupancy and transmission of land (Fabiya and Idowu, 1991).

STATEMENT OF THE PROBLEM

Land is obviously the most important of all the resources for agricultural production. In Nigeria, with shortages of land occasioned by the pattern of land ownership under the customary tenure systems and localized population densities, few farmers can afford to grow crops for the market. The average Nigerian farmer operates patches of small-scale holdings barely adequate to meet family subsistence needs. The meagre farm income generated is generally inadequate to guarantee a decent standard of living (Adegeye and Dittoh, 1985). In addition to the land constraint, available family labour is rarely fully utilized, leading to underemployment as well as unemployment in the rural areas.

JUSTIFICATION

The study was conducted on the performance of NALDA, one of Nigeria's numerous projects aimed at revitalizing the agriculture sector. NALDA was established by the Government of Nigeria in 1991 to facilitate the optimal use of the country's land and human resources. The programme was the first ever community-based agricultural and rural development programme in Nigeria. Under the programme, local community participation was incorporated into the planning stage as a way of ensuring the success of the programme. Although the project has been

discontinued this study remains relevant insofar as it will, among other things, highlight the problems that led to the demise of NALDA and similar programmes – a subject that has not been given due consideration in the country, with the result that mistakes in programme design and implementation are often repeated.

OBJECTIVES OF THE STUDY

The broad purpose of the study was to evaluate the effectiveness of NALDA in the light of its objectives. Specifically, the study was intended to:

- (i) assess the impact of NALDA on farm incomes in Oyo and Osun states;
- (ii) compare the costs and returns of farm enterprises by participating and non-participating farmers;
- (iii) identify the problems militating against the achievement of the goals of participants in the two states.

REVIEW OF PAST AGRICULTURAL DEVELOPMENT PROGRAMMES IN NIGERIA

Many studies have been carried out on past agricultural development programmes in Nigeria. These include: the Farm Settlement Schemes (Olatunbosun, 1967; Roider, 1971; Idachaba, 1986); Farm Institute Programmes, the National Accelerated Food Production Programme and Operation Feed the Nation (Adegbola and Akinbode, 1986); the River Basin Development Authorities (Bamidele, 1991); the Green Revolution Programme (Aribisala, 1983; Oyatoye, 1986) and the Agricultural Development Programmes (Sanda, 1991).

The main objective of modern agricultural development is the modernization of the smallholder production system that dominates Nigerian agriculture. This system is mainly characterized by the application of low levels of technology to the methods of production and by the small-scale nature of most of the farmholdings (Helleiner, 1966). Attempts have been made to transform this type of agriculture and increase its productivity. The main approaches have included mechanization to make possible larger-scale operations, the cultivation of

introduced and sometimes improved crops, the use of paid labour recruited outside family sources, the modification of systems of land allocation for farming activities, the use of modern mechanical methods for the processing of agricultural products and the orientation of production towards the world market. These efforts were made in the belief that the modernization of agriculture held the key to economic transformation in developing countries (Lewis, 1970; Agboola, 1979).

There was considerable public support for the Farm Settlement Scheme right from the start. The scheme was fashioned after the Israeli Moshav agricultural project. The projects were capital intensive in nature with central services such as schools, medical stations, churches or mosques, market stalls or shops, post offices, staff houses, processing equipment and machinery pools located in the centre of the settlement. The fact that only 23.7 percent and 37.3 percent of the 15 203 hectares projected for development had materialized by 1966 and 1970, respectively, was mainly a result of the capital-intensive nature of the scheme (Roider, 1971). This prevented the government from putting in place the necessary facilities to expand and maintain existing farm settlements.

Among other reasons cited for the demise of most of these programmes were: the recruitment of the wrong group of participants, who were not interested in the programme (Idachaba, 1986); lack of incentives to enable the participants to adopt improved farming practices; inadequate funding and undue concentration on technically grandiose projects at the expense of simple but cheap designs (Adegbola and Akinbode, 1986). Others include land-tenure problems, paucity of data prior to land development, inadequate infrastructure, bureaucratic delays and inadequacy of executive capacities in project implementation (Aribisala, 1983; Oyatoye, 1986; Sanda, 1991).

BACKGROUND INFORMATION ON THE PROGRAMME

The National Agricultural Land Development Programme was established

by the federal government on 7 May 1991. According to the programme document (NALDA, 1991), among its objectives were:

- (i) to provide strategic public support for land development that currently constitutes the most severe infrastructure development bottleneck hindering the development of viable economic farmholdings;
- (ii) to promote and support optimum utilization of the nation's rural and land resources for the accelerated production of food and fibre;
- (iii) to consolidate present fragmented and scattered agricultural landholdings to narrow rural-urban income inequalities;
- (iv) to encourage the evolution of economic-size village settlements that will reap the economies of scale in the provision of social services (water, health, primary school, etc.) and agricultural technologies;
- (v) to provide gainful income and employment opportunities for rural people, raise rural incomes and the general living standard in rural Nigeria;
- (vi) to provide incentives for programme participants.

In pursuit of the objectives outlined above, the main content and targets of the programme included, among others:

- (i) development of 30 000–50 000 hectares of land in each state, beginning with the 1992–94 rolling plan period, divided into 4-ha farm lots;
- (ii) placement of at least 7 500–12 500 programme participants such that no farmer need travel more than 3–5 km to get to his or her farm;
- (iii) settlement of 250 farmers per Local Government Area per annum;
- (iv) network of physical and social infrastructures;
- (v) subsidized land development and management;
- (vi) supervised agricultural credit and cooperative schemes of produce marketing and utilization;
- (vii) zonal seedling production facilities to feed satellite villages of settlers or participants (NALDA, 1991).

GUIDELINESS FOR PARTICIPANTS

The programme was designed to operate according to the following guidelines:

- (i) Participants/settlers must be carefully selected such that successful applicants are truly dedicated to agriculture, have the necessary agricultural background, have a stable family life and other desirable characteristics, not those simply seeking temporary refuge from unemployment.
- (ii) Communities that wish to participate must voluntarily offer land for which no compensation will be paid. Forgone compensation represents the substantial contribution and irrevocable commitment of participating communities.

INCENTIVES

Programming for NALDA was to ensure that there were adequate incentives to attract and retain participants. Incentives to attract participants included:

- subsidized land development costs in the initial period;
- supervised credit;
- supervised processing and marketing of produce;
- integrated extension services;
- robust extension services;
- loan recovery period of 15–20 years, after an initial grace period of 2–7 years.

FUNDING ARRANGEMENT

NALDA was jointly funded by local communities and local, state and federal governments. The bulk of the financial contributions of local communities was the foregone land compensation payments for land used for the project. The funding formula for the programme was federal government, 85 percent; state governments, 10 percent; and local governments, 5 percent (NALDA, 1991).

METHODOLOGY

Sampling method and data collection

The study was conducted in Oyo and Osun states in the southwestern part of Nigeria. The NALDA project in Oyo State

was located at Ilero, within the Guinea savannah zone, and the project in Osun State was located at Iwara, within the forest zone. In each project site, 60 farmers (i.e. 30 project participants and 30 non-project participants) were randomly selected for study.

Primary data were collected through the use of structured questionnaires, while secondary data were obtained from the records at the headquarters and field offices of the NALDA projects in the two states. Descriptive statistics, t-test (showing the significance of variations between project participants and non-participants) and budgetary techniques were used to analyse the data collected.

RESULTS AND DISCUSSIONS

Socio-economic characteristics of respondents

Sex. Field survey revealed that all the National Agricultural Land Development Programme participants interviewed in both Oyo and Osun States were male (Table 1). Some female non-participants (about 13 percent in Oyo and 17 percent in Osun) were, however, interviewed. Further discussion with the programme officials showed that no female was admitted to participate in the programme in the two states despite the existence of women farmers within the programme catchment areas. Male crop stereotyping for tree crops generally (cashew and oil-palm for Oyo and Osun States, respectively) might have accounted for this non-inclusion of women in the programme.

Age. The mean ages for respondents in the two states showed that farmers in Oyo State (about 49 years) were slightly older than those in Osun State (about 43 years). The result, however, indicated that the majority of farmers (both project participants and non-project participants) in the two states are still within the productive age range for agricultural production. Consequently, age differences are not likely to cause any difference in the performance indicators (such as income) between the two categories of farmers.

Table 1

Summary of socio-economic characteristics of respondents

	OYO STATE		OSUN STATE	
	Project farmer	Non-project	Project farmer	Non-project
Sex (percentage):				
Male	100.0	86.7	100.0	83.3
Female	-	13.3	-	16.7
Age (years):				
Minimum	31	30	26	32
Maximum	58	60	55	66
Mean	49.1	48.9	43.0	43.1
Formal education (percentage):				
None	60.0	66.6	53.3	63.3
Primary	26.7	16.7	30.0	26.7
Vocational	-	-	-	-
Secondary and above	13.3	16.7	16.7	10.0
Migration pattern (percentage):				
Natives	63.3	100.0	73.3	60.0
Non-natives	36.7	-	26.7	40.0
Family size:				
Minimum	4	5	0	2
Maximum	16	14	15	16
Mean	9.0	10	7	8
Occupation (percentage):				
Farming as primary occupation	13.3	20.0	60.0	70.0
Farming as secondary occupation	86.7	80.0	40.0	30.0
Distance of farm from homestead (km):				
Minimum	3.0	n.a.	0.1	n.a.
Maximum	9.5	n.a.	5.0	n.a.
Mean	5.1	n.a.	4.1	n.a.

Source: Field survey, 1999/2000.

Formal education. The study found that a slightly higher percentage of project participants had formal education than non-project participants. In Oyo State, 40 percent of project participants had some form of formal education, compared with about 33 percent for non-participants. Similarly, in Osun State, about 47 percent of the project participants (and about 37 percent of non-project participants) had formal education. The selection process for the project participants seemed to favour educated farmers in the two states.

Migration pattern. The migration patterns for project participants were found to be different for both states. Non-natives represented 36.7 percent of the Oyo sample and 26.7 percent for Osun. However, no non-native was among the non-project respondents for Oyo State, whereas non-natives constituted 40 percent of those for Osun State. These results reflect differences in the farming systems in the two states. The project in Oyo State is located within the savannah zone where the cultivation of arable crops dominates, and which has not

attracted resident migrant farmers. On the other hand, most of Osun State (including the project site) lies within the forest zone, where tree-crop production is common. Over the years, migrant farmers had been involved in tree-crop production (especially cocoa and oil-palm) in the forest zone of southern parts of Nigeria (Helleiner, 1966; Agboola, 1979; Idowu, 1989). Hence the higher presence of non-native respondents in that area.

Family size. The family size distributions of all participants in the two states (1–16) are similar and tend to be representative of large families. These family sizes are better considered as consumption units rather than production units because only very few family members help on project farms. This means that high incomes are needed by the farmers to meet the feeding, educational, health and other social needs of their families.

Occupation. The majority of respondents in Oyo State regarded farming as a secondary occupation, while the reverse was the case

in Osun State. Within Osun State, the availability of rainfall for most periods of the year encourages farming activities and cultivation of crops all year round, unlike in Oyo State, where the project location experiences rainfall for only a part of the year. Hence, most farmers within the project catchment area in Oyo State usually have other occupations to engage in during the off-season periods when crop cultivation is not feasible due to lack of rainfall.

Distance of farm from homesteads. The distances covered by project farmers to get to project farms ranged from 3 to 9.5 km (mean: 5.1 km) for Oyo State and from 0.1 to 5.0 km (mean: 4.1 km) for Osun State. This result is close to the programme objective that no farmer should travel more than 3 to 5 km to get to his or her farm (compared to longer distances typically travelled before the introduction of the programme).

SIZE OF FARMS CULTIVATED BY RESPONDENTS

Table 2 shows the size distribution of farms cultivated by both participants and non-participants in the two states. In Oyo State, most of the participants (67 percent) cultivated 1 hectare or less, whereas in Osun State only about 23 percent cultivated similar-size farms. The mean farm sizes cultivated by the participants were 1.6 ha and 2.6 ha for Oyo and Osun States, respectively. For non-participants the mean farm sizes were 2.3 ha and 1.7 ha for the two respective states.

The implication is that most of the participants cultivated less than 4.0 ha of the land allocated to them. Some of the

reasons cited by the participants for their inability to cultivate the total farmland allocated included: difficulty in obtaining tractors, and lack of farm inputs and credit facilities.

CROPS GROWN

The NALDA project crop for Oyo State was cashew, and oil-palm for Osun State. Intercropping, which is a general farm practice in the southern parts of Nigeria, is observed among participants and non-participants alike. Among the project participants, the common food crops grown include: maize, cassava and to some extent yams (Table 3). These crops are useful as sources of food and income to the families before the tree crops (cashew and oil-palm) start to bear fruit. A number of farmers in Osun State also grow other tree crops such as cocoa, kola nut and plantain in addition to oil-palm (the project crop).

USE OF FARM INPUTS

Results obtained from the field indicated that farm inputs (machinery, planting materials and credit) were not readily available to both groups of farmers in the two states covered by the study. As opposed to the claims by the programme officials that inputs were available, the participating farmers did not readily get them to use on their farms. This compelled many of them to patronize local markets or use part of the previous year's harvest as planting materials.

As shown in Table 4, non-project participants in Oyo State benefited more from cooperatives as sources of credit, probably owing to the short maturation

Table 2
Percentage distribution of farm sizes cultivated by respondents

HECTARES	OYO STATE		OSUN STATE	
	Project participants	Non-project participants	Project participants	Non-project participants
≤ 1.0	66.6	-	23.3	6.7
1.1-2.0	16.7	46.7	16.7	90.0
2.1-3.0	-	50.0	26.7	3.3
3.1-4.0	16.7	3.3	33.3	-
> 4.0	-	-	-	-
Total	100.0	100.0	100.0	100.0
Mean farm size	1.6	2.3	2.6	1.7

Source: Field survey, 1999/2000.

Table 3

Crops grown by respondents

CROPS	OYO STATE		OSUN STATE	
	Project participants (percentage)	Non-project participants (percentage)	Project participants (percentage)	Non-project participants (percentage)
Maize	96.7	100.0	76.7	70.0
Cassava	86.7	96.7	83.3	100.0
Yam	40.0	66.7	10.0	3.3
Melon	23.3	6.7	-	-
Groundnut	-	3.3	-	-
Plantain	-	-	-	3.3
Cajanus cajan	3.3	-	-	-
Cocoa and kola nut	-	-	-	26.7
Cashew (project crop)	100.0	-	-	-
Oil-palm (project crop)	-	-	100.0	26.7

Source: Field survey, 1999/2000.

Table 4

Sources and uses of farm inputs and machinery by respondents

	OYO STATE		OSUN STATE	
	Project participants (percentage)	Non-project participants (percentage)	Project participants (percentage)	Non-project participants (percentage)
Availability of machinery:				
Readily available	53.3	26.7	33.3	30.0
Difficult but available	46.7	70.0	23.3	-
Not available	-	3.3	43.4	70.0
Sources of planting materials:				
From previous year's stock	30.0	23.3	30.0	33.3
Bought from local market	60.0	50.0	70.0	66.7
Government agencies (NALDA)	10.0	-	-	-
Cooperative societies	-	26.7	-	-
Sources of credit:				
Friends and relatives	-	3.3	-	-
Cooperative societies	10.0	66.7	-	30.0
Agricultural bank (NACB)	70.0	10.0	-	-
Other government agencies	-	-	50.0	-
None at all	-	20.0	50.0	70.0
Access to agricultural insurance programme:				
Yes	70.0	-	-	-
No	30.0	100.0	100.0	100.0
Access to extension sources:				
Yes	100.0	100.0	100.0	100.0
No	-	-	-	-

Source: Field survey, 1999/2000.

period of annual crops grown by them. It was only in Oyo State that programme participants benefited from the services of the government-owned agricultural bank and insurance scheme.

COSTS AND RETURNS

Tables 5 and 6 show the costs and returns per farmer and per hectare by respondents in Oyo and Osun States, respectively. In Oyo State significant differences (t-ratio at 5 percent level) were observed in the total revenue, total cost and returns to management per farmer between project participants and non-project participants. Non-project participants consistently recorded higher values for each of these

parameters. However, on a per hectare basis, none of the variables was found to be significant.

This observation can be explained in terms of the larger farm sizes cultivated by the non-project participants rather than high productivity as a result of more efficient farm operation (see Table 2). Large- and medium-scale arable crop production is common among non-project participants within the project area as opposed to cashew crop production (a tree crop with a longer maturation period) by the project participants. While the project participants recorded returns to management of only N18 732.00 (about US\$170), the non-project participants recorded N27 719.66

Table 5

Costs and returns of project participants and non-project participants in Oyo State

ITEMS	PER FARMER			PER HECTARE		
	Project participant N	Non-project participant N	T-ratio	Project participant N	Non-project participant N	T-ratio
Total revenue	31 158.33	45 743.33	2.07*	19 596.43	19 888.40	0.07
Cost of hired labour	6 871.67	9 116.00	1.74	4 321.81	3 963.48	0.38
Cost of hired machinery	2 741.66	4 116.67	2.61*	1 724.31	1 811.60	0.22
Cost of planting materials	742.66	1 066.67	0.97	466.54	463.77	0.01
Cost of fertilizer	966.67	1 933.33	1.30	607.95	840.58	0.45
Cost of agrochemicals	56.67	93.33	0.79	35.64	40.58	0.15
Interest on loan(s)	1 048.00	1 706.67	2.33*	659.12	742.03	0.44
Total cost	12 426.33	18 032.67	2.36*	7 815.30	7 840.29	0.01
Return to management	18 732.00	27 719.66	3.14*	11 781.13	12 048.11	0.06

Source: Computed from survey data, 1999/2000. Values in naira (N).

* Significant at 5 percent level.

Table 6

Costs and returns of project participants and non-project participants in Osun State

ITEMS	PER FARMER			PER HECTARE		
	Project participant (N)	Non-project participant (N)	T-ratio	Project participant (N)	Non-project participant (N)	T-ratio
Total revenue	45 544.53	28 476.66	4.17*	17 517.13	16 653.02	0.33
Cost of hired labour	10 309.33	6 473.67	3.66*	3 965.13	3 785.77	0.27
Cost of hired machinery	1 237.50	257.50	4.21*	475.96	150.58	2.19*
Cost of planting materials	640	360	2.27*	246.75	210.53	0.45
Cost of fertilizer	-	600	2.23*	-	350.88	1.63
Cost of agrochemicals	3 496.67	2 596.67	1.21	1 344.87	1 518.52	0.37
Interest on loan(s)	505.75	195	1.85	194.52	114.04	0.75
Total cost	16 189.50	10 482.84	2.90*	6 226.63	6 130.32	0.05
Return to management	29 355.28	17 993.82	4.16*	11 290.49	10 522.00	0.27

Source: Computed from survey data, 1999/2000. Values in naira (N).

* Significant at 5 percent level .

(about US\$252) per farmer during the 1999/2000 crop season.

Osun State, however, presented a different picture. The project participants recorded higher amounts for total revenue, total cost and return to management (i.e. revenue minus costs), which were found to be significant at 5 percent level on a per farmer basis, but not on a per hectare basis. The existence of a vibrant tree crop economy probably assisted project participants in Osun State to catch up quickly with the modern innovations of oil-palm production and input supplies under the programme, and they thereby recorded higher total revenue and return to management than the non-project participants. But in general, the net farm incomes earned by the farmers (participants and non-participants alike), which ranged from N17 993.82 or US\$164 to N29 355.28 or US\$267, were grossly inadequate to supply the needs of the farmers and their families.

PERFORMANCE OF THE PROGRAMME IN THE TWO STATES

The study showed that the programme had failed to make significant impacts in the areas of operation in the two states. Since its inception in 1991 until its end in 1999 (a period of about seven years), the programme developed only 545 hectares of land in Oyo State and placed 75 participants (representing 1.81 percent and 1.0 percent, respectively, of the targets), with a participant turnover of 79 percent due to abandonment of project farms as a result of fire outbreaks and farm destruction by nomadic herds. In Osun State, the programme developed only 535 hectares of land with 120 participants (representing 1.78 percent and 1.60 percent, respectively, of the targets). Of these numbers of participants, 112 had deserted the project farms as a result of inexperience in farming, financial constraints and absence of rural infrastructure.

The programme was unable to achieve the target of 30 000–50 000 hectares of land development and 7 500–12 500 participants in each of the states. Underfunding by both the federal and state governments coupled with untimely release of the limited funds constituted the major problems that accounted for the projects' failure.

CONCLUSIONS AND POLICY RECOMMENDATIONS

The failure of the National Agricultural Land Development Programme in Oyo and Osun States in particular (and Nigeria in general) was not due to faulty planning. It was the first community-based rural development programme incorporating active participation of local communities and the three tiers of government (local, state and federal). The problem was defective implementation, mainly in the form of a shortage of funds to execute properly what was at bottom a good programme. Rational utilization of available land resources can only be achieved through the establishment of an institutional framework that gives participating farmers protection and incentives with respect to the human–land relationship, with its attendant social and political order. Provision of credit facilities is a complementary and indispensable measure without which land redistribution or consolidation programmes such as NALDA will not have a lasting effect, but will remain half-hearted measures which can only prolong the economic agonies of the smallholder cultivators. Lessons learned from the failure of NALDA in Nigeria should assist in future planning in other countries where similar projects are operating or contemplated.

The following recommendations are therefore made to improve the performance of similar projects in the future:

- (i) To reduce high participant turnover in similar programmes, efforts should be made to recruit only genuine and experienced farmers who are particularly interested in the project and reside within the project catchment areas. Similarly, there should be improvement in the farm input delivery

systems to the participating farmers as well as provision of rural infrastructural facilities such as potable water, health care and adequate roads within the project areas and localities.

- (ii) Adequate funding should be provided by the government at appropriate times to execute projects and maintain facilities in functional condition. In addition to production credit, consumption credit (in cash or in kind) should be given to the participating farmers, especially in the early stages of project life, to prevent high participant turnover. Private sector participation should be encouraged.
- (iii) Finally, there is a need for political goodwill for land development programmes to succeed and be sustainable. This may require legislative enactments that will reduce policy instability. This is an issue in developing countries where political parties' manifestoes emphasize short-term projects that bring quick results to the electorate rather than long-term projects with enduring results.

REFERENCES

- Adegbola, A.A. & Akinbode, I.A.** 1986. A review of old and current agricultural development schemes in Nigeria: lessons for future programme design. *Ife Journal of Agriculture*, 8: 8–30.
- Adegeye, J.A & Dittoh, J.S.** 1985. *Essentials of agricultural economics*, pp. 50–168. Ibadan, Nigeria, Impact Publishers.
- Agboola, S.A.** 1979. *An agricultural atlas of Nigeria*, pp. 177–194. Oxford, UK, Oxford University Press.
- Aribisala, T.S.B.** 1983. Nigeria's green revolution: achievements, problems and prospects. *Distinguished Lecture Series*. Ile-Ife, Nigeria, University of Ife. 12 pp.
- Bamidele, S.A.** 1991. The river basin and rural development authorities as an alternative strategy for agricultural development. In A.O. Sanda, ed. *Corporate strategy for agricultural development in Nigeria*, pp. 255–269. Ibadan, Nigeria, Les Shyraden Publishers.
- Fabiyyi, Y. L. & Idowu, E.O.** 1991. *Suggestions for the reform of Land Use Act*. Memorandum submitted to the Nigerian Law Reform Commission. Lagos. 10 pp.

- Helleiner, G.K.** 1966. *Peasant agriculture, government and economic growth in Nigeria*. Homewood, Ill., USA, Richard D. Irwin.
- Idachaba, F.S.** 1986. Rural development in Nigeria: foundations of sustainable economic development, *Ife Journal of Agriculture*, 8: 71–120.
- Idowu, E.O.** 1989. The cocoa industry and employment generation in Nigeria. In Y.L. Fabiyi, C.A. Osuntogun, A.A. Adesimi & B. Olufokunbi, eds. *Employment generation in Nigeria*, pp. 151–158. Nigerian Association of Agricultural Economists/ National Directorate of Employment Publication.
- Lewis, W.A.** 1970. Tropical development 1880–1913. *Studies in economic progress*. George Allen & Unwin. Research report.
- NALDA.** 1991. *The mission and mandate of National Agricultural Land Development Programme*. Federal Ministry of Agriculture, Nigeria, 11 pp.
- Olatunbosun, D.** 1967. *Nigerian farm settlement and school leavers farms: profitability, resource use and social-psychological considerations*. Consortium for the Study of Nigerian Rural Development Report No. 10. Ibadan, Nigeria, Nigerian Institute for Social and Economic Research, and Lansing, Mich., Michigan State University.
- Oyatoye, E.T.O.** 1986. Green Revolution Programme in Nigeria: some observations. *Ife Journal of Agriculture*, 5(1&2): 56–74.
- Parsons, K.H.** 1970. The land tenure problem in Nigeria. *AID spring review of land reform*, Second edition, Vol. IX.
- Roider, W.** 1971. *Farm settlement for socio-economic development: the Western Nigerian case*. Munich, Germany, Weltforum Verlag.
- Sanda, A.O.** 1991. *The Nigeria state and agricultural policy management institutions*, pp. 62–81. Obafemi Awolowo University Research Report No. 6.



Certaines conséquences socioéconomiques de la révolution verte

Depuis les années 60, la révolution verte a suscité des débats animés parmi la communauté scientifique internationale non seulement en ce qui concerne ses aspects techniques, mais surtout pour ses effets socioéconomiques. L'article analyse d'abord les théories du développement du secteur rural des années 50 et 60 afin de décrire la base théorique sur laquelle repose la révolution verte lancée dans les pays en développement, à savoir le modèle des intrants à rendement élevé. L'article décrit ensuite les effets socioéconomiques fondamentaux que les ouvrages spécialisés ont relevés en Asie, où 60 pour cent de la population vit avec moins de deux dollars par jour. Le rôle du secteur agricole doit être réexaminé non seulement en fonction de l'évolution de la structure économique, mais aussi à partir d'une évaluation adéquate d'autres éléments (capital social, politique et institutionnel et environnement) afin de mettre en place des processus de développement durable.

Consecuencias socioeconómicas de la revolución verde

Desde los años sesenta la revolución verde ha sido objeto de animados debates en la comunidad científica internacional, no solo en relación con sus aspectos técnicos sino también, y por sobre todo, con sus repercusiones socioeconómicas. En este artículo se analizan en primer lugar las teorías sobre el desarrollo del sector rural imperantes en los decenios de 1950 y 1960, con objeto de describir el camino teórico que dio inicio a la revolución verde en los países en desarrollo: el modelo de insumos de alto rendimiento. Se ofrece luego una descripción de los elementos socioeconómicos que se desprenden del análisis de la literatura pertinente sobre Asia, donde el 60 por ciento de la población vive con menos de dos dólares EE.UU. por día. Para impulsar procesos de desarrollo sostenible se hace indispensable reconsiderar la función del sector agrícola no solamente a la luz de los cambios en la estructura económica, sino también de una evaluación adecuada de otros componentes (como el capital social, político e institucional o los factores ambientales).

Some socio-economic consequences of the Green Revolution

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Since the 1960s the Green Revolution has been the subject of lively debate among the international scientific community, not only with regard to its technical aspects but, and above all, for its socio-economic impacts. The article first analyses the development theories of the rural sector in the 1950s and 1960s in order to describe the theoretical path that started the Green Revolution in the developing countries, i.e. the high pay-off input model. The article then describes the critical socio-economic elements that the literature analysis highlights for Asia, where 60 percent of the population live on less than US\$2 per day. The role of the agriculture sector has to be reconsidered not just in terms of a changed economic structure, but also with an adequate evaluation of other components (e.g. social, political and institutional capital, as well as the environment) in order to initiate sustainable development processes.

ECONOMIC THEORIES ON THE ROLE PLAYED BY AGRICULTURE IN THE 1950s AND 1960s

At its inception, development economics paid limited attention to the role of the primary sector in starting economic growth. According to the modernist view, development was understood as the process of transformation of the economic structure, which was ascribed to the reduction of the contribution of the primary sector to the gross domestic product (GDP), as well as the reduction of population actually employed in agricultural activities.

The role of agriculture in development economics was undervalued as a result of considerations such as those presented below:

- Engel's law highlights how the demand for basic consumer goods increases less than proportionally to the increase in income (inelastic demand). As a consequence, as time goes by, the value of the primary sector production increases less than the increase of GDP, and thus the primary sector cannot in theory determine, in the short term, a rapid growth of the economy.
- The agricultural transformation has been considered uniform and constant

in all economies. As documented by Clark (1940), Kuznets (1966) and Chenery and Syrquin (1975) from the analysis of the time series, both in the capitalist and in the socialist countries, the percentage of the primary sector relative to the active population and to the domestic product tends to diminish progressively. This finding has supported those development economists who refused the hypothesis of investing in the primary sector in order to jump start a rapid economic development, given the inevitable decline of agriculture compared to other productive sectors.

- In 1949, two important economists, Raul Prebisch (Prebisch, 1950) and Hans Singer (Singer, 1984), enunciated the thesis that in those countries that export primary goods and import manufactured articles, the tendency is towards worsening terms of trade. It follows that the hypothesis of initiating economic growth through the development of agriculture for export is a vision of economic policy open to criticism.

- In 1958, Albert Hirshmann introduced the concept of linkage effects to explain how the investment in certain compartments of the economy determines further developments in other sectors (through related production lines, and input-output connections). Hirshmann suggested that, in order to obtain efficient economic planning, it is necessary to stimulate public investment in those sectors where the linkage effects might be stronger; this would amplify even more the effect of endogenous investments. Hirshmann judged that agriculture has little capacity to create new activities through linkage investments, to which industry is more suited. It follows that investments in industrial activities would certainly create more economic growth than those in agriculture (Hirshmann, 1958).

Therefore, development economics had to find ways to accelerate the progressive marginalization of the primary sector by transferring resources (especially human resources) from the traditional sector to the industrial one, as the latter guaranteed labour productivity and was considered the real engine of the development.

This reallocation vision was repeated in an article published in 1954 by Sir Arthur Lewis, "Economic development with unlimited supplies of labour" (Lewis, 1954). This essay presents a model of economic expansion with two sectors: a modern capitalistic one opposed to a traditional one that was lagging behind. The main characteristics of the capitalistic sector are the use of capital with the aim of investing it and the sale of the production in order to obtain a profit. Such aspects are missing in the traditional sector, where the priority is self-sufficiency, and also because the primary sector lacked the perception of profit as a magnet for economic growth and therefore investment. Lewis' reallocation of human resources from the traditional sector (where marginal productivity of labourers reaches almost zero) to the modern sector generated capital development thanks

to the profits produced by the greater productivity of the labourers. The maximum expansion of the model is reached when the salaries in the two sectors are equivalent, and therefore the two-sector model becomes a neoclassical one-sector one.

The success of Lewis' theory with regard to the development of the industrial sector stimulated a whole series of innovative studies on the role of the industrial sector in development processes. In one study by Jorgenson (1961), comparing Lewis' model with a neoclassical model, the economist arrived at the conclusion that the development of the capitalistic and modern sector depends on the growth rate of the agricultural surplus. Other researchers in the 1960s arrived at the same conclusion (Ranis and Fei, 1961), stating that in order to avoid the trap of a low-level equilibrium in the initial development phases it was essential to realize some investment in the agriculture sector in order to accelerate its growth and the consequent surplus augmentation.

This research was also elaborated by other authors: Johnston and Mellor (1961) highlighted that agriculture had an essential role in activating growth processes of an economy through five main contributions:

- a) procuring human resources;
- b) creating capital to invest in different sectors of the economy;
- c) acquiring foreign currency through the sale of export products;
- d) producing consumer goods for the active population employed in diverse economic sectors;
- e) providing an outlet market for local industrial products.

The role of the primary sector was anything but passive for jump-starting a process of economic growth. This consideration led to empirical research on the transfer of resources between different economic sectors in the various development phases.

The new theoretical approach to the role of agriculture in jump-starting development heavily criticized the assumptions underlying the diffusion model of innovative

techniques for agricultural development that was applied in the 1950s and 1960s, and implemented instead the principle of “agricultural extension”, which had been successfully developed in North America. The new model assumed as its principle that the distribution of resources in the developing countries would not happen in an efficient economic way, under the assumption that poor farmers would not have the capability to take decisions and that it would be necessary for them to obtain external help in order to overcome such an impasse, a thoroughly negative judgement.

Theodore Schultz, in his book *Transforming traditional agriculture* (1964), heavily criticized this assumption, declaring that such a vision was rather the expression of the economists’ and development planners’ limited analytical ability in evaluating the farmers from the developing countries as efficient economic agents: “The Third World farmers and herders far from being irrational and fatalistic, were calculating economic agents who carefully weighted the marginal costs and benefits associated with different agricultural techniques” (Statz and Eicher, 1984).

Schultz considered traditional agriculture as an efficient system of allocating the available production factors. He held that the low levels of production, and thus of income, were due to production factors that were inherently low-yielding because of their low technological level. The provision of new technological input, combined with information on its use, was therefore the solution to the widespread agricultural poverty in the developing countries; the governments of the developing countries therefore had to invest in scientific research, as applied to the agriculture sector, and in training.

The Schultzian assumption reinforced the role of scientific research, already thriving at an international level, of the International Rice Research Institute (IRRI) in the Philippines and of the International Maize and Wheat Improvement Center (CIMMYT), for the adoption of dwarf high-yielding varieties of rice and grain in poor countries.

The strategic concept of the Green Revolution economy (the high pay-off input economic model) for this reason has been unanimously attributed to Schultz. He was convinced that the traditional agricultural societies could not create, in the short term, a radical change in their organization, because he considered the levels of saving and investing of these societies insufficient to start a growth process. The only thing that would probably increase production was the adoption of external productive factors (hybrid seeds, fertilizers and pesticides) that would develop farming production, in order to satisfy the increasing food demand, and thus augment the capital necessary to the development of the whole economy. The Green Revolution would therefore initiate the transformation of the rural pre-capitalistic society (given that most exchanges were based on bartering, this was characterized by a low coinage level) into a capitalistic society where the agriculture sector propelled economic development.

THE GREEN REVOLUTION IN THE 1960s AND 1970s

The Green Revolution is a critical juncture in the traditional methods of farming. In 1966 the Rockefeller Foundation and the Mexican Government established, at the CIMMYT in El Batan, Mexico, a research activity to select a high-yielding hybrid of wheat. The new plant had to have particular physiological characteristics, such as a shorter stem that could benefit from fertilizers and an increased resistance to typical wheat diseases. After extensive experimentation a hybrid was selected, Norin-10. Likewise, in the Philippines at the IRRI, the IR-8-288-3 variety was selected, which was the product of crossing Indonesian and Taiwanese seeds; now called IR-8, it guaranteed far higher production than traditional varieties.

It is nevertheless a common opinion that the Green Revolution does not simply consist of a process of replacing traditional seeds with high-yielding ones. The traditional farming system underwent a complete transformation, with the

Table 1

Area of cereals harvested (ha) by region and category

Year	Latin America and Caribbean	Developing Asia	Developing Africa	Developing countries	Developed countries	World
2005	50 737 259	298 487 576	95 188 555	444 427 201	237 270 942	681 698 143
2000	48 355 463	301 477 620	84 298 239	434 143 541	240 043 549	674 187 090
1990	47 414 545	308 019 648	73 236 467	428 687 511	279 772 111	708 459 622
1980	49 128 982	301 922 554	57 820 349	408 890 152	308 603 517	717 493 669
1970	46 549 063	289 475 428	60 007 067	396 046 788	279 644 323	675 691 111
1961	37 265 137	266 827 243	51 166 106	396 046 788	292 855 436	648 129 670

Source: FAOSTAT.

Table 2

Cereal production (tonnes) by region and category

Year	Latin America and Caribbean	Developing Asia	Developing Africa	Developing countries	Developed countries	World
2005	158 610 805	1 016 785 390	113 377 871	1 288 811 140	930 546 367	2 219 357 500
2000	138 034 466	961 742 360	97 518 416	1 197 331 040	862 425 580	2 059 756 620
1990	99 083 566	857 771 742	81 342 397	1 038 232 410	913 365 140	1 951 597 550
1980	88 443 342	618 506 118	59 230 017	766 220 291	783 952 607	1 550 172 900
1970	71 364 892	463 159 814	52 372 797	586 925 797	605 740 344	1 192 666 140
1961	47 399 044	309 050 290	39 589 144	586 925 797	480 961 311	877 026 930

Source: Data processed from FAOSTAT (available at <http://faostat.fao.org>) updated to January 2006.

Table 3

Cereal yields (kg/ha) by region and category

Year	Latin America and Caribbean	Developing Asia	Developing Africa	Developing countries	Developed countries	World
2005	3 126.1	3 406.5	1 191.1	2 809.9	3 921.9	3 255.6
2000	2 854.6	3 190.1	1 156.8	2 757.9	3 592.8	3 055.2
1990	2 089.7	2 784.8	1 110.7	2 421.9	3 264.7	2 754.7
1980	1 800.2	2 048.6	1 024.4	1 873.9	2 540.3	2 160.5
1970	1 533.1	1 600.0	872.8	1 482.0	2 166.1	1 765.1
1961	1 271.9	1 158.2	773.7	1 114.8	1 642.3	1 353.2

Source: FAOSTAT.

Table 4

Population (thousands) by region and category

Year	Latin America and Caribbean	Developing Asia	Developing Africa	Developing countries	Developed countries	World
2005	558 280	3 707 430	842 642	5 117 471	1 336 155	6 453 626
2000	520 231	3 473 926	751 672	4 754 077	1 316 509	6 070 586
1990	441 526	2 972 866	585 592	4 006 557	1 257 029	5 263 586
1980	361 401	2 456 120	440 476	3 263 267	1 171 408	4 434 675
1970	284 858	1 990 315	334 627	2 613 995	1 078 504	3 692 499
1961	224 405	1 604 635	266 324	2 098 764	981 366	3 080 130

Source: FAOSTAT.

introduction of modern agricultural techniques such as corrective fertilization, transplanting and correct spacing between seedlings. All these new methods somehow had to be combined with the climatic conditions of the location where they were introduced, and this required in-depth studies of the different rural environments by the research institutes in joint ventures with the local agricultural universities.

Tables 1, 2 and 3 report on cereals, show the increase of the farmed area and the production and yields per hectare of different geographical areas in different years.

The trend in world population for different geographical areas has been reported in Table 4, in which it emerges that the world population doubled in the time frame considered. This was essentially due to an

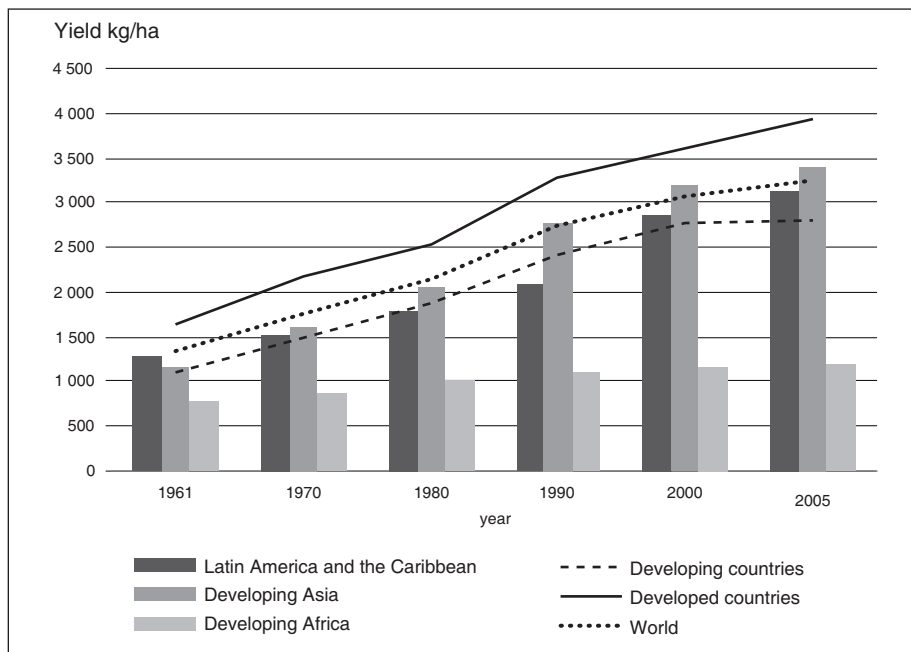


FIGURE 1
Productivity of cereals by region and category

Source: FAOSTAT.

increase of the population in developing countries.

The demographic growth was accompanied, in the developing countries, by a noticeable increased production of cereals, to which the Green Revolution partially contributed. Even so there are variations among cases, depending on whether Asia or Africa or Latin America are considered (Figure 1).

From the analysis of the data (between 1961 and 2005), it appears that cereal yield:

- almost tripled between 1961 and 2005 for the developing countries in Asia;
- more than doubled in Latin America, taken as a whole;
- only slowly increased in the developing African countries. This highlights the difficulties African countries face in feeding their populations.

These aspects are further underlined in Table 5, where cereal productivity is compared with the population increase from 1961 to 2005. The results of Table 5 are depicted in Figure 2, which shows the extremely insecure situation of Africa, where the population by 2005 had more than tripled while the cereal production increased by only one-and-a-half times compared with the 1961 value. These results are also supported by the literature, which presents the substantial failure of

the Green Revolution in the African context (Reardon, 1998).

Asia, where the Green Revolution has been most successful, maintains a rate of growth of cereal production that is higher compared to the demographic increase. Latin America's situation is of substantial equilibrium in this respect.

Finally, the developed countries display the best situation, with a cereal production that more than doubled when compared with 1961 and with a population that is only 1.4 times that of the base year.

These data, even if meaningful, do not give us any indications concerning the cereal production distribution between the populations, which should be the subject of further study.

SOME CRITICAL ASPECTS OF THE GREEN REVOLUTION IN THE ASIAN CONTEXT

There are differences of opinion in the literature about the impact of the Green Revolution on rural poverty in Asia. It should be pointed out that there is a limited availability of quantitative studies on the hypothetical correlation between the Green Revolution and rural poverty, considering that this last variable could be influenced by economic and non-economic components that cannot be necessarily attributed to the introduction of the Green Revolution.

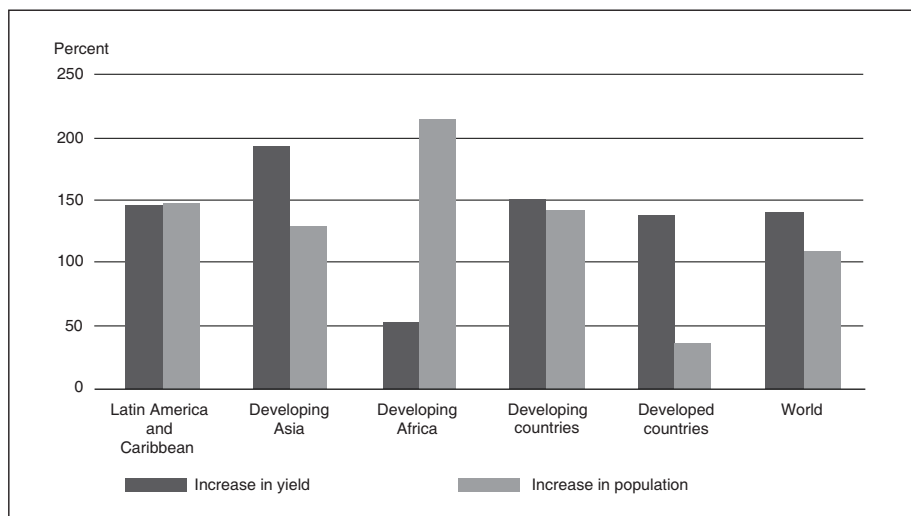


FIGURE 2
Increase in cereals yield and in population growth for regions and categories, 1961–2005

Source: FAOSTAT.

Table 5

Cereal yields compared with population increase by region and category (1961–2005)

		Latin America and Caribbean	Developing Asia	Developing Africa	Developing countries	Developed countries	World
Cereal yields (kg/ha)	2005 (a)	3 126	3 406	1 191	2 809	3 921	3 255
	1961 (b)	1 271	1 158	773	1 114	1 642	1 353
	(a)/(b)	2.46	2.94	1.54	2.52	2.39	2.41
Population (thousands)	2005 (c)	558 280	3 707 430	842 642	5 117 471	1 336 155	6 453 626
	1961 (d)	224 405	1 604 635	266 324	2 098 764	981 366	3 080 130
	(c)/(d)	2.49	2.31	3.16	2.44	1.36	2.10

Source: FAOSTAT.

In order to clarify a complex matter, the following critical aspects need to be considered:

- the technological package;
- the scale dimensions of farms and productivity;
- the effect on occupation.

The technological package

The spreading of the Green Revolution in rural areas of the developing countries, and in the Asian context, happened through the adoption of the technological package which provided a series of materials, instruments and practical information on the use of hybrid seeds. Implementing the package caused many problems for a considerable section of rural society. For example:

- farmers who were illiterate found it impossible to read the instructions and the dosages of fertilizers and pesticides;
- farmers had difficulties in activating contacts with the public and private institutions that were necessary to obtain the materials, and to develop or to

reinforce the marketing channels for the increased production they had realized.

In order to solve these problems, in the mid-1970s the training and visiting system (T&V) was founded. Basically, technical staff of the World Bank would establish themselves *in situ* or in experimental farms and would teach the application of the “green technology”, including by diffusing the use of fertilizers and pesticides. The new method accelerated the spread of the technical knowledge, not only improving agricultural practices but also allowing a considerable increase in productivity.

The T&V system and the use of the experimental farms did not fully take into account many issues related to subsistence agriculture. In Table 6 the disparity of features in the two different situations is shown.

The results of T&Vs did not achieve their potential optimum, especially because they did not carefully consider economic aspects. For example, there was the important problem of selling the product. The new

Table 6

Main differences concerning experimental farm and subsistence agriculture in developing countries

Main features of experimental farms	Main features of subsistence agriculture
<ul style="list-style-type: none"> • Fertile land • Operative infrastructure • High-quality irrigation systems • Detailed and informative documentation • Poor attention by agronomists to the economic consequences of new technology 	<ul style="list-style-type: none"> • Remote and impoverished land • Antiquated or inefficient structures • Lack of irrigation systems • Family-based labour • Low education

Source: Hogendorn, 1995.

technology could only be adopted if selling the product would generate enough money to justify the increased expenditure of the technological package. Furthermore, the remuneration of the farmer was strictly linked to a deep knowledge of the pricing and market systems, and this kind of information was not immediately available.

The Green Revolution was not only an exercise in optimizing the agronomy (so as to obtain the maximum production) but also in optimizing the economy (so as to obtain the maximum profit).

The scale dimensions of farms and their productivity

The topic invested particular emphasis for the scale dimension of farms. For the middle and large landowners, implementing the new technology did not cause undue problems, but for the poor farmer who operated on the fringes of the market the choice between the old and the new could be particularly difficult given the initial adverse economic conditions.

Contrasting opinions emerge from the economic research focusing on whether the Green Revolution was efficient considering the scale dimensions of single farms. Some believe it was a success, while others think it failed. The question involves tackling the issue of the distribution of wealth between small, medium and large agricultural producers, as well as whether the economic theory underlying the Green Revolution was actually able to alleviate poverty in many developing countries.

The result of this analysis could lead us to refuse or accept the development theory that aims at transforming pre-capitalistic economies (typical of the traditional agricultural structure) into modern market-

driven economies through the adoption of external inputs for high productivity. It is often questioned whether the increased income and the replacement of a subsistence economy with the modern market economy is actually a suitable instrument for reducing poverty in many developing countries. International research shows that different situations arise depending on different sociopolitical contexts.

Considering the scale dimensions of the farm, it is possible to analyse the elements that directly influence the hectare productivity under hybrid introduction. These have been classified by Pearse (1980) into two categories:

- whether water utilization is adequate and immediate, i.e. whether the irrigation system is effective;
- the use of fertilizers.

Regarding the former, Pearse states that the advantages that could be obtained from an adequate irrigation system were on the whole more favourable to large farms, as these could well afford the cost of installing tubewells for lifting up water from underground or for capturing water from the surface. But these measures were very unlikely for small farmowners, unless there existed a sufficient public investment to provide irrigation to the smaller farms.

Where irrigation was successfully realized, however, farms became more and more concentrated. With the spreading of irrigation systems the price of the land began increasing, and large landowners started accumulating more and more land, whereas smaller owners, even though they had obtained an impressive increase in production, could not readily invest the profit in the purchase of new land or in improving the land they already owned.

Table 7

Gross income and farm business income per acre for various farm size groups, 1967/68 and 1971/72 in three villages in the Indian Punjab (values in rupees)

	Small	Medium	Large
		Medium gross income	
1967/68	2 320.75	1 762.46	1 911.93
1971/72	2 574.79	2 419.87	3 925.40
		Medium cost per acre	
1967/68	1 481.09	1 010.55	922.17
1971/72	1 439.33	1 342.33	1 637.39
		Medium farm business	
1967/68	839.66	751.91	989.76
1971/72	1 135.17	1 077.54	1 658.01

Source: Dasgupta, 1977.

This phenomenon is remarked on in studies from the northeast of India (Punjab, Haryana and Uttar Pradesh) and Pakistan (Pearse, 1980; Shiva, 1993).

Research on the use of fertilizers has yielded different results. In Asia, it was observed that small farms favoured the increase of hectare or acre production, as this was in part due to the intensive use of family helpers, and this balanced the otherwise high cost of production.

This is in contrast with the data on large farms, where some owners were conspicuously absent and totally dependent on salaried help; here, the increased productivity was inferior to that of smaller owners. But other large landowners who decided to invest large amounts of capital and assumed the direct management of their farms obtained increased productivity, far higher than that of the smaller farmers.

Table 7, taken from Dasgupta (1977), highlights in three villages of the Indian Punjab the gross income, cost of production and net income for different sizes of farm in the first years of their adoption of the Green Revolution, when empirical studies were conducted in order to ascertain the validity, also from an economic point of view, of the new technology.

The gross income per production acre is strictly connected with the productivity; the table highlights the U-shaped curve that relates hectare production with the dimension of the farm. This tendency was also observed in other Indian areas, which supports the hypothesis of increased production, for hybrid seeds, for small or big farms.

From these observations, several conclusions follow:

- a) An initial availability of capital to invest in irrigation, without resorting to credit, greatly favours the adoption of a new technology that guarantees a conspicuous production increase.
- b) Public intervention is essential for the small producers in order to obtain services in irrigation and information on the use of technology that otherwise would not be accessible. Where this has been realized (Japan and Taiwan Province of China), small producers can acquire an economic advantage that enables them to stay in the market;
- c) Small farms can only be protected from the concentration of land by a public market body; on the other hand, they do obtain a high hectare productivity.

In the absence of rigid control of these variables on the part of the government, the adoption of an external technology in a pre-capitalistic society where the social structure is not equal risks exacerbating the impoverishment of the population whose subsistence is derived from small farms.

The effect on occupation

Another aspect considered by the researchers is the effect on occupation, and consequently on the level of income of a large part of the rural population which survives through seasonal work. The literature contains both optimistic and pessimistic views.

For some (Ladejinsky, 1969; Wharton, 1969; Frankel, 1969; Falcon, 1970; Byres, 1972;

Shiva, 1993), the Green Revolution increased the social tensions, risking to turn into a “red revolution” for the following reasons:

- It denied the small farmers (peasants) and the landless labourers the gains realized through the Green Revolution.
- It diminished their real income by mechanizing part of rural activities.

From another point of view, the Green Revolution has benefited some more than others, but in general everybody enjoyed some profit (Sen, 1970; Bhalla and Chadha, 1982), as attested by a higher per capita income, better levels of education and health and reduction in prices for agricultural products (which reduced the basic food expense for both the urban and the rural population).

Singh Sidhu (1991) reminds us that the Green Revolution consists of two aspects: the biochemical aspect (i.e. the innovations adopted for irrigation systems, seeds and fertilizers) and the mechanical aspect (i.e. the ground-preparation work, sowing, reaping, transport of agricultural products and use of tractors).

For Singh Sidhu, the biochemical aspect, on its own, creates work, because the introduction of permanent irrigation systems extends the agriculture season, and thus entails a higher use of human resources. Besides, the multiple-cropping system and the precocious ripening of the hybrid plants favour a bigger harvest, and therefore require more labour.

The mechanical aspect, instead, obviously tends to reduce the use of human resources. Thus, the effect of the new technology on occupation and consequently on the levels of income of the poorest layer of population that lives in rural areas depends on a combination of the two aspects. This can result in various scenarios:

- increased occupation, if the biochemical aspect prevails over the mechanical one (this can be seen at the initial stages of the Green Revolution);
- reduction of occupation, if the mechanical aspect prevails over the biochemical one (in the study by Pearse [1980] conducted in the Haryana and

Punjab states, the female occupation has been reduced, whereas the male occupation seems to have stayed roughly the same).

CONCLUSIONS

Views of poverty and of the methods that should be adopted in order to reduce it progressively have always been the centre of international debate. During the second half of the twentieth century, various schools of thought formed, according to the prevailing economic theories: from the view of economic growth as the necessary instrument to better livelihoods (1950s and 1960s), to the new view of poverty as a “process”, for the amelioration of which economic growth is not sufficient.

In the 1970s, after the adoption of the Green Revolution, development economists moved their attention towards questions regarding occupation and income distribution. Setting aside macroeconomic theories, they preferred to concentrate on microstudies at village or single farmer level. The target was “growth with equity” instead of economic “growth and modernization”, because the latter, when considered on its own, did not guarantee automatic poverty reduction.

Growth is therefore an indispensable but not sufficient factor for reducing poverty in the various geopolitical contexts. Other aspects have to be taken into account: the social, political and institutional processes that are realized in poor economies and that strongly determine the success or the failure of policies designed to reduce poverty (1970s and 1980s).

The 1980s and 1990s also witnessed the dawning of awareness about environmental resources and of the necessity to safeguard them adequately in order to ensure that development is sustainable. Their dissipation could exacerbate the dichotomy of wealth distribution, adversely affecting the indigent at the borders of the social hierarchy. On the basis of this history one should read the theoretical and practical experience of the Green Revolution, which was originally based on the assumption

Table 8

Incidence of poverty in Asia (percent), 1990 and 2002

Years	East Asia	South Asia	Southeast Asia	Central Asia	Total
US\$1-a-day poverty index					
1990	33.0	41.3	23.9	1.9	34.3
2002	15.9	31.6	9.6	7.4	21.5
US\$2-a-day-poverty index					
1990	72.2	85.5	65.0	13.9	75.3
2002	45.6	78.3	48.3	39.9	59.9

Source: United Nations, 2002.

that economic growth, beginning with the development of the primary sector, would on its own better the livelihood of most of the poor population in the developing countries.

The increases in cereal production realized in Asia during the 1960s and 1970s have deeply affected the order of rural structures. Nevertheless, the Asian context, where the growth of productivity has been more marked, still shows even now a relevant percentage of the population living in poverty. The international estimates taken from the United Nations Population Division state that 21.5 percent of the population in Asia survive on less than a dollar a day, and 59.9 percent with less than two dollars a day (see Table 8).

It is necessary to adopt a vision of the development process where the components “economic growth”, “social, political and institutional factors” and “natural resources” are adequately weighed and valued in their reciprocal interaction. Within this conceptual structure, fighting poverty should start first by rethinking the growth processes. The following are only some areas to consider.

- 1) Investments in human capital, achieved through health programmes, training and better nourishment, would widen the spectrum of opportunities for the poorest population.
- 2) Renewed research on farming should focus on the issues faced by the poor population, paying particular attention to local production and the methods needed to increase it incrementally.
- 3) There should be measures to ensure more equal access to land ownership.

- 4) Microcredit and microfinance are needed to aid the poor farmer at the stage of purchasing the production inputs.
- 5) Encouragement should be given to spur rural non-farm activities in order to start an integrated rural system.
- 6) Monitoring prices both at a national and at an international level is necessary in order to capture the right information at the most opportune time.
- 7) The adoption of efficient participation schemes, so as to ensure that the benefits are more equally distributed in all the social layers, should be pursued.

The sustainable development approach aims exactly at these measures, and tries to convert into practice the lessons learned during previous decades.

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REFERENCES

- Bhalla, G.S. & Chadha, G.K.** 1982. Green Revolution and the small peasant: a study of income distribution in Punjab agriculture. *Economic and Political Weekly*, XVII: 20–21, 15 and 22 May.
- Byres, T.J.** 1972. The dialectics of India’s Green Revolution. *South Asian Review*, 5(2): 99–116.
- Chenery, H.B. & Syrquin, M.** 1975. *Patterns of development, 1950-1970*. London, Oxford University Press.
- Clark, C.** 1940. *The conditions of economic progress*. 3rd edition. London, Macmillan.
- Dasgupta, B.** 1977. *Agrarian change and the new technology in India*. United Nations Research Institute for Social Development Report No. 77.3. Geneva.

- Falcon, W.P.** 1970. The Green Revolution: generation of problems. *American Journal of Agricultural Economics*, 52: 698–710.
- Frankel, F.R.** 1969. India's new strategy of agricultural development: political costs of agrarian modernization. *Journal of Asian Studies*, 28(4): 693–710.
- Hirshmann, A.O.** 1958. *The strategy of the economic development*. New Haven, Conn., USA, Yale University Press.
- Hogendorn, J.S.** 1995. *Lo sviluppo umano*. Bologna, Italy, Nicola Zanichelli Editore.
- Johnston, B.J. & Mellor J.W.** 1961. The role of agriculture in economic development. *American Economic Review*, 51(4): 566–593.
- Jorgenson, D.G.** 1961. The development of a dual economy. *Economic Journal* 71, pp. 309–34.
- Kuznets, S.** 1966. *Modern economic growth*. New Haven, Conn., USA, Yale University Press.
- Ladejinsky, W.** 1969. The Green Revolution in Punjab: a field trip. *Economic and Political Weekly*, 4, 28 June: A73–A83.
- Lewis, W.A.** 1954. Economic development with unlimited supplies of labour. *Manchester School of Economic and Social Studies* 22 (2): 139–91.
- Nicholls, W.H.** 1964. The place of agriculture in economic development. In C.L. Eicher & L.W. Witt, eds. *Agriculture in economic development*, pp. 11–44. New York, USA, McGraw-Hill.
- Pearse, A.** 1980. *Seeds of plenty, seeds of want. Social and economic implications of the Green Revolution*. Oxford, UK, Clarendon Press.
- Prebisch, R.** 1950. *The economic development of Latin America and its principal problems*. New York, USA, Department of Economic Affairs, United Nations.
- Ranis, G. & Fei, J.C.H.** 1961. A theory of the economic development. *American Economic Review*, 51(4): 533–565.
- Reardon, T.** 1998. African agriculture: productivity and sustainability issues. In C.K. Eicher & J.M. Staatz, eds. *International agricultural development*. 3rd edition, pp. 444–455. Baltimore, Md., USA and London, The Johns Hopkins University Press.
- Schultz, T.** 1964. *Transforming traditional agriculture*. New Haven, Conn., USA, Yale University Press.
- Sen, B.** 1970. Opportunities in the Green Revolution. *Economic and Political Weekly* 5, 28 March.
- Shiva, V.** 1993. *Monoculture della mente. Biodiversità, biotecnologia e agricoltura scientifica*. London, Zed Books.
- Singer, H.** 1984. The terms of trade controversy and the evolution of soft financing: early years and the UN. In G. Meier and D. Seers, eds., *Pioneers of Development*. Oxford, UK, Oxford University Press, 1985.
- Singh Sidhu, H.** 1991. *Agricultural development and rural labour. A case study of Punjab and Haryana*. New Delhi, Ashok Kumar Mittal.
- Staatz, J. & Eicher, C.** 1984. *Agricultural development in the Third World*. Baltimore, USA and London, The Johns Hopkins University Press.
- United Nations.** 2002. *World population prospects – the 2002 revision, medium variant projections*. New York, United Nations Population Division.
- Wharton, G.R.** 1969. The Green Revolution: cornucopia or Pandora's Box. *Foreign Affairs*, 47, April: 464–476.

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