

CLUB DU SAHEL ET  
DE L'AFRIQUE DE L'OUEST

SAHEL AND  
WEST AFRICA CLUB

## LAND, AGRICULTURAL CHANGE AND CONFLICT IN WEST AFRICA:

### REGIONAL ISSUES FROM SIERRA LEONE, LIBERIA AND CÔTE D'IVOIRE:



***H**istorical Overview*

SAH/D(2007)568

February 2007

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*HISTORICAL OVERVIEW*



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## Summary

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This study identifies the *hyper-mobility of impoverished rural youth* as a common factor in armed conflicts across three neighbouring states (Liberia, Sierra Leone, and Côte d'Ivoire) in the Upper Guinean Forest region. Hyper-mobility can be defined as the inability to settle and forge stable attachments professionally and socially in either rural or urban settings. Hyper-mobile impoverished rural youth are not a sufficient cause of armed conflict, but their availability for recruitment when other employment opportunities fail is a major factor in fuelling insurgency in all three countries. Cutting off the supply of recruits to militia factions by providing more suitable employment opportunities attractive to these young people would contribute to peace and stability in West Africa.

Agriculture (and agricultural-related services) is the largest supplier of self-employment opportunities for young people with low levels of education and training. This study investigates some of the reasons why land-based employment in the three countries has failed to generate the requisite sustainable opportunity structure for hyper-mobile youth. History is a major factor and specific attention is drawn on the complex legacy associated with the passing of a frontier of rain forest settlement. Frontier agriculture established certain patterns of exploitation of labour in rural communities. These patterns, entrenched within “custom” during the colonial and post-colonial periods, and allied to various market failures, have discouraged land improvement and land-based innovation by rural young people. Intensive local, national and regional consultation would be necessary to find ways to overcome the legacy of labour exploitation.

Throughout the region certain groups were favoured by the recognition afforded to “first comers” when frontier conditions finally came to an end. Unresolved grievances from this arbitrary distribution of opportunities are at the root of many tensions manifested by war in the region. Groups with more secure access to land “grow doctors and lawyers” (Hanson-Alp 2005), and in the process use custom to exploit labour on low-wage terms from those with less secure land access. This drives many young people to vagrancy. This is especially evident in Liberia where a “customary” sector exists side-by-side with a settler economy based on state land grants. Rural young people with weak land rights are at times double victims of a customary system and a low-wage plantation economy.

The following suggestions for strengthening the capacity of local agriculture to address the hyper-mobility of the rural youth emerge from this study:

- i. Enable temporary access to land through short-hold land-leasing contracts.
- ii. Foster institutional capacity to fairly administer such contracts (e.g. reform and improve the capacity and competence of local courts).
- iii. Raise awareness of the win-win advantages of land leasing contracts, through stakeholder consultation processes (including both local and regional comparative stakeholder events).
- iv. Diversify local agriculture through participatory agro-technology and agro-forestry generation and appropriate skill training programmes, to ensure sustainable use of land under short-term lease-hold conditions.
- v. Encourage the diversification of para-agricultural activities (transport and processing, cooperative services, capacity for managing producer organisations, etc.) and non-agricultural activities (production and services) in rural areas.
- vi. Take action to root out local sanctions regimes that are the basis for the extraction of non-volunteer unpaid rural labour (e.g. reform of rural marriage law, use general tax revenue to pay community labour, etc.).

- vii. Provide infrastructure (roads, credit, marketing know-how) to strengthen local and regional food-crop marketing chains linking land leasers and markets in urban areas or mining enclaves.
- viii. Take steps to ensure gender equity in all the above reforms, including gender equality in access to land leasing, credit, inheritance, and joint property formed through marriage.
- ix. Adopt rights-based approaches to all forms of rural development, including land, labour, agro-technology and skill formation.

The interaction of land issues with agro-technology and youth employment is complex, and country-specific. National and local consultations and strategies are required in all three cases.

- In *Liberia*, it is critical to look at the challenges and opportunities offered by a settler constitution in which the State has extensive powers to grant land. Political debate is needed on how land granting can be made fair to all interests, and how to avoid its abuse as a tool of patrimonial privilege.
- In *Sierra Leone*, it is urgent to reform or replace the system of alluvial diamond mining metayage. This was a factor which led the country to war. The problematic way in which the system has been reconstituted needs attention, not least by opposition political parties.
- In *Côte d'Ivoire*, the issue of access to land is linked to the integration and cooperation of different communities at the local level. More than just reform, this requires the consolidation of the rule of law in the management of local affairs and in the relations between local multi-ethnic communities and the political authorities in order to find a lasting solution to the conflict.

The three case studies indicate a clear regional dimension to the problem of hyper-mobile impoverished rural youth. Young fighters have migrated from country to country. Helping them develop *strong community identity and a sense of citizenship* is a requirement for reducing the risks of returning to war. However, the problem has two distinct components varying between the western and central parts of the forest zone. An overzealous sense of local belonging combined with national anomie is at the heart of some of the rural propensity to warfare in parts of eastern Liberia and western Côte d'Ivoire. Here a belligerent localism contests the authority of the State (eastern Liberia) or only defends it as long as the State appears to support a first-comer ideology (western Côte d'Ivoire). Elsewhere young people have become willing recruits to militia forces because they feel excluded from local communities and customary values. This fuels ambitions to fight for control of the State. The problem here can be summarised as an over-developed sense of "patriotism" and anomie with regard to local communities.

The regional institutions (i.e. ECOWAS, the WAEMU and the CILSS) should be able to help the three countries (and other countries in the region threatened by similar forces) develop *suitably differentiated solutions*. Rural re-attachment is crucial in Sierra Leone. Finding a way for autochthones and successful migrants to live together is critical in Côte d'Ivoire. In Liberia, elements of both approaches may be useful to deal with different areas of the country.

The regional institutions can also help *to coordinate solutions*. While avoiding panaceas, it will be essential to ensure that *different* local and national interventions are developed and applied *at the same time*, to prevent youth violence spreading across borders from country to country.

The issue of the hyper-mobility of youth in the region has been low on the international agenda except when it produces asylum seekers. The regional institutions might help West African countries give the issue a much higher profile, and demand international assistance in reaching a collective solution. A particularly important challenge is to *develop a shared West African perspective which, if need be, is independent from that of major development partners*.



## Acronyms

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ADMS	Artisanal Diggers Mining Scheme (Sierra Leone)
CILSS	<i>Comité Permanent Inte-Etats de Lutte contre la Sécheresse au Sahel</i> (Permanent Inter-State Committee for Drought Control in the Sahel)
DDR	Disarmament, Demobilisation and Reintegration Programme(s)
ECOWAS	Economic Community of West African States
FLGO	<i>Forces de Libération du Grand Ouest</i> (Côte d'Ivoire)
LAC	Liberia Agriculture Company
LLF	Liberian Frontier Force
LMP	Lineage mode of production
LURD	Liberians United for Reconciliation and Development
MILOCI	<i>Mouvement Ivoirien pour la Libération de l'Ouest de la Côte d'Ivoire</i>
MJP	Mouvement pour la Justice et la Paix (Côte d'Ivoire)
MODEL	Movement for Democracy in Liberia
MPCI	<i>Mouvement patriotique de Côte d'Ivoire</i>
MPIGO	<i>Mouvement populaire ivoirien du Grand Ouest</i>
NPFL	National Patriotic Front of Liberia
PDCI-RDA	Parti démocratique de Côte d'Ivoire - Rassemblement démocratique africain
PFR	<i>Plan Foncier Rural</i> (Côte d'Ivoire)
RUF	Revolutionary United Front (Sierra Leone)
SLPP	Sierra Leone People's Party
SLTS	Sierra Leone Selection Trust
SWAC	Sahel and West Africa Club
UGF	Upper Guinean Forest
UPLTCI	Union des patriotes pour la libération totale de la Côte d'Ivoire
WAEMU	West African Economic and Monetary Union

## Introduction

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Rebellion, insurgency and civil war have affected four neighbouring countries in the Upper Guinean Forest (UGF) of West Africa. Liberia experienced three episodes of factional fighting from 1989 to 2003. A civil war engulfed Sierra Leone from 1991 to 2002. After an army-based uprising in December 1999, an army rebellion divided Côte d'Ivoire in 2002 along north-south lines, and outbreaks of renewed fighting have since occurred, including insurgency in the thickly forested districts bordering Liberia. An incipient revolt in Guinea (connected to on-going conflicts in Liberia and Sierra Leone) was crushed by the army in 2000.<sup>1</sup> Of the five countries sharing the Upper Guinean Forest only Ghana has so far remained clear of fighting.

Analyses of these conflicts tend to emphasise distinct causal factors. Without denying the validity of country-specific causes it seems worthwhile to explore common elements. This study adopts a comparative approach to the three major conflicts (Liberia, Sierra Leone and Côte d'Ivoire) based upon an analysis of the political economy of the western and central part of the UGF. Particular attention is paid to the rural political economy generated by forest frontier conditions, and the challenges posed by the passing of that agrarian frontier, especially in regard to land management and agricultural innovation.

Forest economic development in the 20<sup>th</sup> century emphasised tree crops followed by alluvial diamond mining in Sierra Leone, forestry and rubber in Liberia, and cocoa and coffee in Côte d'Ivoire. Against a background of rapid population increase across West Africa (ECOWAS and SWAC 2005), labour and planters moved into the forest from less prosperous adjacent districts, and many of the younger generation of forest autochthones moved out of farming into labouring jobs in mining enclaves or coastal cities. This major exchange of population on the forest frontier was mainly regulated through customary institutions governing the land rights and social incorporation of migrants, with varying degrees of State support or intervention. Tensions have emerged with the passing of the frontier and currently all three countries face adaptation to post-frontier conditions. These tensions have led to outbreaks of armed violence in a region once judged on the basis of its resources alone to be an economic power-house for all of West Africa. This study attempts to trace the extent to which land tenure and management factors are implicated in such tensions, and what land reform or agricultural innovation might contribute to peace and social cohesion.

A common feature is the way recent shifts in migration patterns have challenged the basis for land, historically, to integrate social groups on the forest frontier. Many younger and poorer rural people feel threatened with marginalisation. War leaders, in Sierra Leone, Liberia and Northern Côte d'Ivoire, or political leaders in Southern Côte d'Ivoire have found willing recruits to violence among the ranks of these socially excluded classes. A key to ending war in the region is to halt the supply of potential combatants. This study discusses what contribution improved access to land and reform of rural justice might make to the social re-incorporation of marginalised young people.

After a century of rural-urban migration from UGF villages to coastal cities, with, in many areas, replacement by rural immigration from drier districts to the north, contraction of employment triggered by structural adjustment in the 1980s imposed new demands on forest frontier institutions in all three countries. Structural adjustment targeted bureaucracies and State enterprises but informal service sector jobs in the cities also became harder to find. Many young people became *hyper-mobile* on an urban-rural continuum, seeking a succession of temporary livelihood opportunities, and depending periodically on re-admission to rural communities to resume farming as a last resort.

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<sup>1</sup> This seems to have been independent of an attempted insurgency in the forested east of the country.

Capacity for adaptation by such returnees was strictly limited. In some cases they encountered customary modalities of labour extraction – bride service and community labour – from which urban migration had represented an escape. In other cases they had to contend with migrants granted land in their absence.

The forest frontier saw periods of stable development as well as periods of conflict and upheaval. During stable periods, local land-based institutions created social cohesion. Today, land could once again play a part in fostering such cohesion, but careful attention should be paid to the performance of land institutions in the changed circumstances of return migration just described. Land reforms (as widely applied in the region, though often lacking real impact, or resulting in perverse effects) have not attracted a good press. But experience of war sharpens local perceptions of causes of conflict, and this in turn creates a context in which difficult reforms can be contemplated.

Land reform would be helpful but neither of the usual approaches – viz. state nationalisation of land or registration of private title – will be advocated here. Emphasis will be put on the complex role of land in creating social incorporation, interdependency and cooperation. Division of labour, agrarian skill formation, agricultural innovation policy, the administration of justice (e.g. in regard to labour and land renting contracts) and issues of identity and citizenship are all as important a “land reform” agenda viewed narrowly as an issue of ownership or titling.

The study is organised in four main sections.

- i) Section one outlines the overall approach built upon six basic questions and an analytical framework of ten dimensions.
- ii) Section two offers a broad historical model of the way land issues have been formed through the development and passing of a settlement frontier in the Upper Guinean Forest.
- iii) Section three presents a more detailed, differentiated account of land and conflict issues, country-by-country.
- iv) Section four contains a regional synthesis of some major issues and discusses the main land-management and agro-technology policy options. Finally, the potential role regional organisations may play in addressing challenges and opportunities for land reform across West Africa are discussed.

## I. Land, agricultural change and conflict: an analytical framework

The purpose of this study is to lay the groundwork to answer six questions about land, agricultural change and conflict in Sierra Leone, Liberia and Côte d'Ivoire (Box below) through a comparative and historical approach. African land tenure serves two purposes: *it grants rights of access to land users* and *provides a basis for attaching people to a community*. The land question is multi-dimensional, and understanding how land issues relate to the wider problem of war in the region requires examination of a range of economic, political and social dimensions. The study distinguishes ten such dimensions and assesses each of the countries according to these ten aspects in turn, leading to a synthesis of common elements across the three countries, including comparative issues yet to be resolved, and a digest of potential (regional) policy options, e.g. land reform and agricultural innovation strategy.

### The SWAC Initiative on land, agricultural change and conflict in West Africa

The comparative analysis of land, agricultural change and conflict issues in Sierra Leone, Liberia and Côte d'Ivoire and their regional dimensions is developed in relation to the following questions:

1. To what degree have land and land-related issues contributed to violence in Mano River countries and Côte d'Ivoire? At what stage of the conflict did land become a key factor and why?
2. Who are the winners and losers from the changing of entitlements to land in the process of agricultural transformation in Sierra Leone, Liberia and Côte d'Ivoire? How has this affected their roles in conflict and reconstruction?
3. What lessons can be drawn from the evolution of customary and statutory institutions and land regimes from pre-colonial, colonial to post-independence periods in Sierra Leone, Liberia and Côte d'Ivoire? How have they adapted in relation to conflict and emerging from conflict contexts?
4. What approaches to land reform have OECD development partners promoted in West Africa? How have these interacted with conflict dynamics?
5. What concrete land-related opportunities have been created to provide sustainable and productive livelihood opportunity in conflict and reconstruction? Who has benefited and who has remained excluded? What has been the effect on conflict dynamics?
6. What roles might intergovernmental organisations such as ECOWAS and the CILSS play to foster regional approaches to land access in conflict and reconstruction? How can they interact with civil society and traditional authorities on this issue? What is the appropriate level of subsidiarity between State legislation, local regulations and regional policies? How can complementarities be improved between these levels?

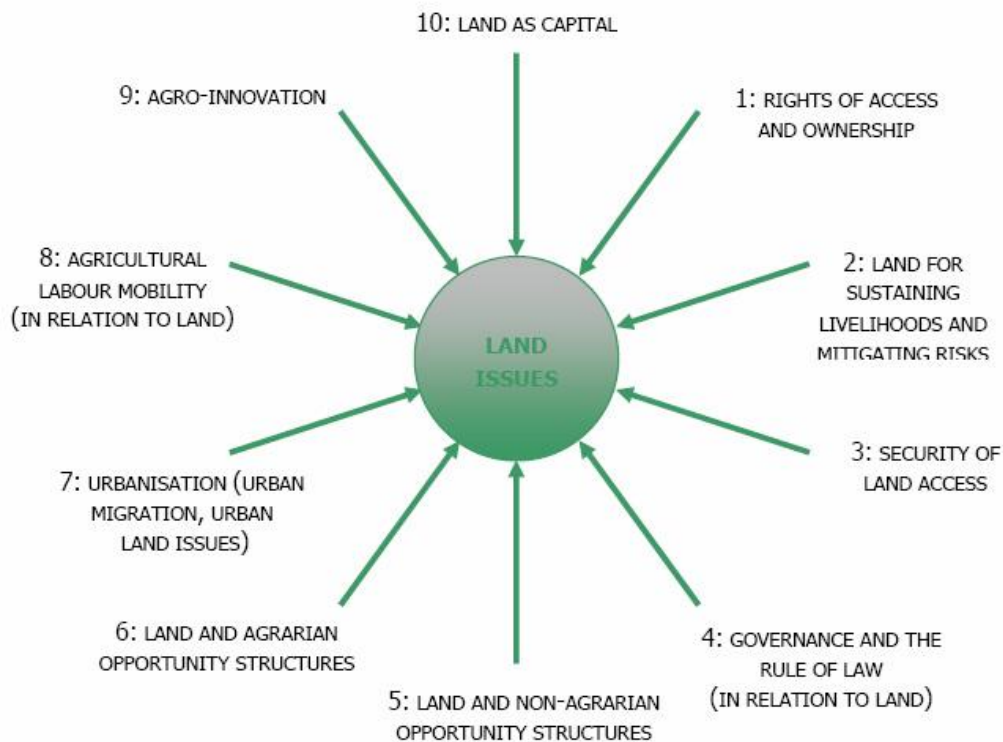
Three activities are carried out in parallel to address these questions:

- The present **Historical Overview**;
- A **review** of on-going land reform processes in West Africa at the regional and the national level;
- A **survey** of international partners' programmes and strategies to deal with land issues and land-related conflict.

### Convergence on land issues: ten dimensions for comparison

The comparative account of land and conflict issues in Liberia, Sierra Leone and Côte d'Ivoire is based on ten dimensions pictured in Fig. 1. The right hand side of the diagram comprises four spokes covering interconnected institutional aspects. A first spoke concerns *rights*. Two major bundles of land rights are distinguished: rights of land access (e.g. through purchase, inheritance, leasing, etc.), and land-based rights to membership in collectivities. Indeed, in rural Africa, a moral economy of land remains strong and other ways of granting membership in collectivities are relatively weak and undeveloped. Conflict in Sierra Leone, Liberia and Côte d'Ivoire involve belligerents from isolated border regions with uncertain national identities. Tensions over land rights are strongly interconnected with tensions over citizenship and identity. Attention is drawn to the ways in which these bundles of rights to access and identity are distributed among classes, genders and ethnicities, and patterns of change in recent distribution. The other spokes on the right-hand side concern the role of land in livelihoods and risk mitigation, security of land access as an aspect of wider human security, and governance of land.

**Figure 1: Land as a complex set of convergent issues**



The left hand side of the diagram covers developmental aspects starting with *agrarian* and *non-agrarian* opportunities. West Africa has a rapidly rising population, with many young people looking for jobs. Youth are highly mobile in search of employment and distribution of land resources helps explain complex patterns of movement. Some migrants move within the UGF, or from neighbouring regions, seeking work in mining enterprises, plantations or forest industries, or land to rent. Others search for employment in the great coastal cities. This raises issues of access to land as an aspect of the division of labour and urban integration. The rural-urban continuum runs in two directions, and land-access problems associated with return from towns, on retirement or in periods of economic downturn, are as important as issues of access to urban land. Urban migrations may in some cases trigger *agricultural labour mobility* (e.g. when farmers from other regions gain access to land temporarily vacated by urban migrants). Negotiations between different stakeholders concerning agricultural and non-agricultural opportunities and mobility strategies also depend on agricultural innovations and the conditions for accessing them, especially for the younger generations and for migrants from the regions neighbouring the UGF.

These complex patterns of labour mobility relate to institutional challenges identified on the right hand side of the diagram (notably, what rights of community membership do youth and migrants possess?). Then the analysis focuses on the various ways in which *land becomes capital* (e.g. through investment in plantation crops, soil improvement, water control measures), and the complex and conflictual problems of asset transfer and inheritance that then emerge. Finally, the question is raised of how land issues (and linked rural institutional matters) relate to the topic of *agricultural innovation* (agro-innovation in the diagram). This is key to making more productive use of the land but the paradox is that those with greatest security of land rights are in some ways least engaged with innovation.

The ten spokes in Fig. 1 are used as a framework for assessing *similarities* among the three cases. The way a spoke is locally configured also helps pinpoint important *differences* between cases. Examples of case-specific features would be the importance of mining metayage in Sierra Leone, land leasing under the tutorat in Côte d'Ivoire, or the role of land grants as a mechanism of political incorporation in Liberia.

## II. Regional and historical framework: transformations of the frontier political economy in the UGF

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### *2.1. Pioneer farming*

The agrarian colonisation of the forests at the heart of the UGF (around Sapo in south-eastern Liberia and Tai in south-western Côte d'Ivoire) seems to be historically recent, whereas agricultural settlement is much longer established on the north-western and south-eastern flanks. Elephant hunting played a part in pioneer farming.<sup>2</sup> Elephants bull-dozed tracks into the forest, seeking fruit trees in season, closely followed by hunters. Killing an elephant provided the resources – meat, ivory and seed rice from the elephant's gut – for the founding of a new farming village.

The major staple in the Western UGF is rice, which needs abundant sunlight and water. Farming may have begun in swampy areas opened to sunlight by tree falls enlarged by wallowing elephants. Because forest soils do not yield abundantly it can take several seasons before an initial clearing is fully adapted to producing rice. After two or three years of agriculture a pioneer plot is rested. Once a set of plots has been established farmers adopt a kind of cycle (rotational bush fallowing) in which each plot is brought back into use every 5-10 years. Taking in further high forest is an unusual event required only when population increases. Slowly, pioneer agricultural enclaves merge, so that today only islands of high forest remain in a sea of farming bush in most parts of the UGF.

In the Eastern UGF, corresponding to the Akan hinterland of the Côte de l'Or (from the mouth of the Bandama to the Tanoe River) and of the Gold Coast (from the Tanoe River to the mouth of the Volta), the main staples were much more diversified. Plantain, cocoyam, cowpeas, cassava and maize brought by the Portuguese spread quickly into the hinterland. Cassava and maize, in particular, played a fundamental role in the emergence of a “fully formed agrarian order” (Wilks 2005), based on forest fallow and suited to labor-intensive gold mining.

### *2.2. The rise of forest mercantilism*

The political and economic basis of forest mercantilism differs between the eastern and western parts of the UGF. These differences indicate the existence of a dynamic “internal frontier” whose contours are located in the central part of current Côte d'Ivoire (between the river Sassandra in the west and the river Bandama in the east).

#### **2.2.1. Western UGF forest mercantilism: a trade-based warfare**

The beginning of long distance trading must be mentioned in this description of farming villages, which slowly penetrate and open up the forest. The exportation of Kola to the Upper Niger Valley appears to go back to an ancient time. The trade was organised by diaspora groups from the savanna who at times were permitted by village chiefs to settle on the margins of forest settlements (Ford 1992). Hunted products – notably ivory – went southwards to European traders on the West African coast.

The slave trade from the Western UGF became increasingly important during the 17<sup>th</sup> century and was not eliminated from south-eastern Sierra Leone and western Liberia until the mid-19<sup>th</sup> century. Long-distance trade in the Western UGF was the speciality of the Fula and Mandingo merchants from the savannas, the European and Afro-European merchant houses on the coast, and of the local rulers.

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<sup>2</sup> Dryland rice agriculture, based on short-fallow farming, may have been established in the forested Guinea Highlands by groups penetrating from the Upper Niger Valley. Groups such as the Mende and Gola, now prominent on either side of the Sierra Leone-Liberia border seem to be late arrivals.

From the perspective of the chiefs ruling the scattered agricultural communities of the Western UGF, trade reinforced personal power, which became inseparable from that of the polity they ruled. As trade routes proliferated in the 19<sup>th</sup> century, supplying both coastal and interior merchants, some rulers specialised in protecting, taxing or raiding long-distance trading caravans passing through the forest. Violence flourished as strategically-placed chiefs struggled to channel trade into the routes they controlled or to close the routes of rivals. Warfare specialists also undertook “private security work” for mercantilist chiefs, anticipating by more than a century a modality of the 1990s diamond trade. Mende-speaking war chiefs and their rank-and-file fighters arrived on the south-eastern coast of Sierra Leone in increasing numbers to work for coastal merchant princes participating in the Atlantic trade. Recruited at a distance, these young fighters had few connections with local populations, and remained dependent for subsistence and marriage on the warlord they accompanied. At times they turned against the civilian dependents of the merchant princes they had been hired to protect. Close parallels with some of the fighting associated with wars during the 1990s are evident.

### **2.2.2. Eastern UGF forest mercantilism: trade, slaves and economic expansion**

The slave trade on the Akan coast also peaked during the 17<sup>th</sup> century, when the economic impact of the exportation of slaves exceeded that of the gold trade. It began to decline from the late 18<sup>th</sup> century, moving to the Slave Coast (between the mouth of the Volta and Lagos). Several factors explain this decline: a diversified trade economy (gold, kola, ivory, sea salt, palm oil and rubber); a strong economic and political basis for the Akan coastal States and city-States, allowing them to hold the imperialism of the interior States in check; and the possibility of redirecting the work force from the slave trade towards the palm oil and rubber sectors.

The Akan political bodies of Eastern Côte d’Ivoire retained control of long-distance trade until the end of the 19<sup>th</sup> century. The level of control rulers and chiefs had on trade varied according to political formations. Representatives of non-aristocratic lines were encouraged to take part in trade expeditions. There were also specialised, mobile agents from the Akan coastal societies who were responsible for guaranteeing a continuous flow of trade towards the commercial establishments of the Gold Coast. This specialised network trade<sup>3</sup> ensured a relatively pacific context for trade, in comparison with the situation in the Western UGF.

### **2.2.3. Western Côte d’Ivoire: an internal frontier of the UGF**

The region between the rivers Sassandra and Bandama presented specific characteristics in terms of the long-distance trade system. Trade here was usually carried out by relay and was controlled by the “big men”, who used debts with brokers from the south as a means of binding dependents from their own lines and their matrimonial partners (Léonard & Vimard 2005). Until the colonial penetration, these societies remained autonomous from the Dioula trade network agents in the north and the Europeans on the coast, who, unlike the situation in the Western UGF, did not enter the forest.

Social and political organisation varied according to the position of societies in the long-distance trade chain. On the coast, the Krou, Neyo and Avikam chiefdoms were in a position to implement accumulation strategies at par with those of the city-States of Eastern Côte d’Ivoire. The forest groups neighbouring the savanna in the north (Dan, northern Bété and northern Gouro) and the Bandama in the west (Dida and southern Gouro) were also able to accumulate captives or “pawns” thanks to their control over the kola trade with the north and their role as middlemen with the Baoulé and Avikam. However, there were no stable chiefdoms like those on the coast. Between these coastal and northern groups, the intermediary societies (Wè, Wobè, Guéré, Bakwé, southern Bété and Gban) had to accept their dependence in terms of access to long-distance trade and a lower level of control over their domestic dependents. This region was the least populated. Segmentation and mobility were high here and acted as a limit to linear despotism in a region where the process of agricultural colonisation was

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<sup>3</sup> For the distinction between trade by long-distance expedition, by group relay and by networks of specialised merchants, see Augé 1971, Meillassoux 1971, Terray 1971.

underway. It was also in this intermediate region, where there was no real political authority beyond lineage, that resistance to the colonial penetration was the most intense and long lasting<sup>4</sup>.

#### 2.2.4. The precolonial legacy of colonial and postcolonial forest mercantilism

In the Western UGF, colonialism laid the basis for the mercantilism of the State, in succession to the mercantilism of the forest chiefs. Despite nominal independence during the colonial period, it can be argued that Liberia fits the pattern as well as Sierra Leone. Independence offered a nationalist political elite control of the mercantilist State constructed under colonialism.

Free market doctrines swept West Africa during the 1980s. Reforms weakened the State leaving a chaotic legacy. In Liberia, incomplete market reforms covered up politics of factionalised mercantilism. During 15 years of war starting in 1989, the political and militia faction leaders struggled to merge political office and the management of private business fiefdoms (Ellis 1999).

In the Ivorian part of the UGF, colonisation took place at a time when the forest societies were experiencing a cycle of high endogenous economic growth that was unequally distributed between the east and the west. This unequal development was reinforced after independence, which brought into power a political elite dominated by a planter class and by members of the eastern Akan societies, and particularly the Bawlé. The exploitation of the forest frontier was a constant concern for the ruling party (the PDCI) and the State institutions. The short-term success of the export-led growth policy ended in the late 1970s with the progressive exhaustion of the internal frontier and the country's growing debt. The application of liberal reforms undermined the basis of the heavy State interventionism that had made it possible to quell intercommunity tensions created by the opening of the western frontier.

Thus, the politics and economy of the UGF continue to relate in ways recognisably similar to the precolonial period:

- *In the Western UGF* political power remains largely in the hands of the merchant classes dominating the coastal cities, while interior faction leaders inherit the roles once played by an earlier generation of forest chiefs, in seeking their own share of political power through control of interior trading. The region's wars are not – for the most part – about territorial control but rather about roads, ambushes and control gates, manned by young fighters loyal only to the commanders who feed them. Dealing with conflict is a struggle against a persistent form of armed monopoly with deep historical roots.
- *In the Ivorian part of the UGF*, the structural challenge remains that of the internal western frontier.<sup>5</sup> But unlike Sierra Leone and Liberia, it is not the customary or State institutions which have lost their legitimacy but rather the leaders that embody them that have become the object of rejection by different parts of the population, especially the younger generations.<sup>6</sup> War chiefs and uncontrolled militias are limited to the south-west, historically and geographically the closest region to the Western UGF.<sup>7</sup> Far more than the partition of the country, the current conflict and the political instrumentalisation of xenophobia are fuelled by

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<sup>4</sup> These differences in social organisation corresponded to differences in agrarian systems: predominantly cassava on the coast, a combination of dasheen, beans and bananas in the north and east, rice only in the intermediate western region (Chauveau et al. 1981; Léonard & Vimard 2005). The predominance of rice in the west, adjacent to Liberia, along with the presence of Kwi secret societies in these regions, could seem to indicate a long common history of the Ivorian and Liberian populations on both sides of the border. However, the history of the population of the Guéré, Wobè and Krou lands on the Ivorian side shows that the oldest cores of population originated mostly in the north and east (Schwartz 1993, Holas 1980).

<sup>5</sup> Although the *de facto* partition of the country remains a priority issue in the short term.

<sup>6</sup> Coulibaly A. (dir.), Bobo K. S., Diomandé M., Kacou A., Kouamé G., Soro D. M. 2006. Field report on the current situation of the Ivorian rural youth sponsored by the SWAC.

<sup>7</sup> However, the surveys show the existence in the north of war chiefs and militias largely made up of urban youth (see Rapport Coulibaly et al. 2006).



the control of export revenue from forest area products, especially cocoa, of which Côte d'Ivoire is the world's largest producer.

### ***2.3 International extraction (plantation crops, timber, minerals)***

#### **2.3.1. Sierra Leone and Liberia: mercantile, trade-brokerage and mining interests**

Intensified internal rivalries, as international trade flows increased, were among the reasons for British and French intervention in both countries in the late 19<sup>th</sup> century. British colonial intervention in the 1890s was intended to end the activities of interior warlords undermining Freetown's international trading position (Fenton 1948). Colonial control involved the building of railways and roads. Improved transportation led to the establishment of a plantation crop economy. Mineral exploitation blossomed in Sierra Leone as of the 1930s.

Effective penetration into the Liberian countryside took longer. The country was founded in the 1820s as a settler state, on the model of the United States. Its citizens were either freed slaves or "recaptives" (African slaves taken by the British on the high seas from French and Portuguese vessels still involved in the slave trade). The intention of the founders was the establishment of an agricultural-based economy, for which each citizen would be granted land. Little thought was given to relations with interior populations. Citizens hardly ventured beyond Monrovia and a handful of coastal enclaves. But flanked by two expansive colonial powers Liberia was more or less forced to develop strategies of interior occupation and administration as of the first decade of the 20<sup>th</sup> century.

The greater presence of the Liberian state in the interior created resistance. The Liberian Frontier Force asserted itself over the more recalcitrant districts, driving a number of populations in the thinly-populated east into the forest depths. Compliant interior chiefs were enrolled to rule on behalf of Monrovia, in a system modelled on British Indirect Rule in Sierra Leone. The Firestone Company acquired a major rubber concession close to Monrovia in the 1920s. The Open Door Policy opened up the interior to plantations, mining and lumbering as of the 1940s. Economic developments in Liberia began to resemble those in Côte d'Ivoire and Sierra Leone during the second half of the 20<sup>th</sup> century, but the process of establishing a road network remains far from complete. Much of the east continues to be thickly forested and inaccessible, despite roads built by the *Oriental Timber Company* under the Taylor regime to bring logs to the port of Buchanan.

Liberian political elites are, broadly speaking, sustained by professional, mercantile and trade-brokerage interests. Unlike in Sierra Leone, where the British prevented the coastal Krio communities from acquiring land in the interior, the constitution allows members of the settler elite to acquire plantation interests. These are either joint ventures with foreigners, or run at a rather low level with local hired labour. In Sierra Leone, it is the local ruling houses, recognised by the British as the main land owners, who were best placed to develop plantation interests. The work was mainly done by local hired labour, while profits were often reinvested in the education of the planter's children, who ultimately developed business or professional interests in town or overseas. Low product prices and the lack of longer term interest in plantations meant that many small plantations subsided into low productivity once their main purpose (paying school fees) was fulfilled.

#### **2.3.2. Côte d'Ivoire: the forest internal frontier as a specific stake**

In the Ivorian part of the UGF, colonisation intervened in a different context in many respects: late intervention (1893); a cycle of high endogenous growth directed towards the exportation of the palm oil and rubber of forest societies, etc.

The east/west differentiation of these societies influenced the way the colonial administration perceived the different populations, the establishment of the colonial economy and the unequal access to economic opportunities (schooling, farming and urban employment) and to networks of political influence. The lack of equipment led to the quasi-disappearing of cocoa and coffee crops in villages in the Tabou and Sassandra regions. It also contributed to the emigration of young people from the west

to eastern plantation and urban areas. The western forest region was seen as a vast reserve in which groups from the east and north, especially the Upper Volta, could spread their plantation crops.

The colonisation process started in the 1940s. Tension over land tenure in the eastern forest area and the abolition of the discriminatory status of the “indigénat” caused a redirection of rural migration towards the west. The rise of the PDCI-RDA throughout the 1950s and then its monopoly from independence onwards fuelled a policy for the massive colonisation of the centre-west and south-west regions of Côte d’Ivoire. The political elite made the exploitation of the west by migrants a constant objective. The single party and State institutions were the instruments of this policy by means of highly State-controlled land legislation. This accelerated exploitation fed the stabilisation fund, which constituted the basic resources needed for the redistribution of income from cocoa and coffee within the political network.

The short-term success of this growth policy based on exportation and the support of international partners in the Cold War context ended in the late 1970s, with the progressive exhaustion of the internal frontier, the country’s growing debt and opposition to unequal regional development, especially by the new political leaders from the west. The application of structural adjustment programmes was accompanied by a feeling of relegation, in terms of both international policy and living conditions. The integration processes that the prosperity of the 1960s and 1970s had made possible were deactivated, while there was a return to processes of exclusion from access to the urban labour market and to land between Ivoirians and non-Ivoirians, but also between autochthons from the west and people from the east and north of the country.

#### *2.4 Modelling the political economy of a forest frontier*

The pioneer agriculture in the UGF is sometimes modelled as a lineage mode of production (LMP). The LMP is marked by a focus on auto-subsistence, low levels of capitalisation of farming, a division of labour based on age and gender, and the transfer of rights of access to land and other productive resources based on lines of descent.

Short-fallow farming depends on gender-based task specialisation in the household group, with some supplementary reliance on rotational inter-household labour groups at busy periods. A single village will generally comprise several groups identified in terms of descent. Households within a single lineage will tend to farm in the same locale, and share tasks across plot borders. Throughout the UGF, the lineage groups deemed to have undertaken the “capital” task of converting forest tend to claim ownership rights on a first-come basis.

The literature distinguished three variants of the LMP model:

1. The “egalitarian” (Meillasoux 1972) variant: a strong egalitarian ethos prevails in UGF frontier societies where young men and women are bonded into age-based peer groups through initiation. These groups are the basis for labour mobilisation for key community tasks. Elders rule through prestige and it is hard to speak of any systematic exploitation of the labour of a younger generation.
2. The “class-stratified” (Dupre & Rey 1973) variant: juniors are systematically exploited. Granted agrarian means of production accessible to all, and limited coercive power (no police, no standing army) turned chiefs to the social logic of exchange to prevent ambitious young people from breaking away to found their own groups. Elders created an “internal market” in social incorporation through the manipulation of prestige goods. Only seniors could supply such items.
3. An intermediary configuration characteristic of the Eastern UGF, where the model is combined with the strong development of mercantilist forces in a context of economic expansion stimulated by long-distance trade, the integration of slaves and the diversification of economic systems.

Marriage was one of the means through which rulers maintained control over juniors. A chief might monopolise women by acquiring them as slaves, or by marrying girls offered by dependent lineages. A young man could marry only by finding a patron who might help pay bride wealth, or offer one of his own wives as a partner. The ultimate sanction on young men in such a system was the threat of being sold as a slave. This meant loss of any family-based and acquired social status. The slave was admitted to a new society at the bottom of the ladder.

Additional sanctions existed in the western portion of the UGF. North-western Liberia and central and eastern Sierra Leone is sometimes referred to as the Poro belt, due to the widespread occurrence of this male sodality. A women's society known as Sande is found in close association. Poro and Sande turn children into adults through initiation. They form "junior" cohorts for community labour along lines not dissimilar to practices in the central UGF. Poro and Sande are associations in which only men and women of substance progress up the ladder towards the higher ranks.

The theoretical debate has highlighted wider concerns about fundamental mechanisms of social change. Today, the LMP's variants help explain objective differences in conditions in the western and central sections of the UGF. In heavily forested districts where forest conversion was ongoing, mercantilist forces were less developed and elders lacked power to sanction youth. But in the more densely populated parts of the UGF, where communities had been shaped by mercantilism over a longer period, society comprised ranked lineages and class-stratified sodalities. Here the interests of "big people" and "youth" were more obviously opposed.

The evolution of the LMP in more recent times can be summarised as follows:

- In communities less transformed by mercantilism strong traditions of egalitarian "gang" organisation fitted young people for a variety of labouring tasks under the colonial economy. Many of these voluntary out-migrants retain expectations of re-settling their home communities in old-age. In western and central-western Côte d'Ivoire the loss of young people to urban migration after World War II was made good by in-migration of settlers, under the *tutorat*. Under more adverse economic conditions at the end of the 20th century many youth have been forced to return from the city, and now encounter "strangers" on the land. They blame elders who have failed to "play by the rules", and target much resentment for this failure of custom on migrants.
- At the western end of the UGF, both rich and poor families had a shared interest in maintaining the customary rules (poor families could ill-afford to repay). Young men attempting to acquire marriage partners "free" were sanctioned. Fines for "women damage" became and remain major business for customary courts in north-western Liberia and many parts of Sierra Leone. Young men paid these fines in labour, to the benefit of elders. Likewise, fines and supernatural sanctions levied by Poro on junior members for "disrespect" served to keep many potentially rebellious young men in line. Those who refused to submit left the villages as outcasts.
- The early spread of family-based plantation farming due to an abundance of land, urban job opportunities and the opening of the western frontier from the 1950s onwards all constituted expansion tanks offered to the rural youth from eastern Akan societies. Access to these new resources helped to reduce constraints and tension. Young men were encouraged in their attempts to establish their own resource bases as long as the resulting wealth contributed to reproducing the social order and heritage in the communities of origin. These young people found in their elders allies in their strategy for accessing land in the western frontier.

Analyses of the variants of the political economy of the LMP show that they interact within a single country (Côte d'Ivoire), with two consequences: (i) the political economies of the LMP in eastern and western agrarian societies are structurally opposed within the Ivorian agrarian system; (ii) this opposition is deeply rooted in the economic and political history of the construction of the Ivorian State. The challenge of State control via the mobilisation of the rural youth and the instrumentalisation of their frustrations leaves less room for war chiefs and more for political leaders operating within an institutionalised political arena.

The political economy of the LMP throughout the UGF requires acknowledgment of the concept of mobility (the mobility of young people from local agrarian communities within the UGF, but also from communities outside the UGF). It is important to take account of these interfaces with socio-agrarian changes in the countries in question, especially in terms of access to land, to labour and to agricultural capital. These interfaces are strong in the case of the internal Ivorian frontier and explain not only the ethnicisation of the conflict (between people from the east and the west of the country), but also its xenophobic and nationalist dimension (between Ivorians from the forest region and people from the north and the border countries).

It is important to stress that in the central UGF the customary moral economy still retains the respect of the young. There is also a strong interaction between “custom” and agricultural innovation (or the lack of it). The precise interaction is country-specific. Reforms are needed over a range of rural institutions – including agro-technology generation – and not in land alone. Deeply informed historical knowledge of the social, economic and political forces shaping and transforming forest frontier institutions and modes of production is an important pre-requisite for fostering these reforms in the Upper Guinean Forest region.

## III. Country case studies

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### 3.1 Liberia

#### 3.1.1. Rights of access and ownership

The origins of Liberian land tenure lie in the doctrine of the *American Colonization Society's* vision for former American slaves and “recaptives” settled in Liberia between 1822 and 1892.<sup>8</sup> The lands of the original coastal settlements were acquired through treaties from local rulers. Opposition to Liberian expansion into the interior appeared from the outset, and Monrovia had little more than nominal presence in the countryside. The infant republic advanced its claims over territory as a consequence of the division of Africa envisioned by the colonial powers at the Congress of Berlin in 1885. During the first two decades of the twentieth century, Monrovia established effective occupation within the boundaries recognised by the international powers.

Subsequently, a dualistic land tenure system was established. To be a landowner required a deed from government which was then thoroughly examined by the Presidency. Recognition was accorded to two categories of individuals: descendents of settlers and aboriginals considered to be civilised (a group of assimilated persons known as *kwii*). “Civilised” aborigines applied for allotments of public land if they met specified improvement requirements, though these rights were, up until the 1960s, rarely exercised. The army coup in 1980 opened the way for well-connected aboriginals to make more use of constitutional provisions to acquire deeded land.

Deeded land is private property. All undeeded land is public land, including land occupied by “aboriginal” peoples. Land cannot be purchased from aborigines, since the government is the only legal vendor. But the Liberian Code of Laws offers certain statutory rights to aborigines. A tribe has a right to as much land as needed for farming and other tribal necessities. It can have its territory defined by metes and bounds at its own expense, and tribal land can be converted to communal holding with the tribal authority designated as trustee. When a tribal group is deemed (by the government) to be sufficiently “civilised” it can petition to have its land divided into family holdings. Provision is made to limit use of tribal land by “strangers” (i.e. foreigners and Liberians of other tribal groups).

Aboriginal rights to use land for “farming and other tribal necessities” can be claimed only by villagers who remain members of lineages and submit themselves to the authority of chiefs. Above the village level, chiefs are government appointees. Village heads are selected by a process in which there is some degree of popular participation. They continue to administer a moral economy regulated by cooperative principles dating from forest conversion and sustained by village institutions, including initiation societies (sodalities).

Customary and deeded land exist side-by-side, even in lightly populated areas. How much land in rural districts has been ceded to private owners, and the circumstances under which this land was alienated, requires further detailed investigation. Cynicism about many of the deals that have led to land acquisition by private owners in the interior is widespread. “Aboriginal” Liberians are not reluctant to acknowledge that deep disagreement about the fairness of Liberian land law was a factor in fostering violent conflict.

Settler and *kwii* descendents acquire land for plantations using rural connections, some of which they make through contracting “country” marriages, to persuade tribal leaders to designate sites as unoccupied that may, in fact, belong to the fallow cycle. Because the government owns all unoccupied

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<sup>8</sup> Settlers would form an enclave comprising “*an independent community of peasant farmers owning in fee simple a tract of land sufficient to enable them to support themselves and their families by their own labours, allotted out of the public domain without payment, but subject to their improving the land within a specified time.*” Fraenkel 1964, p. 9. For detail on the earlier economic history of Liberia see Brown (1941).

land it is also essential to have strong connections with the Presidency. From the perspective of village non-elites rural land acquisitions seem dubious. The villagers assume all cleared land belongs to the fallow cycle, and might one day be needed once again. Local ideas about cooperation and the inter-generational social contract whereby all lineage members have a potential place succumb to the reality that the will of State prevails. Confidence in the customary system (especially on the part of the young) has been extensively undermined.

Conversion of community assets to private property under the fiction that government was allocating unused land became important for the first time under President Tubman during the 1940s and 1950s. Large concessions were also granted to foreign investors at modest rents (following the earlier pattern of a 99-year lease on one million acres of land for rubber plantations granted to the Firestone Corporation). This system has continued to function ever since. The power to approve land deals remains one of the chief patronage resources of the Executive Mansion.

### 3.1.2. Land for livelihoods and risk mitigation

Many rural Liberians see “customary” land tenure as a means to secure livelihoods, while in practice, increasingly large areas of land have been alienated through reference to the government’s ultimate right of ownership. How much land remains accessible to the poor under rights of customary access? Is it sufficient to meet their livelihood needs and mitigate risks? Answers to these questions must be carefully ascertained.

The young seem especially distrustful about customary land institutions (see Box 2). This distrust is in part explained by changes in customary tenure under the settler state.

#### **Box 2: Customary tenure and land access for the youth in Margibi County**

Peye Town and Peters Town (Margibi County) are settlements, so elders claim, founded by Gio elephant hunters from Nimba County. The villages are currently home to a mixed population of Gio, Kpelle and Bassa farmers. Following several streams of migrants converging on sacred Mount Gibi, a site the True Whig Party sought to make a national shrine in the 1930s, the lineage system could not serve to integrate a mass of people with diverse ethnic backgrounds. With connections established with politicians via the shrine, elders ensured that community lands were surveyed and registered. Many villagers had their family lands recognised, and this encouraged investment in small plantations. Family land can now be handed to designated heirs.

For those excluded by the system, the situation is less evident. Even before the 1989 war, many young people were highly mobile, spending periods in Monrovia, or labouring in mines and plantations. Some got caught up as combatants in the three periods of factional fighting since then. Customary law specifically limits the rights of the mobile to settle. Ex-combatants – many with little to show from war than a reputation for extreme violence – are often reluctant to return home. They are not a group on whose behalf trustees demarcate tribal land “in metes and bounds”. At the same time they lack educational skills to find a place in the over-crowded urban job market. They are particularly in need of agricultural opportunities, but have reduced chances of either acquiring land at home, or integrating as “strangers” under existing land law. They remain vulnerable to militia recruitment.

In Liberia, numbers of young rural people outside the scope of the LMP are increasing quickly, which is both a consequence and a cause of conflict. But displacement, marginalisation and social declassification also foster war. When the forces of Samuel Doe “punished” Nimba County in the mid-1980s, after an attempted coup, homeless and orphaned teenagers rallied to the incipient Charles Taylor rebellion. As conflict spread other chronically dislocated youths were drawn into the fighting.<sup>9</sup>

Attachment to land serves to provide more than livelihood. It is also a means by which groups attain identity and recognition, and generate social cohesion. When this identity is questioned or denied the likelihood of recruitment to socially-detached and destructive projects increases. Re-attachment to land, whether literally through a land-based livelihood, or figuratively through notions of emplacement and citizenship, may play a useful role in preventing reckless forms of behaviour associated with war.

<sup>9</sup> E.g. the Liberian Mandingo, a group strongly represented in the anti-Taylor militia LURD from 1999-2000. They are seen as “alien” by other groups in the forested interior, but are mainly of local origin.

### 3.1.3. Security of land access

Among the basic elements of human security are the security of persons, deals and property. War threatens all three. Without matching attention to how respect for persons and deals are achieved security of access to land cannot be realised. A requirement for peace is therefore an integrated approach to human security.

To impose its will upon a reluctant Liberian people, the State implemented in the early 20<sup>th</sup> century a variant of the *Indirect Rule* as practised by the British in neighbouring Sierra Leone. The legitimacy of local chiefs was recognised to regulate the sphere of custom thus transforming interior society. In practice, *Indirect Rule* imposed Paramount Chiefs over the countryside as presidential appointees and agents. By-and-large it was the male “elders” who gained most from this collaboration.

The control of elders over women as marriage partners and over young men as dependant and underpaid labourers, in a labour intensive farming economy, was often justified in the name of “tradition”. Family elders required a dowry before sanctioning a marriage. The only men in a position to pay were the older men with access to land, labour and plantation crops, and they accumulated multiple partners, some of whom they encouraged to consort with impoverished, unmarried young men. Fined by elders under customary law for “woman damage” young men found themselves too poor to pay, and often “sold” their fine to a patron, for whom they then worked for at little or no wage. This mobilised much of the labour needed to develop family land.

Women found themselves perhaps even more constrained by the system, in which their rights as persons were negligible. They were often required to marry men of their parents choosing and divorce was often impossible due to family inability or unwillingness to refund the dowry. A woman could own or bequeath little or no property in her own right. A widow unwilling to accept a new partner from her husband’s lineage risked losing access to her property and children. Women with rights to use their own or their husband’s lineage land, could not accumulate land property or hand it down to heirs of their own choosing. They could contract business deals only in their husband’s name.

A law addressing marriage and women’s inheritance was ratified by the Liberian senate in November 2003 in order to remedy this situation by granting more than 50 percent of Liberia’s rural population legal protection for their rights. By significantly improving women’s rights (e.g. to carry on business in their own name, and retain access to her children and property when widowed or divorced) the act also abolishes most of the mechanisms through which marriage was manipulated to ensure a steady flow of dependent agricultural labour.<sup>10</sup>

The act may take many years to become accepted. But by removing some of the controls through which labour of women and young men is exploited in the countryside, it addressed many of the factors which make rural life a prison for many women and an area to be avoided by so many young men. Linking this reform to land reform making land ownership more accessible to women and young men would be necessary.

### 3.1.4. Governance and the rule of (land) law

Governance of land issues in Liberia is the responsibility of Land Commissioners appointed to each of the country’s fifteen counties. Each commissioner is responsible for overseeing land registration, maintaining records, making recommendations on grants of government land and settling land disputes. Their role can be constructive: in Buchanan in 2004, an association of unemployed school

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<sup>10</sup> *Inter alia*, the act forbids: “attempts to collect dowry from the wife or parent by use of force, directly or indirectly” [Section 2.2]), compulsory labour by the wife (Section 2.4), and compelling “the daughter or other female relative to marry a man not of her choice” (Section 2.10). It is illegal for husbands to “aid, abet, or create the situation for his customary wife to have illicit sexual intercourse with another man for the sole purpose of collecting damages” (Section 2.7) or to “compel or demand [of] any female of legal age, whether or not she is his customary wife, to “confess” or call the name of her lover...in order to collect damages from the said lover...” (Section 2.8). (*Act to Govern the Devolution of Estates and Establish the Rights of Inheritance for Spouses of Both Statutory and Customary Marriages* approved by the House of Representatives on October 7<sup>th</sup> 2003).

dropouts decided to set up a self-help farming cooperative. Their first step was to petition the Grand Bassa Land Commissioner for a portion of State land, on the basis of a long-term lease, as a site for their farming activities. The capacity of the State to grant land could also help foster economic reintegration of ex-combatants by providing them with the possibility to pursue productive rural activities, from planting rubber to the processing and marketing of food products. Many Liberians, however, are less convinced by the role of the Land Commissioners. Critics point out that they are appointments under presidential patronage, and view their activities as little more than an extension of the power of the Executive Mansion.

From the government side, Land Commissioners administer on behalf of the Presidency grants of primeval forest to worthy citizens. Rural communities, however, often consider that land to be long-fallow farmland. This fundamental discrepancy about land issues leads to doubts, in the minds of many, about the legitimacy of the settler State more generally. The war illustrated the scant respect for the basic notion of the rule of law. Many of the war's protagonists came from communities in which the Liberian rule of law is thought of as rooted in activities that have allowed for land-grab. The excessive power of the Presidency over land issues tends to worsen the constitutional disagreement about what constitutes the basis of Liberian nationhood.

### **3.1.5. Land and non-agrarian opportunities (mining, forestry)**

Liberia has the largest timber reserves of all five UGF countries. With about 30% of the country covered by forest, industrial logging employed some 7,000 people prior to the war. Forest land belongs to the State. The 1986 Constitution requires natural resources to be managed "in such a manner as shall ensure maximum feasible participation of Liberian citizens under conditions of equality." Actual practices contradict this ideal.

The Taylor faction in the war funded weapon purchases through the logging industry.<sup>11</sup> Under the Taylor presidency concessions were granted with minimal public accountability. The main concessionaire (a Malaysian company) opened new logging roads in the south-east, brought in several foreign hundred technicians, and exported timber worth \$36 million in 2000, and \$43 million in 2001. These exports were halted under the anti-Taylor sanctions regime imposed by the United Nations. Accountable management of forest resources, as required by the Constitution, now includes plans for "community" participation in forest management, but what form this will take is unclear.

War-time dislocation of populations has induced squatting in and around the main forest reserves (e.g. the Gola National Forest in the north-west and the Sapo Reserve in the south-east). Several thousand self-demobilised fighters from a faction linked to the conflict in Côte d'Ivoire were reported to have settled in the Sapo Reserve in mid-2004, to engage in hunting, alluvial mining and farming.

Mining is also important to the Liberian economy. Industrial mining concessions (for iron ore) are granted by the State. Mining for gold and diamonds (e.g. along the Sierra Leone border) involves alluvial deposits resources, largely mined by artisanal methods. Merchant capital dominates over industrial capital. As in Sierra Leone artisanal mining operates according to principles of share-cropping (metayage).

Militants of the anti-Taylor faction controlling much of north-western Liberia until 2004 (LURD) were heavily engaged in mining along the Sierra Leone border. Mines are often damaging to village coffee and cocoa plantations on river terraces. When a site yields metal or stones the "land owner" (i.e. the lineage elders who serve as trustees of family land) will generally secure a rent, though whether or not the actual plantation owner receives fair compensation for lost trees is often disputed. Barren sites quickly disappear. When armed factions control mining sites, civilian populations often flee so the question of compensation for damage caused by mining hardly arises.

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<sup>11</sup> Between 1990 and 1994, logs worth \$53 million per year were exported through ports controlled by the NPFL.



### 3.1.6. Land and agrarian opportunities

Large plantations – for rubber and other tropical tree crops – are an important feature of the Liberian economy. Several are joint ventures, involving overseas investment and management input. Concessions are granted by the executive on land not considered necessary for “tribal purposes”.

The generous terms on which these concessions were at times granted have drawn much criticism. In certain areas, villagers contest the ownership of land granted in concessions. Controversy surrounds land granted to the Liberia Agriculture Company (LAC) in forests some fifty kilometres north of Buchanan, for example.

It must be noted, however, that plantations generate employment and stimulate the local economy. In 2004 the LAC plantation, undergoing post-war renovation, was operating at a low level, but a lively market at the plantation gates (at Compound No. 3) had already attracted traders from as far as Monrovia.

During the civil war several of these large plantations attracted armed factions. Plantations compounds held out prospects of accommodation, facilities (water, electricity, communications equipment) and loot (vehicles, etc). The large German-owned Salala rubber plantation in Margibi County was home to a commando group associated with the Taylor faction led by Nixon Gaye, a notorious teenage fighter from Nimba County involved in the 1991 invasion of Sierra Leone.<sup>12</sup> Perhaps mindful of future instability the Firestone Company seems interested in shifting rubber production to contracted growers, concentrating itself on purchase and processing.

Would contract farming offer opportunities to ex-combatants and unemployed young people? The answer depends on the degree of prior rootedness in rural lineage-based systems. Those who remain loyal to the linear mode of production (see section 2.4 above) have some opportunities to exploit small-scale plantations. However, many young rural Liberians do not control their own labour, and many lack resources to invest in small-scale plantations, even when land is available. They seek their fortune in towns, or labouring in mines and large plantations, but find a “low wage” economy prevails throughout. When jobs end they are expected to return home and surrender to the authority of chiefs and elders. Some prefer (as the words of the anthem of the Revolutionary United Front in Sierra Leone puts it) to remain “fighting on the battle field forever”.

When asked, most-ex-combatants in Liberia state a preference for re-settlement in urban areas. They do not want to acquiesce to the rural disciplines of an exploitative mode of production. Developing agrarian opportunities, including small-scale plantations and rural service provisions (e.g. brick-making), may offer some of the best chances for self-employment for young people without education, if social obstacles to rural resettlement are reduced. Reforming institutions (e.g. the revised marriage law of 2003) represents one route. Another would be more actively to explore the farm settlement opportunities glimpsed by young unemployed school dropouts in Buchanan.

### 3.1.7. Urbanisation (urban land issues)

Rural-urban migration in Liberia is mainly directed towards Monrovia and one or two other coastal cities, e.g. Buchanan. War in the interior increased the flow of population towards the capital (at one stage as much as half of the Liberian population took shelter nearby Monrovia). The coastal cities are where the settler communities were first established, and deeded private ownership of urban land prevails. However, there are some exceptions (i.e. government-approved land titling has allowed some “tribal” communities to settle in Monrovia while retaining aspects of “aboriginal” governance).

During the 1930s the Kru community in Monrovia successfully petitioned the government for land close to the mouth of the St Paul River to found New Kru Town. The land was administered by Kru leaders, and a well-laid out residential area developed. The success of the arrangement depended on a

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<sup>12</sup> Gaye’s group was subsequently suspected of carrying out the notorious massacre in Harbel, Margibi County, on 6 June 1993. About 600 people, mostly women and children living in a displaced persons camp, were killed.

link to employment. Many Kru migrants worked as stevedores, and land trustees were the gang masters who recruited dock labour and seamen. This gave them considerable powers of patronage and discipline, and the possibility to withhold a portion of wages as community tax. Representatives of the Vai and Bassa communities in Monrovia also applied for title to land, but (lacking employment to allocate) were less successful in imposing regulatory authority on Vai Town and Bassa Town.

### 3.1.8. Land and labour mobility in Liberia

Impoverished youth in rural Liberia face two major threats. First, a settler constitution permitting land acquisition in the interior by the politically-well-connected elite, while a shrinking linear mode of production, helps underpin a low-age “modern” economy although it continues to provide social security for some. Second, increasing numbers of young people fail to make a permanent transition from rural to urban living, or secure permanent livelihoods in the mining and plantation sectors. They become more or less permanently mobile on a rural-urban continuum. This hyper-mobility is pathological, and a cause of war in the region.<sup>13</sup>

Mobility of labour is an important condition for an economically successful division of labour. But the two major threats facing rural Liberian youth sustains a *rootless (and aimless) hyper-mobility*. This vagrancy is readily exploited by those who recruit for militia factions. If division of labour is to succeed it must be based on more than mobility; *justice is an equally important condition*. Land-oriented skills training is a key to a peaceful future in rural Liberia. This skills training should be accessible to all young Liberians, irrespective of background. Equality of opportunity may enhance national commitment and drive out war.

### 3.1.9. The capitalisation of land

Commercial plantations are a key sector in Liberia. Plantations require substantial capital investment in machinery, materials and installations. The war halted most large-scale plantation activities, but renovation and capital reinvestment are proceeding in some cases. Some major plantations are joint ventures, and levels of post-war investment will depend on confidence in the peace process by overseas investors.

Peasant holdings, by contrast, involve little investment in the land itself, other than forest clearance and adoption of superior planting materials (e.g. dwarf hybrid oil palms). An exception to this is the intensive development of inland valley swamp land for rice agriculture. Levelling and water control is stimulated by shortage of land for fallow agriculture.

Knowledge of wetland development for intensive production is one of several skills that could make migrants attractive as tenant farmers. Possession of land-improvement skills by hyper-mobile Liberian youth might open doors to their agrarian re-incorporation, lineages notwithstanding.

### 3.1.10. Agricultural innovation

Putting land to work in more effective and sustainable ways requires innovation. African farmers have proven more capable of developing innovative practices in situ than many observers expected. Recent analyses call for effective partnership between external-input based technologies and farmer innovation (Bindraban & Rabbinge 2005). Migrant farmers are no less capable than settled farmers to develop innovative practices locally adapted. But innovation strategies require repeated experimentation and adaptation through trial-and-error. Foreign farmers with insecure land rights are less likely to reap the fruits of adaptive observation than more securely settled farmers. Local potential for innovation will be reduced where farmers are both inexperienced and hyper-mobile.

Well-designed training programmes are needed for hyper-mobile youth. Disarmament, demobilisation and reintegration programmes are an important opportunity. A lesson of the Sierra Leonean DDR

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<sup>13</sup> The allusion is to Durkheim (1893) *Division of labor in society*. Book III discusses several social pathologies, one of which, anomie (unregulated desire, i.e. a sense of living in a world without social limits) seems especially applicable to rural Liberian youth shaped by war (Richards & Vlassenroot 2002).

(discussed below) is that the programme was too biased towards “urban” skill formation. This weakness can be avoided in Liberia and (eventually) in Côte d’Ivoire.

*Not all ex-combatants (or other hyper-mobile youth) have the same agricultural innovation needs and opportunities.* Utas (2005) found Liberian ex-combatants from Sinoe County still enjoyed the confidence of their communities, had access to land, and could resume planting activities fairly easily. A simple input package – perhaps materials to establish a small coffee or rubber plantation – was the most they might need. In other cases, combatants have lost contact with their communities; they may even have carried out local atrocities, and as a result will prefer to seek reintegration as migrants in communities where their background is not known. As land rights of migrants are precarious, it is not fair to assume they need training as farmers.

Many ex-combatants claim little interest in agriculture. In some cases they fear going back to places where they might have land rights because of their history as fighters. In other cases they worry about becoming exploited labourers; many have had experience of being paid low wages in rubber plantations. In these cases it may be better to offer support for skills training for self-employment agricultural services, e.g. road maintenance, farm transportation and crop processing.

Every decade cassava becomes a more important crop in Liberia. It requires little mechanisation at the processing stage. Young workers with access to credit can buy grating machines and form gangs that itinerate to several villages buying up and harvesting cassava plots from farmers, and processing it for the urban market. This was one route to reintegration for young ex-combatants after the civil war in Nigeria, and it has become increasingly popular as a rural income generating option among hyper-mobile youth in Sierra Leone disillusioned by alluvial diamond digging.

These changes require technological support. Liberian national institutes of crop research and agro-technology were destroyed in the war and need rehabilitation, e.g. the rice research station at Suakoko. There is also a need for agro-technologists to shift their focus towards new and non-conventional client groups, not least hyper-mobile youth. Innovations are required for migrants to work effectively on the lands to which they have access. Rice breeding strategies – in international support agencies like the West African Rice Development Association – have tended in recent years to pay more attention to the kind of low input conditions likely to be encountered on land accessible to women farmers and young migrants but the trend needs to be strengthened. Agro-technology research agencies would benefit from establishing direct links with potential client groups, in order to find out about the kind of land actually accessible to hyper-mobile youth, and how they are likely to use it. Experimentation with farmers is an important aspect, for example in the context of farmer field schools and the like.

Available agro-technology in Africa remains unused because it is targeted to the wrong group. It should not target those whose land rights are secured and who would leave farming if they could, but rather those for whom land rights are more precarious and who are among the potential groups liable to stay on the land and engage in more intensive land use. Technological packages designed to work in conditions of short-term land leasing might transform agriculture in Liberia, and elsewhere, under the demands of the urban market. For this reason, it seems reasonable to reduce technical constraints and land tenure constraints for young people entering peri-urban market gardening and animal production.

## ***3.2 Sierra Leone***

### **3.2.1. Rights of land access and ownership**

Founded in 1787, Sierra Leone was made a Crown Colony in 1807. Thereafter the population of the Sierra Leone peninsula increased following the release of slaves from vessels arrested by the British navy off the coast of West Africa. These “recaptives” settled in Freetown, and nearby villages, forming the nucleus of a distinctive inter-African society linked by a common language derived from Krio, the West African “trade” English. A British-style law on property and inheritance rights was

introduced in the colony. An emergent Krio elite invested in land and property following fortunes made in trading and other professions.

Competition over commercial trade routes to Freetown fostered insecurity. In the 1890s, the British advanced into the interior, to end “tribal warfare”, and counter the growing French influence. A British Protectorate Ordinance of 1896 limited the power of chiefs. A chiefly faction – fearing both loss of domestic slaves and the growth of Krio commercial influence – rebelled in 1898. The uprising was quickly suppressed, and thereafter the colonial administration built a light railway to open up the interior.<sup>14</sup>

The Freetown Krio envisaged becoming a planter class in the interior while the British were keen on replacing rebellious chiefs with a class of interior rulers amenable to colonial authority. Land was given to natives of the provinces with membership in what were deemed to be autochthonous or “first-comer” lineages, i.e. one of the leading lineages in place at the end of the 19<sup>th</sup> century. Some of these lineages could be described as battle groups comprising a warlord, his warriors, and their dependents and slaves. Many chiefs put their followers to work to make plantations and roads to link their plantations to the railway. Oil palm, coffee and cocoa exports rose considerably. Profits allowed for the indigenous chiefly class to send their children to school. The educated sons and daughters of this traditionalist plantocracy formed the backbone of the Sierra Leone People’s Party (SLPP) in its successful bid for political power at independence.

Minerals have since taken the greater share of attention. Sierra Leone is rich in alluvial diamonds often found in sites upon which tree crops have been established. Attempts to “reserve” alluvial deposits for overseas mining companies have been abandoned as international interests are largely restricted to kimberlite (hard rock diamond mining). Alluvial mining is administered according to local land law. The right to mine is assigned by trustees of “first-comer” lineages to holders of a government licence.

“Customary” land law as devised under British rule continues to bolster the power of the rural landed classes whether through agrarian or mining interests. When, at the height of the civil war in 1998, the SLPP was restored to power, it requested international support to restore chiefdom administration, even though defects in that very system were among tensions feeding the war (Archibald & Richards 2002). This request was connected to the arming and training of a “traditional” civil defence militia by private security companies, as an alternative to the mutinous national army. Paramount and other chiefs were involved in initiating volunteers, and ensuring they returned promptly to the countryside proved essential in regaining control over a force that might have otherwise become another free-booting militia faction in the war.

In regard to land, British assistance has supported a justice sector review, and a bill passed before Parliament in 2005 to grant equal rights to all Sierra Leoneans to purchase or lease land in all parts of the country, provided land-owning families agree (see below). A second bill to grant equal rights to inheritance of men and women has not yet been presented. However, neither bill is likely to be applied to land held by families in customary tenure. These rights have not changed much since 1898: unassigned land is held in trust by the State for the people, and Paramount Chiefs serve as trustees. There is little land unassigned. Land cleared for farming is deemed to belong to the descent group and cannot be sold except if the entire group agrees (a rare occurrence). Small plots of land have long been bought and sold for building purposes in provincial urban centres, but transactions must be witnessed by chiefs. Non-natives can lease but not own land. Leases must be negotiated with land-owning families through Paramount Chiefs. Little attention is paid to the leasing needs of poor and marginalised young people. Because so little land is bought and sold in rural areas it is rare to find legal cases concerning land ownership.

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<sup>14</sup> The line reached Pendembu on the Liberian border in 1910, with a later extension to Kamabai in the north. At first it mainly facilitated movement of troops and administrators, but later was important in also fostering trade, migration and education.

Hanson-Alp (2005) has studied post-war attitudes to customary land tenure in parts of the south, east and north of the country. Her report brings out clearly that there is more enthusiasm for land reform in the south and east than in the north, where only about one third advocated changes. Women, youth and “strangers” are disproportionately more favourable on land reform than men from landed lineages. Three groups of reforms have been advocated: decisions on use and allocation should be more inclusive of women, youth and “strangers”; laws should be enacted “to allow women, with or without children, to inherit land and property” (p. 32); and subdivision of land among siblings should be more equitable.

### 3.2.2. Land for livelihoods and risk mitigation

Alluvial diamond mining is the powerhouse of the Sierra Leonean economy that attracts large amounts of unskilled labour. It is a risky economic enterprise as stones may or may not be found in every pit. Miners often come from farming villages and return to subsistence agriculture when an operation fails. Some regain access to family land because they maintain good relations with lineage elders. Others who have broken links with the village are unable to return home unless their mining endeavour succeeds. The option – when a pit proves barren – is to seek temporary admission to any convenient rural community as a farming “stranger”.

Customary law on “strangers” (i.e. residents born outside the chiefdom in question, and having no matrimonial links to local lineages) distinguishes two classes.<sup>15</sup> Rules of hospitality apply to merchant “strangers”. They may be invited to settle and typically marry daughters of the leading families. The children may become accepted as indigenes and form their own land-owning group. “Strangers” interested in farming will normally serve a probationary period. A typical strategy for a young man is first to attach himself to an established farmer, helping the household with heavy farming tasks in return for food, and then to apply (through this man) for land for subsistence purposes of his own. Few land-holding lineages are so short of land that they cannot find space to incorporate active young men, who strengthen the entire subsistence system by joining rotational labour groups and taking part in community labour. A definite problem is that the farming stranger lacks political and legal rights. He cannot, for example, plead on his own behalf in a customary court. Disputes can only be settled by mediation or by abandoning local assets and moving on.

Some young stranger farmers settle down and submit themselves to the rules of the linear mode of production, perhaps providing bride service for their landlord and receiving a wife in turn, with the children becoming members of the lineage of the landlord. But others remain, as in Liberia, hyper-mobile on the rural-urban continuum – dissatisfied with village life but finding no permanent niche in mining or the urban economy. As in Liberia, this hyper-mobility remains a predominant factor of the region’s vulnerability to war.

In Sierra Leone, a vicious circle exists between low skill/low wage mining activity and low skill/low wage farming activity. Farming remains insufficiently productive to prevent sponsors of alluvial mining to rely on cheap food imports. Therefore, commercial integration between mining and local agriculture falters, and stabilising employment opportunities fail to materialise. Nonetheless, farming remains an important alternative, allowing bucket-and-spade miners to continue to circle and re-circle semi-worked out gravels on the rumour that a few big stones remain. One of the keys to post-war stability in Sierra Leone will be to break the vicious cycle of mining-related hyper-mobility, by developing stable employment opportunities in both the mining and agriculture sectors.

### 3.2.3. Security of land access

Under *Indirect Rule*, chiefdom administration was mainly concerned with maintaining order and safeguarding local customs on land, labour, marriage and inheritance. The Paramount Chief was charged with reporting to the government (through the district officer) any threats to welfare or public order. Chiefs were elected by a college of Tribal Authorities (lineage elders) each “representing” ten

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<sup>15</sup> This distinction applies basically to male strangers. A young woman from outside the village can also be classed as a stranger, but it is rare for a young woman to settle alone.

(male) tax payers. The chiefdom treasury raised local taxes. Customary courts, initially presided over by chiefs, then by government-approved court chairmen, were at the heart of the system. They administered a thinly documented set of customs.<sup>16</sup>

At independence, the SLPP relied greatly on Paramount Chiefs to deliver the rural vote, essential for a democratic majority, and to keep Krio politicians or union leaders away from power. The maintenance of *Indirect Rule* was subject to interference by successive regimes in the appointment of chiefs and other officials. Elected to power through a disputed election in 1967, Siaka Stevens focused on reshaping the governance of the diamond chiefdoms (deploying party cadres, security forces loyal to the Presidency, and Lebanese business partners). Elsewhere, although interfering in appointments, Stevens left the basic principles of *Indirect Rule* unchanged. The State controlled diamond mining by issuing mining licences while land law applicable to both farming and alluvial mining remained a local matter. Lineage members remain in doubt (unlike in Liberia) that they can retain their access to family land.

#### 3.2.4. Governance and the rule of (land) law

Land reform has never been high on the political agenda in Sierra Leone. The principal demand is for rice farming land as a subsistence safety net and access (on stranger's terms) is rarely refused. Even refugees from the war zone generally found some land on which to farm. Increased privatisation of rural land is seen by some as potentially weakening the cheap labour system on which alluvial mining depends.

Chiefdom Administration was halted by the war. This was a strategic intention of the RUF, which targeted chiefs and court and treasury clerks, and stoked local grievances over the corrupt behaviour of court officials, sometimes instancing injustice over land cases (Richards 1996b). When Steven's successor, Joseph Momoh, was overthrown in the early days of the civil war, civilians fled the countryside and courts were abandoned. A peace process in 1995-6 allowed snap elections, which returned the SLPP to power. Thereafter, government-backed hunter-led civil defence began to turn the tide of the war. The people returned to the countryside before their chiefs, and informal dispute resolution flourished.

Confusion prevailed between June 1997 and February 1998 during which hunter militia held much of the countryside and a rebel-assisted army junta controlled the capital. The rule of law was restored in Freetown in 1998. But rampaging junta and rebel forces threatened much of the interior, and briefly the capital itself (January 1999), before forcing negotiations with the SLPP government in mid 1999. Peace was only secured after a British military intervention in May 2000 allowed a large UN peace-keeping force to deploy. The SLPP was then able to reclaim large parts of the interior in rebel hands.

British were requested to help re-deploy Paramount Chiefs (from 1999) by funding a scheme to build accommodation in the countryside. Chiefdom courts resumed their activities from September 2000. These operate much as before in government controlled areas although a few changes are apparent. Some illiterate court chairmen have been weeded out and the government has promised an approved list of fines. However, supervision – never a strong point – is minimal due to staff shortages and lack of transportation, as well as inadequate record keeping (summons and judgements are hand-written due to looting of equipment). Misappropriation of fines is widely alleged. Court staff complain they are not paid.

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<sup>16</sup> A slender volume produced in 1928 and revised 20 years later (Fenton 1948) states the main principles underpinning settlement of cases: Land belonged to first-comer lineages; marriage required bride-service; children belong to the patrilineage; the privileges of elders and sodalities were to be respected; strangers and women derived their rights through landlords and husbands. The dating of the original volume is not accidental. Customary Courts under British Rule had become controversial internationally because of their propensity to uphold the rights of domestic slave owners. Once slavery was abolished (from 1<sup>st</sup> January 1928) documentation was a step towards accountability.

Generic problems of customary law remain unaddressed. Most notably, there is scant justice for “strangers”, women or youth. “Strangers” cannot plead directly thus rendering a land dispute potentially impossible to pursue. Women accounted for only 1-2% of plaintiffs in cases presented to three customary courts in the south and east of the country between 2000 and 2006. Young men accused of marriage breaches (about one quarter of all cases appearing before courts in the two rural chiefdoms) were able to offer successful defences in only about one in fifty cases.

If a settler constitution in Liberia undermines respect for the rule of law by placing too much power in the hands of a President and his representatives, the situation in Sierra Leone is almost the opposite. Too much authority over important areas of rural social life – including land, labour and marriage – lies in the hands of rural elites. The notions of justice embedded within *Indirect Rule* need an overhaul if local administration is to retain respect. Post-war reform in Sierra Leone has included a new local government system at the district level intended to bring democracy closer to grassroots, but Paramount Chiefs continue to be selected for life by local lineage notables. District elections and popular experience in holding administration accountable for development funds, may begin to trickle down to the village level, impelling chiefs to act more like mayors.

### 3.2.5. Land and non-agrarian opportunities (mining, forestry)

Forestry is of less importance in Sierra Leone than in Liberia. Government reserves cover only about 3% of the country. At first, the protection of these reserves was to protect them from farmers in order to preserve their industrial purpose, but today it is their conservation which is considered. Farmers continue to encroach on the reserves, sometimes not because they need the land but to indicate that they contest the legitimacy of the government wresting it from community ownership. Private and government industrial logging ended with the spread of the war. The needs of a post-war construction boom are met mainly by gangs equipped with chainsaws operating with and without logging permits, e.g. around Kenema and in and around the forest reserves of the Liberian border.

Minerals are the most important non-agrarian land resources in Sierra Leone. Iron, bauxite and rutile are the major minerals mined industrially. The State owns sub-surface assets and has been criticised for its management. During the 1980s, the rutile mining operator pressed the State House to designate independent negotiators to accelerate the overdue re-negotiation of the terms of its concession. The existing undervalued contract was kept because the State preferred keeping ad hoc contributions from the company to compensate for shortages of rice or fuel supplies. The military regime (1992-6) took similar steps to deal with the war, entering into undisclosed arrangements with a private security firm connected to a kimberlite mining company. The involvement of private security complicated the outcomes of the war. Business rivals also allege that the kimberlite concession was undervalued. Bringing proper accountability to the mineral concession process is a major objective of post-war governance reform.

The alluvial diamond mining sector is where problems loom largest. Earlier attempts to fence off the main deposits for joint-venture industrial mining during the 1950s failed. Squatters could not be controlled. Deposits were creamed and the government’s international mining partner eventually withdrew. Since then the diamond fields have been mainly mined by artisanal methods, in which the interest of local land owners is critical. Any analysis of the links between land and war in Sierra Leone requires consideration of the organisation of alluvial mining, best described as a kind of metayage.

Coerced unwaged labour is effective in low-skill areas of work but tends to be replaced when skill requirements rise. Although diamonds are not the cause of war in Sierra Leone, it seems clear that attention is now needed to uplifting the skill requirements of alluvial mining, as an element in the integrated approach to addressing hyper-mobility and anomie among impoverished West African labouring youth.<sup>17</sup>

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<sup>17</sup> The present account draws extensively on Zack-Williams (1995).

From about 1930, minerals took over from plantation crops as the major Sierra Leonean exports. Neither haematite (the first export staple), nor alluvial diamonds (the second staple, from about 1950) generated much wage labour. Sierra Leone Selection Trust (SLST) persuaded the government it could only mine diamonds if granted a monopoly. It then attempted to minimise movements in and out of the diamond rich districts of the Eastern Province, while carrying out intensive industrial mining in a limited area of Kono.

In the 1950s the government and SLST offered low-yield areas of its huge eastern concession to local miners under the Artisanal Diggers Mining Scheme (ADMS). Chiefs received pay-offs from the mining company, but villagers received nothing. Under ADMS chiefs and government could offer local concessions to key figures liable to become focal points for dissidence triggered by the contrast between diamond wealth and rural poverty.

In the metayage system for diamonds local mining licence holders lacked capital. Gang masters recruited seasonal labour in farming villages, and acted as protectors and patrons to the young men who flocked to the ADMS areas (averaging about 30,000 in most years up until the 1970s). Licence holders and tributors split the proceeds. "Supporters" – mainly Lebanese and Guinean dealers – provided licence holders with funds, food and equipment in return for first pick of stones. Government taxes and extortion bled the system of its wealth. These costs were passed down the line to the tributors, and *sansan* boys (labourers) who lived on near-starvation returns. The subsistence agricultural system made it viable to feed tributors through their own farming activities, and offer fall-back when their mining ventures failed. The ceaseless short-distance migration of young rural labour between farms and mines limited the scope for agricultural innovation and the development of modern skill-based farming systems. Subsistence farming kept costs and wages in alluvial mining low, but low wage mining opportunities kept local agriculture backward.

Difficulties became apparent in the later days of the Stevens regime. He used strong-arm methods to try and bend the Kono land owners to his will (Reno 1995). No sooner had he succeeded than it appeared that the better Kono gravels were approaching exhaustion, and tributors began to explore new niches, especially in and around the Gola Forest on the Liberian border. This was a region in which Stevens had tried to neutralise political opposition by a policy of isolation and interference in appointment of chiefs, weakening respect for the institution among the young. Cut off from the rest of the country, the forested Liberian borderlands were wide open to economic and political influences from Liberia. Monrovia emerged as a major market for Sierra Leonean diamonds.

### **3.2.6. Land and agrarian opportunities**

Sierra Leone has a few ill-managed or abandoned government plantations. Unlike Liberia there is no large scale agri-business sector partly because the land tenure system is against it. Lineages could club together to rent surplus land to private operators. However in practice, it is hard for them to agree, and seemingly even harder to provide the kind of documentation that would convince hard-headed company boards to commit substantial investment resources. Yet there is an abundance of well-watered, under-utilised land. In the past agrarian opportunities have been developed through peasant initiative. Recent conditions have not encouraged this trend. In the south and east of the country alluvial diamonds have tended to divert energies away from agricultural intensification. The small-scale plantations that emerged in the era of the railway are today in urgent need of renovation. Many are operated only on a care-and-maintenance basis. There are better prospects for fostering indigenous innovation in the much less mineral-rich north, where land is long deforested, and in some places in short supply. A national strategy would be required to link skill-based improvements in agriculture and alluvial mining.

### **3.2.7. Urbanisation (urban migration, urban land issues)**

As in Liberia, war intensified rural-urban migration. The impact is apparent to any visitor to Freetown where the hills behind the capital are now extensively colonised by the houses of rich and poor alike. The government has had a campaign to clear squatters from State land. Much of the land around Freetown is privately owned and a vigorous market exists in building plots. Some plots are sold



several times over. The prudent purchaser takes care to ensure that the vendor is indeed entitled to sell. There has also been massive deforestation – much of it for the firewood trade to Freetown – of the forests of the Sierra Leone peninsula in the past decade. Urban farming is encountered on spare land everywhere, as people displaced from the provinces eke out a living in town.

Sierra Leone has several sizeable provincial towns, and these have also been targets for war-time migration. Only Koidu (the main town in the Kono diamond district) was totally destroyed by fighting. The provincial capitals – Makeni, Bo and Kenema – all resisted the ravages of war to some extent. Since the war these towns have become focal points for the reintegration of former combatants. Members of formerly opposed factions have combined forces to embark on new ventures, notably urban motor-bike taxi services (Fithen & Richards 2005, Peters 2006). Ex-combatants (including some women) dominate this activity (a post-war innovation in Sierra Leone), and often organise themselves into groups in order to buy a machine on credit. Bike taxis facilitate urban transportation by operating door to door, and they also provide access to rural areas that conventional vehicles often cannot reach. This benefits busy women traders. In 2004, the taxi rider's union in Bo organised a strike claiming unfair police harassment. Leaders declared that they learned to distrust politicians and elders, which fuelled division among young people thus causing the war, and they now prefer to fight using the weapons of commercial law. Rather than resorting to violence they retained a lawyer from Freetown to fight the issue in the courts.

#### **3.2.8. Land and labour mobility**

The Bo bike taxi riders' strike is not in any conventional sense a "land" issue. But the switch from custom to contract law, a political lesson learned during the war, is potentially a very significant development. Other groups of young people are mobilising themselves on the same basis. Young Sierra Leonean agriculture graduates have recently formed an organisation to seek better conditions for self-employment as farm entrepreneurs. The move mirrors the approach of the unemployed school dropouts in Buchanan trying to establish a farm cooperative. But unlike in Liberia, the State in Sierra Leone owns little agricultural land. There is no Land Commissioner to whom they could appeal for a land grant. Agricultural development, and the agrarian self-employment of the young, will depend on rapid modification of customary tenure to make it more open to modern forms of labour mobility. Young farming entrepreneurs will need to be able to acquire land where they see the best chances to utilise their skills and initiative. An effective division of labour in agriculture in Sierra Leone requires the institution of "the stranger" to be transformed with a view to guarantying short-hold tenancy contracts understood within local cultural frameworks and enforceable in local courts.

#### **3.2.9. The capitalisation of land**

The key to transforming "customary" relations of production in the countryside in Sierra Leone – without damaging those aspects still providing a social security function – would lie in an emphasis on human capital. A successful approach to mitigating the dangers of youth hyper-mobility lies in boosting skill levels in both alluvial mining and agriculture. In mining it is clear that declining levels of deposits require better machines and techniques for extraction, and that this necessitates a more skilled, more stable, workforce. The potential advantages of forging stronger "links" between agriculture and mining (and thereby challenging "hunger" as the main excuse for food subsidies and food-based political patronage) have been pointed out. To raise local food production, and at the same time reduce youth hyper-mobility through agriculture, entails a skill-based agricultural transformation, as well as a transformation of land access conditions.

No such skill based technological revolution for West African agriculture is to be found lying on the shelf waiting to be applied. Research over the last decades has established that much has to be achieved in situ. Farmers – the young and mobile in particular – have to become directly involved in the search for better land management techniques. The acquiring of skills will come, in significant measure, from within – although suitably supported by on-site, "with-farmer" scientific experimentation. An important advantage – as Saidou (2006) demonstrated in the case of central Benin – is that on-site experimentation can be a useful basis for getting parties with conflicting land interests to reach negotiated solutions. Raising skills and institutional reshaping go hand-in-hand.

The agrarian history of Sierra Leone has enough examples of local innovation to suggest building on a skill-based, land-tenure transformation approach. Farmers from northern Sierra Leone, a region less affected by tree crops and diamonds, steadily evolved locally-adapted and effective intensive wetland management systems. Farmers in the south and east of the country sometimes openly admit that if they had to develop a swamp they would prefer to “hire a stranger from the north” than rely on project extension advice.

A potential win-win scenario, linking better productivity and clear contractual conditions for tapping “new migrant” skills, becomes apparent. It would be critical to ensure that hyper-mobile rural youth become involved in participatory experimentation, to guarantee they possess the right skill sets to make them attractive as “new migrants.”

#### **Box 3: DDR Programme and the capitalisation of land**

Ex-combatants had a greater demand for agricultural skills training than the National Commission for Disarmament, Demobilisation and Reintegration was able to supply. Some of this demand came from cadres of the former RUF who believed the RUF aims included agrarian revolution. Some formed cooperative agricultural ventures after the war.

One of these ex-RUF post-war groups had restored a wetland damaged by alluvial mining in Tongo Field (one of the main mining areas). Attempting to turn a swamp pitted by diamond diggers back into land suitable for intensive rice production, in the heart of Kpalima, surrounded by the noise and bustle of a busy diamond town, was intended to convey a lesson. The RUF rebellion, the group leader claimed, was more about land and food than diamonds. The group had secured a short lease on the site. It envisaged that after reclamation, followed by two or three years of intensive rice production, the swamp would be handed back to the land owner, and the group would move to another site in need of recovery. How this would be funded was unclear. The Kpalima swamp had been subsidised by demobilisation benefits. But there is no doubt the venture was an effective way of dramatising land reclamation, and lease-hold agreements, as modalities of social incorporation for the hyper-mobile. More experiments are needed in land capitalisation, among all sections of rural youth, and not ex-combatants alone. Techniques and results will have to be carefully monitored to ensure transparency of costs and benefits as the basis for contractual bargaining among the parties. A pathway has nonetheless been opened up.

See Richards et al. 2003, Peters 2006

#### **3.2.10. Agricultural innovation**

Points made in the discussion of Liberia also apply in the case of Sierra Leone. Major changes are needed in skills training and agro-technology development policy in order to reach out to potential young farmers.

Sierra Leone has seen an extensive DDR programme which offers some important lessons about agricultural innovation policy for ex-combatants among the hyper-mobile. Agricultural training packages for ex-combatants were the poor relation of DDR (Peters 2006). This in part reflected strategic considerations – a desire to bring in RUF fighters “from the bush”, i.e. to supply them with urban-oriented skills training packages. This was off-set to some extent by RUF fighters opting for agricultural skills where they could (Box 3), reflecting the movement’s ideological orientation.

However, mandate problems also emerged. Many of the local civil defence forces lacked modern weapons and therefore did not qualify for DDR benefits. These were the fighters who might otherwise have been most happy to go back to their villages with oil palm seedlings or a few animals (e.g. fighters in Sinoe County, Liberia, Utas 2005). The civil defence fighters with modern weapons included mainly those trained as counter-insurgency “special forces.” Many of these recruits fought far and wide, and fit more the profile of hyper-mobile youth, with an urban orientation. Finally, the agricultural programmes in DDR were undermined by the lack of suitable agricultural innovation, training inadequacies, and incompetence in input supply.<sup>18</sup>

<sup>18</sup> Late delivery of a tool package to a carpenter or tailor has less damaging consequences than to a farmer waiting to plant oil palm seedlings.

Discrimination against young and mobile cultivators is more general than the DDR case alone suggests. More so than in Liberia, “custom” is a major constraint on young people seeking to respond to strong market signals for locally produced food in Sierra Leone. Ready money from diamonds ought to stimulate the local agricultural economy. But young vegetable growers in post-war Koinadugu District faced difficulties not only concerning land tenure as such, but also the more general way in which rural elites use marriage rules and local courts to undermine young farmers prepared to move around and respond to profit incentives. There can be no doubt that patrimonialism is a durable institution in Sierra Leone – rooted in the rights of first-comers over land. But it also seems likely it is a major reason why strong market signals from the diamond economy failed to elicit an agro-innovatory response.

### **3.3 Côte d’Ivoire<sup>19</sup>**

#### **3.3.1. Rights of access and ownership<sup>20</sup>**

##### **The colonial legacy of Ivorian land law**

Until the law of 1998 was passed, Ivorian land law was based on the “*eminent domain*” regime characterising colonial land law, under which property titles could be created through registration. All the “*vacant and unassigned*” lands belonged to the private domain of the State. The public domain was inalienable while the property of the private domain was transferable to individuals through registration. Customary lands fell under the *eminent domain* of the State. Customary rights concerned only personal, not actual, land user rights, tolerated on a temporary basis as long as they were not absorbed according to the evolution from local practices to a private property regime. In 1960, the option to toughen legal centralism was justified by the role given to the State in the “*rational exploitation of lands.*” The Ivorian State even attempted to consolidate legal centralism through the law of 1963 (withdrawn following opposition from chiefs and holders of customary rights). Under the decree of 16 February 1971, transfers of rights in the customary domain were forbidden.

##### **“Strangers” access to land under the customary “*tutorat*” institution**

Only 1 to 2% of farms are legally registered. Almost all customary lands and some 500,000 family cocoa and coffee plantations in the forest region have no legal standing. Their custodians are either members of local communities (“*autochthons*”) with access to the patrimonial lands of their lineage, or “*strangers*”<sup>21</sup> who have benefited from the delegation and transfer of rights.

The scale of customary transfers of rights between “*autochthons*” and “*strangers*” is one of the characteristics of the Ivorian agrarian landscape, especially in the forest plantation zone where “*strangers*” who own plantations (the trees, if not the land) make up the majority of farmers. According to custom, these transfers take place under the “*tutorat*” relationship.<sup>22</sup> This regulates both the integration of “*strangers*” in the host community as well as the transfer of land. Its “*land tenure*” dimension is inextricably linked with its “*socio-political*” and religious dimensions.

The “*stranger*” acquires a status within the community. The transgenerational nature of this hospitality means that the bundle of land rights transferred includes management and administration rights as well as user rights. The ban on the “*stranger*” transferring or selling the plot of land conceded is a clearly stated principle. These rights go hand in hand with an obligation of gratitude towards the tutor, including the obligation to invest efforts within the community and to contribute to its prosperity.

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<sup>19</sup> Original French.

<sup>20</sup> This section is largely based on Ley 1972 and Chauveau 2006a and 2006b.

<sup>21</sup> The term “*stranger*” in local terminology describes anybody not originating in the community in which they reside, whatever their nationality.

<sup>22</sup> The rights and obligations implied in the *tutorat* relationship are encapsulated in a moral economy, whereby hospitality to strangers is useful to the extended reproduction of the community: one cannot refuse “*strangers*” access to land for subsistence purposes, but their integration is subject to respect of the social order of the community and must contribute to its reproduction.

It was under the customary *tutorat* that most migrants attained their own plantations in the forest region from 1930 onwards. Contrary to the case of Sierra Leone and Liberia, rural migrants (especially the Bawlé) have been a privileged category since the colonial period in Côte d'Ivoire. They were seen as the principal agents in the accelerated exploitation of the west. Until the 1990s, they benefited from positive discrimination from the authorities and from policies concerning the protection of their rights acquired by means of transfers. Their social integration took place according to arrangements that combined two institutional registers: the *tutorat* customary institution and the State political intervention, which guaranteed them administrative protection in case of conflict with the autochthons and freed them from certain social obligations towards them.

The land administration rights acquired by former migrants have instigated contradictory interpretations. While the number of land disputes was increasing, the government launched a pilot project to consolidate land tenure security: the *Plan Foncier Rural* (PFR). The socio-political effects of the implementation of the PFR foreshadowed the conflicts that were to arise following the announcement of the passing of the law of 1998. These effects clearly anticipated the recent conflicts in the west and south-west between autochthons and “strangers”.

### **The law of 1998 on rural land**

The rural land law of December 23 1998, for which the application decrees and orders have not yet been implemented, breaks new ground on several counts. It:

- acknowledges customary rights as a prerequisite for the clarification and identification of titles;
- consolidates autochthony or first occupation as legitimate sources of customary rights;
- makes it compulsory to privatise customary land rights, which must be individualised and registered within three years following receipt of the land title drawn up;
- reserves property for Ivorian nationals.

These innovations break away from the legal centralism inherited from colonial law. However, the new legislation reveals several problems:

- i. The law may correct the excessive effects of the former policy of land colonisation in the west. However, it may also provoke an equally excessive pendulum swing back to questioning rights previously acquired by migrants.<sup>23</sup> As soon as the law was announced, attempts and effective withdrawals were made (Chauveau 2000). In the Tabou, Guiglo, Zouan-Hounien, Toulépleu and Duékoué regions, the recurrent violence clearly has a good deal to do with land tenure.
- ii. Its implementation risks causing new conflicts between autochthons (especially young people) and the private owners of large plantations or private companies that have benefited from liberalisation measures to acquire former State plantations in the south-west and centre-west.
- iii. The recognition of customary rights by titling and private individual property may come up against the well-known difficulties faced by this option in the African context.

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<sup>23</sup> The Ivoirian administrative practice distinguishes autochthons, allochthonous persons (who have Ivorian nationality) and non-natives (non-Ivorians).

#### Box 4: Principal provision of law n°98750 of December 23 1998

This law reserves rural land ownership for Ivorians. It provides for an initial phase of 10 years (after its promulgation, i.e. a deadline of January 2009) during which all holders of land rights implying an appropriation of the land (excluding tenant farming methods) must have their rights recognised in order to obtain a land certificate (individual or collective). Beyond this deadline, the land is registered in the name of the State and the farmer becomes a tenant on the land. After a second period of three years, all Ivorians holding land certificates must apply for individual registration resulting in the granting of a definitive private land title. Non-Ivorian farmers can only hope to obtain an emphyteutic lease agreement, either from the autochthon holders, where they have been listed as the “bona fide occupants”, or from the State, where the land is registered as State-owned.

See Chauveau 2006

#### 3.3.2. Land for livelihoods and risk mitigation

The colonisation of the western frontier improved the livelihoods and risk mitigation strategies of migrants from the east and the north. However, it represented a constraint for the rural societies in the west. The massive influx of migrants and the growth of the administrative sector and of the urban economy reinforced the disinvestment of western youth in family farms and stepped up the rural exodus. For the elders, migrants have become a source of income (through the individualisation and growing monetarisation of tutorat relationships) and substitute labour. The return of young people after failing in town, following the economic crisis of the last 20 years (Beauchemin 2000), was revealing of the social extroversion of the domestic economy and its short-term irreversibility. Their reintegration was hampered by the saturation of lands, the impossibility of youth to access their family lands and the dependence of their elders on migrants. Contrary to Liberia and Sierra Leone, informal employment in mining activities has not provided an alternative in times of crisis.

The socially extroverted lineage mode of production (LMP) of western societies contrasts with that of the other groups of migrants. The diasporas from the Ivorian part of the Eastern UGF, the northern Côte d’Ivoire and the neighbouring Sahel countries also operated on the basis of a **spatially** extroverted LMP, but the migration of young people was not as exclusively urban as those of western youth. Furthermore, the way the LMP worked in rural migration ensured better social integration (mobilisation of family work, cooperation between elders and youth for their access to an independent farm, etc.). Rural migration to the west helped ease land constraints and intra-lineage tensions in the farming societies of the central and eastern Ivoirian forest. The same analysis can be applied to Ivoirian and non-Ivoirian migration from the north, which helped to relax the constraints on the LMP in the savanna or Sahelian regions subject to precarious environmental and economic conditions. Family farms, relocated and broken up by migration, are still coordinated by the lineage authorities of the regions of origin (Zongo 2001).

The opening of the western frontier resulted in the confrontation of different domestic economic organisations, and of their current younger generations. Thus, in the western forest regions, the majority of young “barragistes” in the early days of the conflict and the young recruits of the patriotic “vigilante groups”<sup>24</sup> were recruited among these “rurbanised” youth. “Trapped” between the failure of their elders to guarantee them a status in their own right within their families and what they see as the dispossession of their lands by strangers, these young people express their exasperation as much towards their elders as towards “strangers”. However, for many, the return to the countryside and to farming activities is not an objective in itself; it is seen more as a temporary fallback strategy, a stopgap measure (Bobo 2002 and 2005, Coulibaly et al. report 2006).

<sup>24</sup> Especially Charles Blé Goudé’s *Congrès Panafricain de la Jeunesse Patriotique* (COJEP) and Eugène Djué’s *Union pour la Libération Totale de la Côte d’Ivoire*. It seems that in the eastern Ivorian forest, fewer groups of young rural patriots were created as a result of the state of war than in the west (Coulibaly et al. report 2006). Different reasons are suggested for this. The “vigilante” group may have been organised by the traditional associations of generation and age group, still very active in the south-east (as in Bonoua). The slightest establishment of the government party (FPI) in Bawlé lands and certain Agni regions can also diminish the attraction of young people towards pro-governmental organisations.

### 3.3.3 Security of land access

#### **Rights of access to land for women**

In Côte d'Ivoire, women are subject to the most unstable access to land, but seem to suffer less uncertainty than in Liberia and Sierra Leone. As married women, they have access to their husband's patrimonial lands for the annual food crops. Their participation in terms of labour and domestic services is acknowledged in the form of sums of money or favours after the sale of perennial crops. As sisters and daughters, they have access to the family lands, but rarely for perennial crops. It is as mothers that women are in the best position to defend their rights. While their husband is alive, they strive to protect the interests of their male children within polygynic households. When he dies, they protect their sons' share of the inheritance.

In terms of access to land, the position of women is better in the matrilineal societies of the east than in the western patrilineal societies, at least for women of high-status matrilineal descent. It is not rare for these women to establish their own plantations or to inherit plantations. Across the whole forest region, women close to circles of power or having held administrative or political positions often possess their own cocoa or selected palm plantations.

#### **Conflicts over appropriation rights and the spiral of intra-family and intercommunity disputes**

Conflicts in the Tabou sub-prefecture and in the far western forest illustrate the spiralling process of insecurity over the rights of access for young people within families and objections to migrants' rights. The circumstances of conflict often correspond to phases of generation succession and the renegotiation of conditions for transferring land to "strangers" or to claims made by young autochthons to land reserves not yet farmed by "strangers". They reflect the fact that when "strangers" are granted access to land under the protection of the State, chiefs or elders, they are not seen by young people as participating in local citizenship. This process has resulted in widespread insecurity of property and persons along the Tabou, Grabo, Guiglo, Toulépleu, Duékoué and Zouan-Hounien belt. In the centre-west, the impact of incidents is limited by the effective intervention of village chiefs and notables, whose authority is more readily accepted.

#### **The low conflictuality of access to land via agrarian contracts**

The "trade-off" between access to land and labour services has been one of the key sources of access to land for non-Ivorians. Today, challenges to open-ended rights to plantations for "strangers" do not concern short-hold tenant farming contracts.

The practice of renting land has proliferated since the 1990s. Agrarian contracts have diversified to adapt to farming conditions, e.g. land-use pressure, the association of perennial and annual crops. Contractual rights are clearly set out between partners and generally enjoy a high level of security. According to observations in the centre-west and south-east, intercommunity tensions over the appropriation of plantations have little effect on the security of these contracts. Likewise, in Basse-Côte, where the production of pineapples has given rise to a very active rental market, intercommunity tensions (which existed before the 2002 conflict and have worsened since) have had no major impact on contractual practices, despite incidents between young people.

#### **The two components of security of land access: land tenure and socio-political issues**

The contrast between the security of short-hold agrarian contracts and challenges to rights arising from transfers under the *tutorat* illustrate the complexity of the issue of the security of land access. When secondary (derivative) rights are fixed-term, land tenure relationships do not imply the transgenerational integration of migrant "strangers" and their descendents in the local community. There is no ambiguity in the interpretation of the contractual and bilateral nature of transfers. This is the case of agrarian contracts, which remain secure even in a context of socio-political tension. When land tenure relationships have a high transgenerational implication, the bundle of land rights and obligations is accompanied by specific rights and obligations to the community as a whole.

The conditions for exercising rights acquired by “strangers” under the *tutorat* remain dependent on social opinion of their behaviour as “good strangers”. In the west, administrative pressure in favour of migrants in the past has turned against them. State protection in return for their allegiance to the PDCI-State meant they were less obliged to respect their commitments of mutual aid and to submit to the village social order. The land dimension of the *tutorat* was dissociated from its local socio-political dimension. This resulted in the politicisation of *tutorat* relationships and the questioning of transgenerational rights transferred to “strangers”.

#### **The need for an integrated approach at different levels**

The protection of intra-family rights (access rights for young people and women) cannot be dealt with independently of the protection of rights transferred to migrants. In the west, young autochthons (especially those returning from towns) are in direct competition with “strangers” in a zero-sum game. Thus, it is essential to move towards win-win solutions for both migrants and hyper-mobile youth.

Fostering the protection of the rights of the most mobile categories implies taking into account the interrelationship between the variants of the LMP in competition within the Ivorian forest region. This concerns the whole of the mobility system within Côte d’Ivoire and in the other West African countries within which the migrants and young combatants circulate.

The protection of land access rights implies taking into account the transgenerational dimension of the social integration of the different groups. Social tensions specifically concern the rights of access that imply a socio-political integration into the community. This applies to women and young people and to “strangers” and their heirs.

It is unlikely that legal action alone, as provided for by the reform of 1998, will be enough to protect both the relationships of individuals to the land and the social relationships between individuals concerning the land. It is nevertheless the protection of the socio-political dimension of the bundle of rights and obligations concerning the collectivity that is the condition for the protection of the strictly land dimension of the bundle of rights, whatever the means of access to the land (lineage rights, *tutorat* or purchase).

#### **3.3.4. Governance and the rule of (land) law**

The form of State governance of agrarian societies that has prevailed since the colonial era, and that the political elites have refined since independence, has contributed to the dissociation between the land and socio-political elements of the bundle of rights and obligations attached to access to land. This kind of governance is characterised by: (i) the combination of a bureaucratic form of power with a despotic form, (ii) the structural weakness of the local power establishment, (iii) the dependence of elites on political brokers from local farming societies. As in Liberia and Sierra Leone, the challenge for Ivorian elites is to induce the agrarian changes that will guarantee them political control of rural populations and encourage the activities and social groups most likely to provide the sources of wealth on which the State depends. Mamdani (1996) described this form of governance as “decentralised despotism”.

Decentralised despotism is found in all three countries, according to variants corresponding to their political economy. In Liberia, the main challenge is presidential control over forest and mining resources. In Sierra Leone, it is control over the sale of mining products, with farming being the first casualty of this priority. In Côte d’Ivoire, the main challenge for the political economy of agrarian change has always been the growth of family plantation farming and control over supply. Since the colonial period, the principal means of increasing this supply was to make it easier to transfer rights within the customary domain in favour of the most useful categories in terms of this goal.

This option was further supported after independence due to the fact that the electoral and regional seats of the party in power corresponded to the regions of origin of rural migrants.<sup>25</sup>

President Houphouët-Boigny's recommendation that "the land belongs to those who work it" entered into force despite being counter to the legal framework. The State then left it to local operators to respond to its instructions by modifying the customary "tutorat" framework. Faced with the administrative pressure to "settle" "strangers", elders of autochthon families strove to maintain their control over the land by settling "their" "strangers" on the fringes of family lands and properties, which were not precisely defined. This was done in order to mark out their hold with regard to neighbouring villages and family groups, themselves pulled into the spiral of transfers under constraint. Administrative pressure led to a series of individualised transfers between lineage elders and "strangers", while the growth of the administrative and urban economy, based on the exploitation of the west, caused a rural exodus of young people from this region.

This fragile balance and local tensions were contained as long as the resources of the Ivorian State made it possible to compensate autochthons for the dispossession of their lands and the loss of their political autonomy. The guarantees given to planters concerning prices, prospects, supplies of subsidised input, technical support, improved infrastructure and services assured an apparent social peace during the relative prosperity of the 1960s and 1970s – at the price of several outbreaks of violence, especially between Bété autochthons and Bawlé migrants in the west.

From the late 1970s and especially the 1980s, the State's financial crisis exhausted the "Houphouëtian compromise"<sup>26</sup> and the seeds of the current conflict were sown. Accumulated tensions worsened with the effects of the structural adjustment policies of the 1990s. Combined with the quarrels over president Houphouët-Boigny's succession, these elements led to the crisis of political legitimacy that caused a coup in December 1999 and the series of conflicts that followed.<sup>27</sup> Land disputes proliferated in the western forest during this period, with the most violent clashes occurring no longer only between autochthons and the Bawlé, but also with migrants from Burkina Faso and Dioula from northern Côte d'Ivoire and the neighbouring countries.

### **3.3.5. Land and non-agrarian opportunities (mining, forestry)**

Côte d'Ivoire has limited mining resources: gold in Ity (the far west) and Angovia (centre); diamonds in Tortiya and Séguéla, in the north-west region controlled by the Forces Nouvelles. Kimberlite is known to exist in the north-west. Today, the control of gold washing sites in Ity seems to fuel the recurrent violence in the Zouan-Hounien region. Côte d'Ivoire is also an oil producing and exporting country and benefits from rises in oil prices.

Farming activities remain predominant, challenged only by urban projects. In the government-controlled area, young urban dwellers living on the breadline turn to the rural region they came from and to farming, even if their long-term plans are to return to urban activities. In the northern region controlled by the Forces Nouvelles, a certain number of rural youth, recruited at the beginning of the conflict by the rebel forces, have returned to their villages, rather than to the diamond sites in the northern region. Nor does it appear that mining activities have attracted young recruits of urban origin who have subsequently left the militias controlled by the Forces Nouvelles. Rather, they have tried their luck at small trade, stimulated by the war economy that has developed in the north (Coulibaly et al. Report, 2006).

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<sup>25</sup> To achieve this, action by legal means rapidly proved insufficient. In 1963, two legislative initiatives were abandoned under the pressure of public opinion: the land law that attacked the prerogatives of autochthon "customary owners", and the bill on dual citizenship granted to all nationals of the Conseil de l'Entente (e.g. Upper Volta and Mali). Non-national residents nevertheless continued to take part in all elections and to constitute – in the same way as Bawlé migrants – a veritable captive vote for the PDCI.

<sup>26</sup> Losch 2000, Chauveau 2000, Akindès 2004.

<sup>27</sup> Losch ed. 2000, Bouquet 2005.



The challenges are the greatest and the oldest within the forestry sector. Until 1969, semi-precious wood and timber were the principal export goods in terms of value. Their decline is as much the result of a social and political process as of the over-exploitation of resources. The colonial State had made forest exports an economic priority. The forest decree of 1912 confined indigenous farming activities and reserved most of the forest for colonial exploitation. The protection of reserved forests (6,915,000 ha in 1949) was the principal means of expropriating customary lands. Until the 1950s, indigenous entrepreneurs were excluded from the sector by colonists. They consequently invested in plantation farming, thereby contributing to deforestation. Protecting the development of indigenous family plantation farming was a far more important political challenge for African political elites. From independence onwards, a large part of the reserved forest was returned to farming purposes.<sup>28</sup>

State permanent property includes 202 reserved forests, 8 national parks and 3 reserves. The only land open for exploitation is the forest found south of the eighth parallel (34% of the area of the country). Although forest exploitation provides few direct jobs, a certain number of young people are nevertheless used as “cozers” to mark the valuable trees situated in cultivated areas. Obtaining concessions, permits and preferential favours encourages corruption, while “cleaning” reserved forests of their illegal farmers gives rise to targeted blitz operations on small farmers. The implementation of a participative “farmers-forest” co-management policy for progressively managing the scattering of illegal farmers has not yielded conclusive results.

The failure of governmental natural resource management policies is due to the fact that the alternative of agroforestry-type production systems has not been truly taken into account (Verdeaux and Alpha 1999). Given their advantages in the current context of deforestation and land tenure pressure (diversifying income, reducing vulnerability to weather hazards and market risk for export crops, low workforce requirements, maintaining soil fertility), the promotion of agroforestry systems is an option worth retaining after the conflict ends.

The war economy, on the contrary, encourages mining-type exploitation of forest resources. On the government side, the search for a rapid means of financing the war effort has led the para-State company responsible for the exploitation of the forests to remove protection from reserved forests since 2003. In the far west, war chiefs and also young militiamen have turned to forest exploitation, especially in the Guiglo region. Intercommunity violence seems to be fuelled by the pillaging of a few reserved forests and parks, with the complicity of forest companies and certain officials of the army (the reserved forests of Scio and Goin Débé in the Guiglo department, the Mount Peko national park in the Bangolo department). The Forces Nouvelles fighters are also exploiting resources in the protected northern area, with the complicity of forest companies established in the area under government control.

### **3.3.6. Land and agrarian opportunities<sup>29</sup>**

Côte d’Ivoire has some large industrial farms (rubber trees, oil palms, coconut trees, pineapples, bananas and cane sugar). Most are the result of the privatisation of former para-State sectoral development societies (“Sodés”) set up after independence. These large farming units do not apply to the coffee and cocoa sectors, which have remained largely dominated by family farming. Ivorian farming is consequently divided into:

- production sectors created from scratch, based on vertical integration given to a Sodé with two variants: agro-industrial (palms, coconut trees, sugar), supported by industrial plantation groups; and “peasant-style”, which includes the production of farmers in an integrated sector (cotton, animal products);

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<sup>28</sup> The area of dense moist forest thus declined from 16 million hectares at the turn of the century to 12 million in 1960 and to 3.7 million today, or 10% of the national territory.

<sup>29</sup> This section is partly taken from Losch 2002 and Losch et al. 2003.

- a few specialised export sectors that existed before independence and are undergoing specific developments (bananas, pineapples and rubber). In these sectors, the authorities have adopted different approaches: an attempt to create a State mechanism, an association with private interests, and the delegation of extension services to these private entities (as in the case of the rubber sector).
- “traditional” farming, based on food crops largely for own consumption associated with commercial export crops in forest regions. This includes the coffee and cocoa sectors that retain their former organisation: small planters, private marketing originating in the colonial trade system, a stabilisation fund (Caistab) whose management prerogatives are consolidated by the establishment of an administered price system and quotas distributed between private exporters.

The new integrated sectors have never succeeded in reducing the crushing weight of cocoa. In the 1990s, despite the impact of a spectacular drop in prices, cocoa and coffee still accounted for more than 40% of total exports and timber 10%, while the new sectors remained below 10%. On the other hand, food crops, which were largely neglected by the authorities with the exception of rice, have managed to keep up with the explosion in urban demand (which increased six-fold between 1960 and 1990) thanks to small farmers’ initiatives.

The family plantation farming was largely driven by State policy concerning migration and the opening of the western frontier. The Sodés and their objective of diversifying production were designed to complement the farming sector that constituted the historical social basis of the PDCI State. The coffee and cocoa sectors provided most of the taxes collected by the Caistab (established in 1955). The level of producer prices guaranteed by the State was the residual result of the international price with fixed charges removed. The level of taxes and near-taxes brought payment received by coffee and cocoa producers down to less than 50% of the export value.

This development pattern achieved considerable technical success, but it came up against poor economic efficiency and competition between sectoral Sodés for control over farmers. The burden of this “supervised” agricultural development was largely borne by farmers themselves, via administered price systems. Very early on, the government anticipated the need for cleaning up the public sector by reforming its administration from 1980 onwards (suppressing or restructuring certain Sodés). These initial measures were not enough to avoid the privatisation of the Sodés. The Caistab was dissolved in January 1999. The operation of the new cocoa industry organisation remains particularly obscure.

### 3.3.7. Urbanisation

In comparison with the situation in Liberia and Sierra Leone, the migration of young people from the forest region did not always simply boil down to escape strategies in the face of oppressive and exploitative conditions. The development of Abidjan in the 1950s and the “Ivorian miracle” era from the 1960s to the early 1980s offered real education and employment opportunities in urban areas. The model of urban social mobility, present in the minds of the majority of young city dwellers returning to their villages, is partly due to a specifically Ivoirian collective historical memory.

Breaking point was reached when the urban economic crisis was combined with the arrival of young graduates on the labour market, the effects of the farming crisis on the dropout rate from school for rural youth, the dismantling of the Sodés and the increasing urban unemployment of the 1990s. These young people were the first generation of “rurbanised” youngsters torn from the dream of urban social mobility. The political elites saw them as an element of social destabilisation, while at the same time using them.

From the mid-1970s, projects and support funds for the establishment of young farmers were set up in an attempt to slow down the rural exodus. They then targeted young people living in towns, especially those from the west. The creation of these projects and funds often coincided with electoral periods, when social tensions run high in big towns. These projects were not successful in the long term. Beyond the problem of the real motivation and competence of beneficiaries of these projects, the issues and favouritism encountered in access to funding were a true obstacle. The funds, set up in

1984, were consolidated in 1994. However, grants have diminished to such an extent that since 1998, this Fund has received no credit. Loans are coming up against repayment difficulties.

### 3.3.8. Land and labour mobility in Côte d'Ivoire

The political economy of the land-labour relationship in Côte d'Ivoire is structured around a system of spatial and social mobility that links different regional and ethnic variants of the LMP. The historical origins of this system lie in the pre-colonial regional differentiations and in the effects of colonisation, which helped to amplify differences between the eastern and western central UGF.

In the west, young people migrate towards more peaceful and wealthier regions (Basse-Côte, the east and the Gold Coast) and towards Abidjan and the main coastal towns. Thus, the lineage mode of production suffers three forms of decapitalisation: in terms of workforce (through migration), in terms of symbolic authority (chiefs and notables are seen as exploiters), and in terms of land. Conversely, the eastern Ivorian forest benefited from these labour migrations at a time when palm and rubber farming was undergoing a crisis and a "plantocracy" was developing cocoa and then coffee plantations. The policy of workforce migration from the Upper Volta colony to Côte d'Ivoire, encouraged by the colonial administration from the 1920s onwards and initially aimed at meeting the needs of the administration and the European colonists, mostly fed indigenous family plantation farming in the east (Chauveau and Dozon 1985). It contributed to the emergence of a special kind of *family farming*, which subsequently became the norm in the Ivorian forest areas, *combining family workforce with a paid workforce provided essentially by migrants*. Income earned in plantations was partly reinvested in schooling for the children of the plantocracy and their access to the most qualified jobs that were available to indigenous subjects.

The abolition of the indigénat in 1946 triggered a massive increase in family plantation farming. The societies in the eastern forest and the central region gained the most from this, thanks to the fact that their lineage mode of production was more open to integration than that of western societies. The opening of the western frontier caused a massive redirection of Bawlé migrants from the east to the west, along with an upsurge in migration from Sahelian countries and northern Côte d'Ivoire towards the forest region. The diasporas from the north benefited from a considerable reserve of labour. The vast majority of rural shops and services were controlled by entrepreneurs from these groups.<sup>30</sup> Their members did not enjoy a strong political position, but they were able to convert their economic capital into business and protection relationships with the local and national authorities.

The opening of the western frontier eased land and social tensions in the Ivorian part of the Eastern UGF and offered new migration opportunities to rural northern societies, but constituted a new constraint for the autochthon societies of the west. The impossibility of opposing the settlement of migrant planters and the low level of labour investment by young people in family plantations gave rise to compensatory strategies developed by autochthon elders. They thus resorted to migrant workers to compensate for youth migration to urban centres and they paid this workforce with transfers of planting rights. They also conceded transfers of such rights to new Bawlé migrants in order to compensate for the ban on taxes by the administration since independence.

The crisis of the last twenty years has had different consequences on the different regional and ethnic components of the mobility system supporting the domestic economy of the forest region. Bawlé migrants benefited from the diversity of options available, including the reintegration of young people returning to their region of origin in intensive farming activities, such as market gardening. The diasporas of Sahelian migrants benefited from diversified geographical mobility, including migration to recent agricultural colonisation areas in western Burkina Faso, which have considerably developed over the last ten years and help to return land tensions in Côte d'Ivoire to the country of origin.<sup>31</sup> The most fragile component of all those interacting within the mobility system in western Côte d'Ivoire was that of autochthon societies in the west. The only possible solution in response to the urban

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<sup>30</sup> Especially transport, controlled by entrepreneurs from Mali, Burkina Faso and Guinea.

<sup>31</sup> Augusseau and Paré 1999; Mathieu, Bologo and Zongo 2005.

economic crisis was for a significant proportion of young city dwellers to return to their villages and, after the start of the conflict, enrolment in patriotic organisations in Abidjan and other big towns.

### **3.3.9. The capitalisation of land**

The administrative protection migrants in the west long enjoyed and their ability to mobilise labour from their regions of origin meant that they have been more prosperous planters than autochthon planters, and the principal users of wetlands. Moreover, urban migrations of young autochthons have not resulted in returns on investment in farming activities. On the contrary, they have led to young people returning to the countryside, thereby highlighting constraints on the capitalisation of land.

At a time when the social conditions for “strangers” exercising their rights are being called into question, one may ask whether the law of 1998 has had a negative impact on the incentive system that influences the conditions for the capitalisation of land in the forest region. Ivorian migrants who could be refused land certificates because their tutors refuse to agree represent 11 to 45% of the population. Non-Ivorian planters, who can at best hope for a leasehold right, represent 22 to 43%. This risk especially concerns the most productive regions of the country (the south-west), where the plantations have not yet reached their full productive potential. In this region, where the proportion of migrant planters is highest, the renegotiation of rights could be the most conflictual.

Migrants use the most innovative and intensive farming techniques and the largest amount of input (Hanak Freud et al. 1996 and 2000). Their disinvestment, even partial, could have an impact on not only productivity in relation to area, but also, in the long term, on the phytosanitary condition of the Ivorian plantations and the “growing stock” they represent. Before the conflict, a fringe of migrant farmers provided strategic para-agricultural services (credit, product purchasing, transportation). Their disinvestment could have consequences for the promotion of the production of those Ivorian farmers whose rights are recognised.

The entire system of cultivation, farming, production and promotion, and the level of land capitalisation in the forest region, are likely to be negatively affected by the new legal order. It is important to also take into account the effects on the commercialised food production in plantation farming regions. It is therefore vital that the implementation of the law of 1998 be closely linked with the issue of integration and cooperation of the different communities within local authorities, regardless of their regional origin and nationality.

### **3.3.10. Agricultural innovation**

Before the conflict, “strangers” were the most innovative when it came to perennial crops, despite the ambiguity of their land tenure status. These innovations were technical, but also organisational (diversified work contracts and metayage). The reasons for this are the fact that non-Ivorian migrants were late in gaining access to old plantations or fallow land that required systematic renovation or replanting, and the availability of a substantial workforce. The low-cost employment of this workforce allowed them to accumulate the capital needed to obtain new varieties of cocoa and to purchase phytosanitary products. Today it is important to ask whether increasing uncertainty over rights to plantations will weaken innovative practices and therefore plantations.

Likewise, innovations in food produced for own consumption and sale were largely due to migrants (the distribution of maize and varieties of yam, the diversification of land access contracts based on rental/metayage configurations associating perennial crops and annual crops, and the systematic use of the wetlands). These innovations were fuelled by the lack of land for food production, after cocoa was planted in the plots granted by autochthons, along with a serious deterioration in weather conditions.

The increasing uncertainty affecting migrants’ appropriation rights for plantations had little effect on tenant farming contracts for annual crops (short-hold leases timed according to the crop cycle) and on perennial crops (metayage often renewed from year to year). The search for mutually beneficial arrangements to stimulate agricultural innovation is far more dependent on the negotiation of contractual-type partnerships than on legal action focused on property rights.

## IV. Regional synthesis and policy issues

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### 4.1. *Hyper-mobile youth and land in the UGF*

The strategic resources provided by the UGF (shelter and assets, notably timber and diamonds, in exchange for material) have contributed to the spread of low-intensity guerrilla conflict across the region. Tactics and personnel have been freely shared among a number of insurgent militia groups with a variety of different agendas. In all three countries the conflict situation has been complicated by an element of state failure and dissident factions within the state military. A single explanation of war in the region is unlikely but some common elements do emerge. One such major element identified in this study concerns recruits to the warring forces – ***hyper-mobile young people on an urban-rural continuum***, unable to settle permanently in urban areas but equally doubtful about prospects for rural integration.

The social origins of fighters recruited to the 11-year civil war in Sierra Leone are now known – mainly impoverished rural young people, with basic education but poor urban prospects. Quantitative information on the social origins of fighters in Liberia is yet to be published. But clearly many shared dislocated rural backgrounds. In the forest zones of Côte d’Ivoire, the most activist loyalists come from youth returning from urban areas. They are hostile both to successful planters from other regions and to elders who granted the land.

If war in the three countries results from the activity of the rurally dislocated, one should not conclude prematurely that there is a direct link between war and land shortage. The UGF conflicts were first incubated in Liberia, the country with the greatest reserves of well-watered, heavily forested land in the entire region. Few ex-combatants talk directly about fighting for land to secure a livelihood. The importance of land lies in its significance as an institution linking people, i.e. as a promise of (or a deep dissatisfaction with) a certain kind of moral order capable of conveying citizenship, identity and belonging. This is why the discussion is framed at the outset in terms of the lineage model of production – an institution offering solidarity and security to many people but threatening exclusion and marginalisation to others. ***It is as an institution capable of generating satisfactory social integration that land is in short supply in the UGF.***

The consequences of this kind of shortage are as various as the policy interventions possible. In Sierra Leone the RUF was a movement run by a handful of young ideologues who felt that they had lost their fundamental identity as citizens. The NPFL in Liberia built its fighting forces, at first, on young people in Nimba County, a region “pacified” through the activities of the LFF in the early part of the 20<sup>th</sup> century and then by Doe forces in the mid-1980s. Likewise, LURD recruited its rank-and-file from among impoverished rural Mandingo youth with the most to lose from being denied Liberian identity, citizenship and land.

Consequences are different in central-western Côte d’Ivoire where there are no ranked lineages and chiefly hierarchies, collaborating with the State. Local leaders presided over a moral economy of land, and incorporated “strangers” as economic migrants via the tutorat. This was strongly encouraged by a planter-friendly Presidency. But returned migrants feel their social identity threatened by “strangers” sitting on the land. Gban or Bété returnees are now as “out of place” as the Liberian exiles of the RUF or “stateless” Mandingo in LURD. Their dissatisfaction takes the form of an intense neo-traditionalism. They fight to restore a purer form of the traditional moral economy. The young “barragistes”, the recruits of self-defence organisations and the young militiamen in the west are representative of this relegated social category. The confusion in this region is increased by the mobilisation – by the government forces and by local notables – of Liberian back-up troops. Local Forces Nouvelles factions also recruit young Liberians and Sierra Leoneans.

The recent turmoil seems to be linked to the refusal of loyalist fighting unit recruits to accept the disarmament conditions they are offered and to the demands of “tribal militias” to be included in the DDR process.

#### ***4.2. What needs to be addressed?***

The common element in the wars of all three countries is the involvement of a large group of impoverished hyper-mobile youth: 70,000 in Sierra Leone, 100,000 in Liberia, and at least 70,000 in Côte d’Ivoire<sup>32</sup>, with young women accounting for a significant percentage (up to 25% of RUF fighters in Sierra Leone). Neither reliance on market reforms nor return to the supervisory authority of chiefs and traditional land owners seem likely to offer stable long-term solutions. The first options are limited by agrarian “market failure”, which will remain a problem while land-owners use their land mainly to grow “doctors and lawyers” while denying migrant farmers all promise of profit making. The second options work for some of the rural poor, but not for hyper-mobile rural youth, who have been expelled from rural society and engaged themselves in a battle against the chiefs, and seem likely to do so again should their lack of a secure stake in rural or urban society continues. A new approach is therefore needed which should focus on addressing *hyper-mobility*.

Hyper-mobility is a common problem in all three countries, but presents itself differently: in Sierra Leone it is as an itinerant existence between alluvial mining and subsistence farming, in Liberia it is as short term rural-urban and rural-rural migration, and in Côte d’Ivoire it is as return or cyclical migration. Hyper-mobility sustains the inability to form realistic expectations about social life. Breaking out of this vicious circle requires efforts to enhance agrarian skills, generate long-term rural employment, facilitate stable marriage and child-rearing opportunities for impoverished youth in rural areas, and foster greater awareness of and reliance upon the law of contract. Conventional land reform (in the sense of redistribution of titles of ownership) would not be a priority. Issues to be addressed can be divided into general agrarian issues and some more specific items, as sketched in Table 1.

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<sup>32</sup> Within the framework of disarmament, 42,500 combatants have been counted in the northern zone and 5,500 in the loyalist army (youth recruited into the army after the coup of September 2002). These figures concern only “official” combatants. In the government-controlled area, for the Guiglo region alone, the main “tribal militias” claim 7,000 militiamen for the FLGO, 1,800 for the UPRGO and 1,200 for the AP-Wê. To this must be added the Ivorian-Liberian back-up troops of the LIMA, whose numbers are unknown (Soir Info, 1 June 2005, “Désarmement des milices à Guiglo – Colonel Yao Yao Jules (FDS spokesman)”).

**Table 1: Beyond conventional land reform: examples of agrarian and non-agrarian priorities**

Agrarian	Non-Agrarian
<ul style="list-style-type: none"> <li>- Improve land productivity through renting schemes designed to attract skilled tenants</li> <li>- Encourage experimentation in sui generis hybrid land tenure/land technology enhancement schemes</li> <li>- Develop tenant technical skills (through both training and support for in situ experimentation, e.g. for land rehabilitation)</li> <li>- Develop local contract law ( instruments for rental agreements or to guarantee the continuity of agrarian contracts in case of illness or death of one of the contracting parties),</li> <li>- Improve administration of justice regarding contract/civil law (build capacity of local courts, support alternative dispute resolution, train para-legals)</li> <li>- Enhance LMP capacity to deliver social security (low labour food security crops for households headed by widows or retirees) while reducing its propensity to discriminate young people and feed vagrancy</li> <li>- Train and equip young people for rural service provision (mobile mechanised crop processing, rural infrastructure improvement; transport, water and sanitation improvement skills)</li> <li>- Develop the managerial skills of local producer organisations and promote a transparent and truly participative organisation of networks (especially the cocoa industry in Côte d'Ivoire)</li> <li>- Diversify agrarian-based activities (rearing small animals, fish farming, etc.)</li> </ul>	<ul style="list-style-type: none"> <li>- Provide incentives for better extraction technologies, leading to a skilled, better paid, stable labour force in alluvial mining</li> <li>- Focus support for youth entrepreneurship (business &amp; technical skills, loans) on service centres outside the capitals, especially in large rural villages with high population growth.</li> <li>- Foster an inclusive national debate about incorporation/re-incorporation of hyper-mobile rural youth and internal and foreign migrants in society.</li> </ul>

### ***4.3. Land, conflict and agro-technology***

A key move in addressing “vagrant” youth will be to foster an open and dynamic agrarian opportunity structure capable of addressing hyper-mobility. It seems important to focus on what could be done under existing arrangements, with emphasis on agricultural productivity enhancement, to foster social re-incorporation of the hyper-mobile. Several questions were posed about this throughout this study. The answers are offered below.

#### *1. Does the ownership or tenancy regime limit adoption of new techniques and management practices?*

Coastal cities and mining and timber economies of the Mano River countries and Côte d’Ivoire create demand for agricultural products, especially food. The UGF is well suited to rice – but in Liberia and Sierra Leone, the dominant form is historically a farming system combining dry and wet rice production. International technology based on Asian conditions (i.e. intensified small-holder wet rice cultivation) dominates. Innovations for integrated (upland-wetland) systems lag behind. Development partners and government policies have been based on shifting cultivators from uplands into swamps, and developing tree-crop agriculture on uplands. This stabilises upland soils and makes use of the better water and fertility availability of swamps. Both tree crops and intensive swamp rice (with some degree of water control) require secure tenure, and are thus not accessible to migrants particularly in Liberia and Sierra Leone. Tree crops such as cocoa or coffee are useful in that they allow a land owner to accumulate wealth over the long term, but this wealth is often not reinvested into farming; largely it is reinvested in the education of children for a non-agrarian future. Increasingly, farming has become

the work of women, foreigners and the poorest groups of young people. Therefore, it is important to reinforce the land rights of these groups to ensure they can adopt existing innovations or develop an innovation strategy taking into account land tenure limitations (or some judicious mixture of both strategies needs to be adopted).

In the western Ivorian forest, on the other hand, migrants have long enjoyed secure land access conditions. Their ability to mobilise labour has made these planters more open to innovation and more prosperous than autochthon planters. The land law of 1998 excludes non-Ivorians from formal property and reinforces the recognition of autochthons' rights to the detriment of rights resulting from past customary transfers. The challenge is to ensure the implementation of the law does not serve to express the frustrations of autochthons, especially the younger generations, by creating further injustice with serious implications for the agricultural productive potential. The treatment of past prejudices is inseparable from the search for contractual arrangements that strengthen the integration and cooperation of the different communities within local authorities.

## *2. Could agricultural innovation and new forms of management mitigate inadequate property regimes?*

Labour is a bigger constraint on agricultural productivity than land. In Liberia and Sierra Leone first-comer groups use their control over land to secure better access to labour. Customary law ensures that land access by a woman or stranger is conditional on playing by local rules.

Innovations such as water-controlled swamp farming require additional labour inputs. Those with weak land rights are sometimes willing to invest their own labour into farming activities, but this is in addition to meeting labour demands by husbands, landlords or the bride's family. Two points seem clear: i) innovations need to save on labour (some form of mechanisation may be required); ii) institutional innovation is needed to encourage better bargaining among the parties, and thus foster win-win solutions.

Institutional innovations are needed both in the field of finance and law. Providing credit for low-collateral groups of women, youth and "strangers", prepared to offer mechanised food processing or land preparation is a major requirement. There is also huge room to extend the scope of the law of contract as a tool for agrarian development and poverty alleviation, e.g. through encouraging use of guaranteed short-hold tenancies, and equipping local courts or para-legal institutions to manage disputes arising from such agreements.

Regarding land, the main focus is often on documentation of titles and land transfer agreements. Land titling already exists in Liberia, and has been seen as a cause of conflict. Titling can have paradoxical effects – it tends to eliminate secondary or derivative rights. Despite the draw-backs, Sierra Leone and Côte d'Ivoire have focused on titling.

In Sierra Leone, the Commercial Use of Land Act 2005 makes it possible for any Sierra Leonean to purchase freehold or lease land anywhere in the country, provided contracts of sale are made by deed and recorded in a district land registry. Only the head of the land-owning family can enter into such a contract, having obligatorily consulted male family members. Conditions of sale must be approved by the Paramount Chief. The law might be viewed as not focusing enough on creating an environment for dynamic agriculture in which the energies and innovative capacity of the main labour force – wives, youths and "strangers" – will be fully engaged. Renewable short-hold leasing would, in fact, be preferable to outright changes in ownership. Short-hold leases would create a virtuous cycle (rents on under-utilised land would begin low, but rise in concordance to the added value created by the work of the tenant). A second law (still before Parliament) would guarantee the equal inheritance of men and women in regard to land. The emphasis on gender equality seems impressive, until one realises that to inherit land one first has to own it, and that very few rural women own their own land (or look likely to do so under the 2005 law, because of lack of purchasing power).



In Côte d'Ivoire, the law of 1998 may correct the effects of land dispossession for autochthons, especially youth. However, there is no certainty that this readjustment of the security of appropriation rights will benefit the poorest. The experience of the *Plan Foncier Rural* underlined the principal failings of the standard approach of registration and property titling:

- This approach favours the registration of owners, sometimes turning holders of all the administration rights in a given area into “customary owners”, individuals playing simply a role of arbitration or of moral or religious authority, or enjoying considerable social and political capital.
- The intra-family and inter-generational dimension of the management of land rights is often ignored and its impact on rights delegated to “strangers” is not taken into account.
- User rights other than agricultural rights are ignored.
- By strengthening “customary rights in accordance with traditions”, the law of 1998 idealises their coherence. The “customary principles” may be contradictory.
- Surveying and titling operations are based on the assumption of a contradictory procedure guaranteeing a participative approach. In fact, exclusion is commonplace and presence does not guarantee the expression of existing disputes. The composition and workings of land commissions reactivate the state of local power balances and the degree of legitimacy of land authorities.

Although market farming production is largely based on the family farming sector, the implementation of the law could trigger new conflict, no longer between stranger planters and autochthon “tutors”, but between autochthons (especially youth) and private owners of large plantations.

*3. How do farming systems of land-secure (men from leading families) and land-insecure (women, youth, “strangers”) compare? What kinds of innovations are associated with secure and insecure land access?*

The land-secure plant perennial crops (in addition to annual crops) while the land-insecure plant only annual crops. Planting perennials is seen to manifest or confer ownership rights. Perennial crops (cocoa, coffee, oil palm, rubber, citrus etc) are important in agro-ecological terms because they can be used to stabilise often fragile and sometimes degraded upland soils. Planting of quick growing nitrogen fixing perennials is also sometimes advocated as a soil improvement strategy in place of expensive inorganic fertiliser.

The annual crops planted by both land secure and land insecure in Liberia and Sierra Leone are similar, but may be combined in different proportions or be grown in different places. Migrant “strangers” may have to do with poorer or more difficult soils, perhaps further from the village. Women who have moved to their husband’s village will tend to plant groundnuts on the husband’s former household rice farm (whereas those who have married within the village might prefer to make use of family land). The rice farm of an indebted stranger might be marked by high amounts of weedy adventitious rice because the seed for planting was “borrowed” and not properly selected (Richards 1986). Yet the very poor sometimes carry out useful experiments leading to valuable adaptive innovations. Rice farmers may select and plant weedy off-types, re-domesticating important hardy but partly forgotten land races.<sup>33</sup>

For several decades official agricultural development policy in Liberia and Sierra Leone has advocated a rationalisation of land use, around the idea of producing more rice in water-controlled wetlands and reserving the rain-fed uplands for root crops and perennials, but without any serious attempt to address the land tenure issues which prevent the policy from succeeding. Wetland development is labour-

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<sup>33</sup> Under conditions of wartime embargo on humanitarian supplies in RUF-held areas (north-central Sierra Leone), farmers selected and diffused a number of hardy African Rice types which had been partly abandoned in the pre-war period. Restricted by general insecurity to farming sites close to villages soils became heavily overworked and low fertility African Rice inter-planted with nitrogen fixing pigeon pea proved to be a life-saving farming system (Richards 2005).

intensive. With access to only limited supplies of expensive labour land owners have preferred to develop perennials rather than swamps. “Strangers” can and would develop swampland, but find that such attempts are regarded as tacit claims to ownership. Swamps tend therefore to remain under-utilised.

What seems to be needed in Liberia and Sierra Leone are new partnership agreements, e.g. guaranteed short-holds, which offer migrant farmers a reward for their labour and initiative and a share in an improved asset over the longer term to land-owning lineages. There have been many swamp development projects in the two countries, but few or any which have started from the premise of needing to set up a process through which the competing claims of land owners and land users can be reviewed as development proceeds.

In Côte d’Ivoire, the security of tenant contracts has fostered technical and organisational innovations for both annual and perennial crops. Where agrarian contracts are concerned, the principal requirements do not therefore concern institutional aspects. On the contrary, administrative interference in effective local arrangements is avoided, as it could run the risk of encouraging rent monopolising strategies.

However, the literal implementation and interpretation of the law of 1998 could bring about a brutal destabilisation of the rights acquired by “strangers” to the plantations of perennial crops they have created. The negative effects on the maintenance and the phytosanitary condition of plantations could be comparable with those experienced in Ghana after the implementation of the Compliance Order on Aliens in 1969. These risks argue for surveillance of the implementation of the law at both the legal and agro-technical levels and in terms of strengthening the labour and technical knowledge partnership between autochthons and migrants.

#### *4. Who are winners and losers when land entitlements change?*

It seems clear that schemes to formalise land tenure often risk making a difficult situation worse, by disregarding many secondary or derived rights.

The RUF seems to have picked up a disproportionate number of children far down in the “hierarchy of inheritance” in large polygynous households. Some informants have been blunt, in both Liberia and Sierra Leone, that conflict has been fostered by bitter internecine rivalry among half-siblings from families where the *pater familias* had picked and chosen among favourites, or by the simple inability of a father to treat all his children equally, after many years of economic turmoil and national decline (Richards 2005). The same problem exists in Côte d’Ivoire. But whereas young urban migrants were once seen as having a head start, it is now the “heirs” who stayed in their villages (often the elders) who enjoy a secure income.

Where the issue, as in Liberia, is documentation of title, the winners are often the city-based children of the land-secure, who have a guaranteed right-of-return to the village on retirement. The losers are not just “strangers”, or wives separated from their own family land upon moving to a husband’s village, and linked to land only through their husband and children (making the childless woman one of the most land-insecure cultivators of all), but also the junior siblings too young to stake a claim as a “designated heir.”

The existing informal system at least finds space for individuals with varying degrees of attachment to the main right holders. A documented system of individual title is liable to abolish these complex derivative rights. A law to allow equal inheritance of men and women (as currently under discussion in Sierra Leone) will probably only benefit elite women, with the means to acquire landed property in the first place. In Côte d’Ivoire, the guarantees of the law of 1964 on inheritance (without gender discrimination) remain purely formal – they only apply in the case of legal marriages, which are very rarely carried out in the countryside.

It would seem convenient to modernise the existing basis for land leasing transactions. In provincial Sierra Leone this would mean revisiting the Provincial Land Act Cap 122 of the Laws of Sierra Leone. Specifically, means should be found to allow all Sierra Leoneans to negotiate documented short-hold leases for specified farming purposes. The focus of reform should then be upon the administration of justice (ensuring that local courts rule fairly and efficiently in cases of dispute over contractual obligations, and the introduction of paralegal arbitration, perhaps linked to technological land management service provision).

In Côte d'Ivoire, the principal short-term problem of the application of the law of 1998 concerns the issue of open-ended rights that were formerly delegated to migrants by tutors. The law provides for their conversion into short-hold leases (for non-Ivorians) or definitive appropriation rights (for Ivorians). Lawmakers are counting too optimistically on the willingness of autochthon tutors to recognise and perpetuate "peaceful farming" rights for foreigners, even Ivorians. This is forgetting that land security is linked to the political history of State interventions, and that these have had a negative impact on the integration of the different groups within local communities.

In a socio-cultural context in which identity, local citizenship, the social conditions for access to land and the content of rights are difficult to separate, it is more urgent to pacify and increase the security of the relationships between individuals concerning the land than to formalise rights. The identification of land rights and the local management of land information must be supported by systems of common and fair standards: (i) The identification of rights would benefit from taking account of the legal principles generally accepted in all the forest regions (Chauveau 2003); (ii) land reform would benefit from being associated with a reform of the village and communal governance systems; (iii) the practices of local administrations, especially as regards vulnerable social categories, could set the example by strengthening the rule of law in both the management of local affairs and the relationships between local multi-ethnic authorities and the public authorities.

*5. What roles might regional organisations play to foster regional approaches to land access in conflict and reconstruction? How can they interact with civil society and traditional authorities on this issue? What is the appropriate level of subsidiarity between State legislation, local regulations and regional policies? How can complementarities be improved between these levels?*

This study has shown that the causes of hyper-mobility of youth – a major factor feeding armed conflict in the region – has country-specific origins but **regional consequences**. Hyper-mobility of young combatants means that fighters move from country to country. To ensure national and local re-attachment of hyper mobile youth, appropriate livelihood opportunities must be developed across the region. This requires a coordinated (though not uniform) approach to land access.

As part of the task of encouraging UGF governments (and those of the neighbouring Sahelian countries, which have many nationals living on a permanent or temporary basis in the UGF countries) to open markets and create transparent accountable institutions, ECOWAS, the WAEMU and the CILSS should be promoting the message that land issues are of crucial significance, **but complex**, and that normative, text-book solutions are inadequate. Post-war administrations face many urgent challenges. The regional institutions should help them develop a longer-term, comparative perspective by promoting **national and regional consultations** on land issues. They should also be prepared to challenge externally-driven strategies where it appears that post-war reconstruction is offering solutions that seem to diverge in neighbouring countries. A case in point is the way the handling of the land issue seems likely to diverge in neighbouring Liberia and Sierra Leone due to different approaches and priorities by development partners (Fanthorpe 2006).

A starting point might be for the regional institutions to organise consultation processes on how differences in handling the land issue across the three war-affected countries might impact cross-border mobility. These consultations need to involve **all** relevant stakeholders. In Sierra Leone restoration of Paramount Chieftaincy involved extensive (though regionally incomplete) consultations, but only with stakeholders recognised by the Constitution (i.e. migrants and some fighting factions

were excluded). New consultations would need to avoid exclusion of the hyper-mobile, by paying attention not only to ex-combatants but to the broad rural under-class of dependent labourers from which combatants were recruited.

An equally important constituency will be the land holders themselves (and the traditional customary authorities representing their interest, including judicial authorities). It will be important to try and build awareness to the idea that land leasing and the law of contract do not necessarily threaten rights of ownership, but could be used to construct win-win situations for both migrants seeking temporary contractual access to land and for land owning constituencies. It will also be necessary to persuade them that “traditional authorities” will not be excluded from developing and administering a locally-applicable law of contract in regard to land leasing. Customary courts can redefine their roles in terms of alternative dispute resolution. Likewise, Paramount Chiefs can re-develop their identities so that they approximate more to mayors. In Côte d’Ivoire, the historical legacy of direct administration could make it easier to incorporate the principle of the accountability of chiefs towards *all* categories of eligible parties (especially the most mobile). Comparative discussions regarding the continuing role of chieftaincy and rural sodalities in local affairs is something the regional institutions might stimulate and manage across the three countries.

It will be important for the regional bodies to press the point that any land reform, without a full, critical re-appraisal of how all relevant rural institutions affect land management and agro-technology, will be a token exercise, meeting (as in Sierra Leone) the immediate needs of some outside investors, while not necessarily meeting the needs of the rural poor.

On issues of subsidiarity and complementarity between the regional, national and local levels it seems important to press the basic point that West African countries, regionally and nationally, are committed to open markets, a common currency, and transparent, “competitive” institutions of governance. However, this commitment is potentially in contradiction with (or likely to be undermined by) any failure to re-align land institutions. The tensions and contradictions between unregulated “custom” and the ideals of an open society have already been challenged by the hyper-mobile. Their excuse for violence is that democracy was a sham. They need to see real results, in issues that affect them on a direct, daily basis to develop confidence and commitment to institutional reforms agreed at the highest levels. The regional institutions have a major responsibility to encourage the process of “peer monitoring” through which this dangerous, and conflict-sustaining, gap between rhetoric and democratic reality will be closed.

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