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# VARIATIONS OF CUSTOMARY TENURE, CHIEFLY POWER, AND GLOBAL NORMS FOR RESPONSIBLE LAND INVESTMENTS IN SIERRA LEONE

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## Abstract

In response to debates around land grabbing, the international community has increasingly developed and promoted global governance norms and guidelines for more responsible land investments. This concern on the part of the international community has particularly taken hold in Sierra Leone—in a post-war context, in which international donor agencies are already steering much of the country’s politics. Yet, despite the enormous influence of international guidelines and the actors promoting their use, there is a spatial variation in the conformity to and effectiveness of such norms in cases of land investments. While some projects seem to resemble ‘showcases’ for their exemplary use, these guidelines seem to be absent in other projects. This article analyses the political economy of customary land tenure, land investments, and international ‘soft laws’ in Sierra Leone. Based on 6 months of fieldwork in Sierra Leone in 2019, I compare several cases of large-scale land investments. I argue that there are important variations in the customary tenure system in the degree to which political authority over land is centralized in the authority of the paramount chief or is devolved to landholding families. This, I suggest, holds important implications for the uptake of global norms for ‘responsible’ investments.

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Sierra Leone was subject to a devastating civil war that ended in 2002. The post-conflict recovery period is marked by the strong presence of the international community in the country. These actors have promoted programmes to stabilize and rebuild Sierra Leone's economy and political system, including the land tenure and land administration systems. The post-war period also saw the sharp rise of foreign large-scale land investments in Sierra Leone, in line with global trends of increased transnational investment flows after the 2007/2008 financial and food price crisis. Foreign investors have acquired thousands of hectares of land for the purpose of large-scale monoculture tree plantations, mechanized farming projects, and mining investments throughout the last decade. Accompanying this trend in Sierra Leone was another. Global attention increasingly shifted to the topics of agriculture, food security, and the risks of 'land grabbing' and, correspondingly, to international governance instruments and guidelines to incentivize investors and governments of developing countries to achieve more responsible investments. These global guidelines call for greater transparency in deal-making, more participation by local communities, environmental safeguards, and the protection of local land rights.

They have taken hold in Sierra Leone in a post-war context of largely diminished state sovereignty, in which international donor agencies have firmly established themselves. Sierra Leone's land and agriculture sector has thus come to be seen as a 'testing ground' for global governance mechanisms for responsible land investments. Particular emphasis has been given to the implementation of both the 'Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests' (VGGT) and the 'Principles for Responsible Investment in Agriculture and Food Systems' (CFS-RAI) through awareness-raising initiatives, capacity building, and the creation of multi-stakeholder working groups.<sup>1</sup> The Government of Sierra Leone has taken concrete steps to institutionalize the VGGT and other international soft laws into domestic law by revising and aligning the 2017 National Land Policy (NLP) with the principles of the VGGT. The NLP—the country's first comprehensive land legislation since the colonial era—refers to the VGGT in more than 90 paragraphs. 'Worldwide, no other known policy refers as closely to the principles of the Guidelines as Sierra Leone's new National Land Policy.'<sup>2</sup> Furthermore, in 2015, the UK's then Department for International Development (DFID) (now the Foreign, Commonwealth and Development Office) launched a programme to support two land deals as 'flagship' projects for the exemplary use of

1. The UN Committee for World Food Security (CFS) adopted the VGGT in 2012 under the UN FAO and developed the CFS-RAI in 2014.

2. Food and Agriculture Organization of the United Nations, 'The Voluntary Guidelines: Securing our rights. Sierra Leone. (FAO—At a glance, Rome, 2019), p. 9.

the VGGTs and other international norms on responsible investment.<sup>3</sup> In 2017, the United Nations Food and Agriculture Organization (FAO) and the World Bank supported the launch of the new Agriculture Investment Approval Process, which is intended to help guide investors to align their projects with global best practices.

However, the track record with regard to the use and effectiveness of these programmes is mixed. Some investment projects are seemingly modelled on them and serve as international showcases for their exemplary use. In others, the global norms and guidelines do not feature at all. There are still numerous reports on conflict, human rights and land rights abuses, and widespread corruption around land-related investment projects. Despite the enormous influence of the VGGTs and the domestic and global actors promoting their use, what accounts for the uneven conformity to global governance norms? Answering this question necessitates an exploration of the interplay between land deals, global norms, and the local land tenure institutions. In Sierra Leone, all large-scale investment projects are located in the country's four provinces on land held under customary tenure, which is governed by chieftaincy institutions headed by paramount chiefs. The significance of chieftaincy institutions for the governance of land and related questions of land access, land rights, and conflict in Sierra Leone is widely acknowledged in the literature.<sup>4</sup> Large-scale land investments and accompanying international agendas for responsible land deals are thus not introduced into a 'lawless void' but need to be understood as conditioned by and contextualized in existing institutions of land tenure regimes.<sup>5</sup>

I argue in this article that there are important variations in the customary tenure systems in Sierra Leone in the degrees to which political authority and decision-making powers over land are centralized in the authority of the paramount chief or are devolved to extended landowning families. This variation is particularly visible through the lens of negotiations around land investments, where political authority over land and the stakeholders in decision-making processes over land-related livelihoods are clearly illuminated. Second, I argue that this variation holds important implications for the uptake of global governance norms for responsible land investments. Studying nine cases of land deals, it seems that where the

3. Land Portal, 'Legend Challenge Fund', <<https://landportal.org/es/partners/legend/challenge-fund>> (3 February 2023).

4. Mariane C. Ferme, 'Paramount chiefs, land, and local-national politics in Sierra Leone', in John L. Comaroff and Jean Comaroff (eds), *The Politics of Custom: Chiefship, Capital and the State in Contemporary Africa* (University of Chicago Press, Chicago, IL, 2018), pp. 162–182; Caitlin Ryan, 'Large-scale land deals in Sierra Leone at the intersection of gender and lineage', *Third World Quarterly* 39, 1 (2018), pp. 189–206.

5. Carolin Dieterle, 'Global governance meets local land tenure: International codes of conduct for responsible land investments in Uganda', *Journal of Development Studies* 58, 3 (2022), pp. 582–598.

decision-making power over land is highly centralized in the institutions of paramount chiefs, global governance norms tend to be largely absent. However, where the decision-making powers are strongly devolved to extended families, these norms seemingly gain traction in investment cases.

In this article, I will present four case studies that particularly epitomize some of the key differences in chiefly power and local land politics. Understanding these variations can help explain the uneven conformity to international guidelines by investors, non-governmental organizations (NGOs), government representatives, and local communities in particular investment projects. Contrary to often-assumed notions of state-centrism inherent in international soft laws,<sup>6</sup> the analysis suggests that the extent to which international norms embodied in guidelines such as the VGGT gain traction in particular country contexts is partially conditioned by local politics of land control within host countries and that these may play out in highly uneven ways across national territory within a given country.<sup>7</sup> If meaningful reform is the goal, those promoting more responsible and equitable land investments need to take account of these domestic political contexts.

This article is structured into four parts. Following this introduction, I discuss the project's research design and methodology. I then provide an overview of the changing and evolving nature of customary tenure and chiefly power in Sierra Leone. I argue that the variations in the roles of paramount chiefs are due to the legacies of colonial indirect rule, the effects of the civil war, and the sweeping changes and reforms in the country's post-war period. The article then turns to the four case studies of large-scale land investments that illuminate the key differences in the political authority over land in the inception stage of these projects and the associated differential uptake of international 'soft laws'. The final part discusses the findings and concludes that variations in chiefly power are indicative of broader changes in the customary tenure in Africa.

### *Methods*

This article is based on 6 months of fieldwork in Sierra Leone in 2019, where I studied nine cases of large-scale land investments located across different regions and diverse commodity sectors in the country, including agricultural crops, forestry (palm oil), and mining.<sup>8</sup> I conducted over 100

6. Ntina Tzouvala, 'A false promise? Regulating land-grabbing and the post-colonial state', *Leiden Journal of International Law* 33, 2 (2019), pp. 235–253.

7. Catherine Boone, *Property and Political Order in Africa: Land Rights and the Structure of Politics* (Cambridge University Press, Cambridge, 2014); Dieterle, 'Global governance meets local land tenure'.

8. Much has been said about the complications of comparing large-scale mining projects with agro-industrial or forestry projects due to important differences pertaining to potential profitability, political stakes, procedural and utilization aspects, and socio-environmental

interviews with stakeholders around land investments, including investors, government representatives at the national and local levels, local land users and community members, paramount chiefs and sub-chiefs, as well as actors from the international donor and civil society sectors. Interview participants were mainly selected via ‘snowball sampling’, which entails the referral among people who know of other people that may have key information.<sup>9</sup> Rural-based key informants were further located and approached with the help of my research assistant and local key contact persons. In some case studies, the scope of the research was limited by difficulties in accessing the study sites, limited publicly available information, and non-responsiveness of investors and farm managers. Of the cases studied, I selected four cases for this article that particularly epitomize the main variations in political authority over land and the concordant differential uptake of global norms. I present three cases where decision-making over land is largely devolved to extended families and one ‘bundle’ of cases in which decision-making over land is strongly centralized in the authority of the paramount chief. While the present cases best capture the main lines of contrast in local political authority, the analysis is further nuanced by references to some of the other cases throughout the article.

*Customary tenure and chiefly powers in Sierra Leone: Change and continuity over time*

My research was focused on the four rural provinces, on land under customary tenure, where the bulk of foreign investments has taken place. Sierra Leone is formally characterized by a dual land governance system, made up of statutory tenure (state-land and private freehold land) in the Western Peninsula, and unwritten customary tenure in the four rural provinces. Most literature on land governance in Sierra Leone focuses on this contrast between ‘the formal’ land tenure of the Western Area and the ‘informal’

impacts (see Philippe LeBillon and Melanie Sommerville, ‘Landing capital and assembling ‘investable land’ in the extractive and agricultural sectors’, *Geoforum* 82 (2017), pp. 212–224.) Notwithstanding the specificities of the different sectors, the purpose of this research is to compare specific aspects related to land tenure in the various land deals in Sierra Leone. In focusing on the inception stage of a project, I mainly analyse questions of power relations and property rights, which are indeed points of commonality between the mining and agriculture sectors (see Louisa Prause and Philippe LeBillon, ‘Struggles for land: Comparing resistance movements against agro-industrial and mining investment projects’, *The Journal of Peasant Studies* 48, 5 (2021), pp. 1100–1123, in reference to Tania M. Li, ‘What is land? Assembling a resource for global investment’, *Transactions of the Institute of British Geographers* 39, 4 (2014), pp. 589–602, and Nancy L. Peluso and Christian Lund, ‘New frontiers of land control: Introduction’, *Journal of Peasant Studies* 38, 4 (2011), pp. 667–681). Sierra Leone’s recently passed Customary Land Rights Act and Land Commission Act (both 2022) are further testimony to the important land tenure-related commonalities of these sectors as they give rural communities more rights to veto both large-scale mining and agribusiness projects.

9. Patrick Biernacki and Dan Waldorf, ‘Snowball sampling: Problems and techniques of chain referral sampling’, *Sociological Methods & Research* 10, 2 (1981), pp. 141–163.

customary land system of the rural provinces.<sup>10</sup> Framed as a dichotomy of tenure systems in that way leaves customary tenure poorly understood. Customary tenure is complex, multi-layered, and subject to change. My research reveals that there are important variations ‘within’ the customary land tenure regime, particularly in the role of the paramount chief, albeit in practice rather than in formal-legal terms. These variations are revealed by the continuously changing balance and long-standing contradiction between the structure of family-based landownership and chiefly ‘custodianship’ over land.

### *Customary land tenure and colonial indirect rule*

The Provinces Land Act Cap 122 (1960) defines that all land in the country’s provinces is subject to customary law and structured by chieftaincy institutions.<sup>11</sup> These institutions, and the hierarchical structure of paramount chiefs and sub-chiefs and headmen under them, have historically played a significant role for land-related administration and patronage.<sup>12</sup> Paramount chiefs are defined by the Land Act as ‘custodians’ over the land in their chiefdoms, but they are not the legal owners of land. Landownership rights fall to landholding families, ‘who can trace their ancestry via patrilineal line to the “original” inhabitants of a village’.<sup>13</sup> However, the loosely defined concept of ‘custodianship’ of paramount chiefs has often come to be used synonymously with that of ‘landlord’ and has been interpreted by chiefs to serve their own self-interest.<sup>14</sup>

This has been strongly conditioned by the colonial practice of ‘indirect rule’. Upon declaring Sierra Leone’s rural regions outside of the British colony of the Freetown Peninsula a British protectorate in 1896, the colonial administration set up a system of indirect rule by demarcating chiefdom jurisdictions and boundaries. Similar to other parts of colonial Africa, it appointed paramount chiefs to exercise so-called customary law,

10. Ryann E. Manning, ‘The landscape of local authority in Sierra Leone. How “traditional” and “modern” justice systems interact’ (Justice & Development Working Paper 1, 1, World Bank, Washington DC, 2009); Patricia Sturgess and Dominic Flower, ‘Land and conflict in Sierra Leone: A rapid desk-based study’ (Evidence on Demand report, 2013); Peter M. Kaindaneh, ‘Sierra Leone: Land governance assessment framework’ (World Bank report, 2015, World Bank, Washington DC); Takehiko Ochiai, ‘Customary land tenure, large-scale land acquisitions and land reform in Sierra Leone’, *Asian Journal of African Studies* 42 (2017), pp. 141–169.

11. Government of Sierra Leone, ‘Provinces Land Act, Chapter 122’ (Government of Sierra Leone, Freetown, 1960).

12. Jon Unruh, ‘Land policy reform, customary rule of law and the peace process in Sierra Leone’, *African Journal of Legal Studies* 2, 2 (2008), pp. 94–117.

13. Ryan, ‘Large-scale land deals in Sierra Leone at the intersection of gender and lineage’, p. 194.

14. Annie Werner and Daniel Scholler, ‘Land, livelihoods and long-term visions. Community-led land tenure assessment and land use planning in Eastern Sierra Leone’ (Deutsche Welthungerhilfe e.V. report and guide, Bonn, Germany, 2019).

keep political order, and extract taxes in the name of the colonial government. Chiefs were granted considerable powers and given near-absolute authority over their chieftom jurisdictions. This included the power to lease chieftom land to ‘non-native’ entities including the colonial government, foreign companies, and Krio and Lebanese traders.<sup>15</sup> Held accountable only to the colonial administration instead of the people in their jurisdictions and bestowed with economic opportunities from above, paramount chiefs often became despotic.<sup>16</sup> The rights of landowning families were largely ignored by colonial law and paramount chiefs alike.

The colonial state invested minimal efforts to establish bureaucratic structures outside of the Western Area.<sup>17</sup> To facilitate large-scale investments in the protectorate, the state largely depended on the authority of paramount chiefs, whom they rewarded financially. While a feature of all land-related deal-making throughout rural Sierra Leone, the linkages between the central state and despotic paramount chiefs were particularly salient in the diamond mining regions of Kono District in the Eastern Province. Diamonds were first discovered in this region in the 1920s and became the most important source of revenue for the colonial government in the following decades. British traders established lucrative trade relations with paramount chiefs in this region, thereby further legitimizing and bolstering the latter’s authority and power over their constituents.<sup>18</sup>

Upon independence from Britain in 1961, the immediate post-colonial government under the Sierra Leone People’s Party maintained the political structures and the dual governance system established by the colonial regime. The literature suggests that the role of chiefs became even more powerful than in the colonial era.<sup>19</sup> ‘[I]n the postcolonial state there is no clear line of separation between chiefs and government institutions’.<sup>20</sup> Especially under the one-party system established under the rule of President Siaka Stevens of the All People’s Congress and continued by his successor Joseph Momoh, the symbiosis between party politicians in Freetown and chiefs in the countryside helped to reinforce the centralization and concentration of power and resources in Freetown, reminiscent of the

15. Ade Renner-Thomas, *Land tenure in Sierra Leone: The law, dualism and the making of a land policy* (AuthorHouse, Bloomington, IN, 2010).

16. Mahmood Mamdani, *Citizen and subject: Contemporary Africa and the legacy of late colonialism* (Princeton University Press, Princeton, NJ, 1996); Daron Acemoglu, Tristan Reed and James A. Robinson, ‘Chiefs: Economic development and elite control of civil society in Sierra Leone’, *Journal of Political Economy* 122, 2 (2014), pp. 319–368, p. 3; Edward Sawyer, ‘Remove or reform? A case for (restructuring) chieftom governance in post-conflict Sierra Leone’, *African Affairs* 107, 428 (2008), pp. 387–403, p. 389.

17. Peter Albrecht, ‘The hybrid authority of Sierra Leone’s chiefs’, *African Studies Review* 60, 3 (2017), pp. 159–180, p. 162.

18. Renner-Thomas, *Land tenure in Sierra Leone*.

19. Albrecht, ‘The hybrid authority of Sierra Leone’s chiefs’.

20. *Ibid.*, p. 165.

colonial era.<sup>21</sup> This accumulation of power at the centre, combined with corruption and patrimonial networks linking chiefs and politicians, particularly with regard to diamond mining industry in Kono District, is often seen as a precursor and a factor contributing to the civil war that broke out in 1991. Housing the country's lucrative diamond mining fields, a constellation of high political stakes and elite politics manifested in the country's Eastern Province, which particularly elevated the paramount chiefs in Kono as gatekeepers and facilitators of mining concessions from which they extracted lucrative rents. This set them apart from other paramount chiefs in Sierra Leone, the vast majority of whom, one can surmise, were not as closely tied to government interests or at least not tied to the highest echelons of government in such high-stakes ways.

### *The post-war era*

Against this background, the Sierra Leonean Civil War from 1991 to 2002 and the post-war recovery period brought sweeping changes and further complexity to the structure of customary tenure and the relationship between chiefs and landowning families. The war can be understood as an attack on the institution of chieftaincy itself and seriously called its future into question. It is widely asserted in the secondary literature that the abuses of chiefly power caused social grievances that were important drivers of the war.<sup>22</sup> Numerous paramount chiefs, along with government representatives and other figures of authority, were targeted during the war by the Revolutionary United Front, and many were killed or forced to flee. This resulted in 'a large number of [chieftaincy] vacancies in the post-war period.'<sup>23</sup>

At the end of the war, this political vacuum in the rural provinces coincided with the arrival of international donor agencies and humanitarian assistance programmes in Sierra Leone to propel the post-conflict reconstruction and peacebuilding process. The question of chieftaincy restoration and the future of local rural authority in Sierra Leone became

21. Jeremy Allouche, 'Is it the right time for the international community to exit Sierra Leone?' (Institute of Development Studies Evidence Report No 38.—Addressing and Mitigating Violence, IDS, 2013), p. 10.

22. Paul Richards, *Fighting for the rainforest: War, youth and resources in Sierra Leone* (James Curry, Oxford, 1996); Paul Richards, 'To fight or to farm? Agrarian dimensions of the Mano River conflicts (Liberia and Sierra Leone)', *African Affairs* 104, 417 (2005), pp. 571–590; Paul Jackson, 'Chiefs, money and politicians: Rebuilding local government in post-war Sierra Leone', *Public Administration & Development* 25, 1 (2005), pp. 49–58; Paul Jackson, 'Reshuffling an old deck of cards? The politics of local government reform in Sierra Leone', *African Affairs* 106, 422 (2007), pp. 95–111; Richard Fanthorpe, 'On the limits of liberal peace: Chiefs and democratic decentralisation in post-war Sierra Leone', *African Affairs* 105, 418 (2006), pp. 27–49; Ferme, 'Paramount chiefs, land, and local-national politics in Sierra Leone'.

23. Jackson, 'Reshuffling an old deck of cards?', p. 95.



a particularly burning issue among Sierra Leonean citizens, scholars, policymakers, and the international community. The institution of chieftaincy was reinstated alongside a massive and fast-tracked decentralization plan and local governance reform, largely financed by the World Bank. The Local Government Act of 2004 established a system of elected local councils at the chiefdom level. Through the Act, local or ‘district’ councils were formally empowered to acquire land, manage human settlements, and issue development plans in the chiefdoms.<sup>24</sup> This inserted a competing source of governance into the countryside and can be seen as an attempt to curb and regulate chiefly powers.<sup>25</sup> At the same time, the 2009 Chieftaincy Act bolstered the institutions of paramount chiefs and largely reaffirmed colonial indirect rule by defining the roles and qualifications of, and procedures for the elections of, chiefs.<sup>26</sup>

These post-war governance reforms have had highly uneven results across Sierra Leone. While they were influential in reforming and weakening chieftaincy institutions in some parts of the country, paramount chiefs maintained a powerful grip over their constituencies and natural resources in other areas. For example, many scholars point to a unique political context in Kono District to explain why donor-led administrative-legal reforms did not work to weaken the authority of paramount chiefs there as they did elsewhere. Raphael Frankfurter and his collaborators argue that the post-war reforms were essentially ineffective in Kono District due to the longevity and prevalence of neocolonial ‘indirect rule’ structures around the diamond mining industry.<sup>27</sup> Paul Jackson notes that the local governance reform has failed to clarify the relationship between paramount chiefs and district councils, especially regarding the access to land and natural resources.<sup>28</sup> ‘In practice, chiefs, as guardians of the land, can severely hinder the access of councils to agricultural and other land. This is likely to be worse in relation to land with rich natural resources, particularly diamonds and plantation agriculture...’<sup>29</sup>

In sum, with the augmentation of chiefly power through colonial indirect rule, the targeting of chiefs in the civil war, the subsequent post-war near abolishment of the chieftaincy institution altogether, its restitution, and the uneven effects of local governance reforms, chiefly authority has seen

24. Government of Sierra Leone, ‘Local Government Act’ (Government of Sierra Leone, Freetown, 2004).

25. Later revisions of the decentralization policy have, however, attempted to strengthen chiefly authority vis-à-vis the local councils.

26. Raphael Frankfurter, Mara Kardas-Nelson, Adia Benton, Mohamed Bailor Barrie, Yusupha Dibba, Paul Farmer, and Eugene T. Richardson, ‘Indirect rule redux: the political economy of diamond mining and its relation to the Ebola outbreak in Kono District, Sierra Leone’, *Review of African Political Economy* 45, 158 (2018), pp. 522–540, p. 526.

27. *Ibid.*

28. Jackson, ‘Reshuffling an old deck of cards?’ p. 104.

29. *Ibid.*

episodes of strengthening and weakening over time.<sup>30</sup> These changes and continuities have led to a highly varied picture of local political authority over land in today's Sierra Leone.

The sharp rise of large-scale land deals in post-war Sierra Leone has thrown these variations into sharp relief and has drawn new attention to the long-standing contradictions between family-based landownership and chiefly control over land-based decisions. This is especially visible at the inception stage of land investments, where negotiations over the size and scale of the land to be leased are taking place, and where the interests of investors, state agents, chiefs, rural communities, and landholding families converge. In some recent cases of large-scale investment, paramount chiefs made unconstrained decisions over the size, duration, and conditions of land lease agreements while capturing rents from investors or the state. This has often led to considerable protest by local communities, who were excluded from these deals, dispossessed of their land, and/or denied adequate compensation.<sup>31</sup> In other cases, paramount chiefs merely took up the role of a mediator and facilitator in land lease negotiations between investors and landowning families, who retained the full decision-making powers over the land lease.

The rise in foreign large-scale investments in Sierra Leone has also created an opportunity for the international community to promote and 'test out' soft law instruments and global governance norms to regulate large-scale land investments. In light of global concerns over 'land grabbing' in the decade after the 2007/2008 financial crisis, the push for such instruments also came out of a concern that the rise in 'uncontrolled' land acquisitions in Sierra Leone could lead to a return to conflict.<sup>32</sup> Sierra Leone was chosen as one of the pilot countries for the implementation and evaluation of the VGGT.<sup>33</sup> In a context of diminished state sovereignty, in which international donors were already firmly established and steering most of the country's policies, the international community thus managed to 'claim authority over the determination over the appropriate usages of land in post-conflict Sierra Leone'.<sup>34</sup> The country quickly

30. Louisa Enria, 'Unsettled authority and humanitarian practice: reflections on local legitimacy from Sierra Leone's borderlands', *Oxford Development Studies* 48, 4 (2020), pp. 387–399.

31. Michael Phoenix, Florence Kroff and Manuel Eggen, 'Land grabbing for palm oil in Sierra Leone. Analysis of the SOCFIN case from a human rights perspective' (FIAN Case Report 2019, FIAN, Belgium, 2019); Peter Lanzet, 'The weakest should not bear the risk. Holding the development finance institutions responsible when private sector projects fail. The case of Addax Bioethanol in Sierra Leone' (Analysis 64, Bread for the World, Berlin, 2016).

32. Gregory Myers and Jolyne Sanjak, 'Reflections on the limited impact of the VGGT in sub-Saharan Africa and opportunities for its future with lessons from Nigeria and Sierra Leone', *Land Use Policy* 113, 105870 (2022), pp. 1–12, p. 8.

33. Tzouvala, 'A false promise?', p. 240.

34. *Ibid.*, p. 236.

*Table 1* Case studies of large-scale investments.

Project	Location	Sector/ commodity	Size (hectares)	Levels of decision-making
Sierra Tropical	Bo District, Southern Province	Pineapples	4,335 (750 planted)	Decentralized authority over land
Lizard Earth	Kailahun Dis- trict, Eastern Province	Cocoa	1,000 (750 under production)	(landowning families)
Natural Habitats	Pujehun Dis- trict, Southern Province	Palm oil	30,700, then downsized to 2,320	
Koidu Limited, and Meya Mining	Kono Dis- trict, Eastern Province	Diamonds	Varies	Centralized authority over land (paramount chiefs)

Source: *Compiled by author.*

became known as a worldwide success story for the successful implementation of the VGGT and other global governance norms.<sup>35</sup> This is not least through the donor-funded rehaul of the 2017 NLP in line with the VGGTs and the launch of numerous programmes to support investors in the implementation of ‘best practices’ in their projects.

Large-scale land deals in post-war Sierra Leone thus represent a platform on which not only the abovementioned variations in local land politics but also the promotion and uptake of soft laws for responsible investments can be observed. Analysing the inception stage of large-scale investments in particular sheds light on these dynamics.

### *Case studies*

The four case studies presented here capture some of the main differences in local political authority in land deal negotiations (Table 1). Three projects, Sierra Tropical, Lizard Earth, and Natural Habitats, are emblematic of dynamics of highly decentralized decision-making around land to landowning families. The investment projects in Kono District in the Eastern Province, grouped as one case study, capture dynamics of highly centralized decision-making over land in the institution of the paramount chief during land deal negotiations.

35. *Ibid.*

*Table 2* Main features of variation between investment cases.

Main features of variation	Centralized authority over land (paramount chief)	Decentralized authority over land (landowning families)
Scale of decision-making	Small group of elites; central role of paramount chief	Individual landholding families
Shape of lease area	Single consolidated large-scale lease area	Individual small plots of leased-out farmland
Conformity to international guidelines and involvement of NGOs	Largely absent	Global norms are central features; civil society groups are involved and present

Source: *Compiled by author.*

The analysis of the case studies is organized according to the following criteria: (a) The scale of decision-making, (b) the shape of the lease area, and (c) the conformity to international guidelines and the involvement of civil society groups. The observed variations in my case studies between the two types of local land politics along these three dimensions are summarized in [Table 2](#).

### **Scale of decision-making: Central role of the paramount chief versus central role of families**

In line with the main argument, the scale of decision-making in land deal negotiations strongly varies in Sierra Leone. In cases where decision-making power is devolved to landowning families, land deals are characterized by individual lease arrangements that are agreed upon and signed by landowning families for their plots of land. In contrast, in cases where decision-making power is centralized in the person of the paramount chief, lease agreements are brokered among a small group of elite actors with the paramount chief playing a central role.

### **Shape of lease area: Consolidated lease versus individual lease agreements**

The shape of the lease area of large-scale investments provides a clear indication of the underlying structures of political authority over land. In investment cases where the decision-making power is centralized in the institution of the paramount chief, the land deal is often concluded in the form of a single lease agreement over a large tract of land. These often cover entire chiefdoms and do not take account of landowning families' rights, claims, interests, and preferences. Conversely, where the decision-making power in land deals is devolved to landowning families, the land deal is

concluded in the form of numerous individual lease agreements between the investor and the families. This contrast is captured in the maps of the concession areas shown for the case studies below, indicating scattered individual plots where landowning families were the main decision makers and single large-scale concession areas for projects where the paramount chief was the main decision maker.

### **Conformity to international guidelines and involvement of NGOs**

My findings suggest that where the decision-making power was decentralized to landowning families, projects were implemented in adherence to international guidelines. These guidelines are strongly promoted by national and international NGOs and land-related activist groups, who sometimes act as ‘watchdogs’ to ensure that investors are adhering to these standards. In land deals where the decision-making power was centralized in the person of the paramount chief, the projects do not seem to conform to global norms for responsible investments. In these cases, national and international NGOs and land activist groups were largely absent or unable to evoke change in the projects.

#### *Land investments with decentralized authority over land (landholding families)*

The three case studies presented here are indicative of dynamics around land deal negotiations characterized by empowered families, weaker chiefs, individual lease arrangements with families, and alignment to international guidelines. The pineapple project Sierra Tropical Limited and the cocoa project Lizard Earth were implemented in 2018 and have indicated adherence to global norms from the start. The palm oil project Natural Habitats emerged from a pre-existing older palm oil project that has changed its investor and investment strategy in the last decade towards greater adherence with global governance norms.

### **Scale of decision-making**

In the case of Lizard Earth and Sierra Tropical, the investor negotiated custom individual lease contracts for each plot of land with local landowning families from the start. For Lizard Earth, as each plot was subject to complex ownership claims by multiple landowning families, the processes included the facilitation of numerous community meetings to allow for intra-community and intra-family negotiations to determine who should be included in the lease agreement.<sup>36</sup> Similarly, for Sierra Tropical, each

36. Werner and Scholler, ‘Land, livelihoods and long-term visions’; interview, company representative, Freetown, 23 August 2019.

plot of land that was leased to the company was surveyed and mapped in a participatory manner together with landholding families. For the signing of the lease agreements between the company and the families, each family had to appoint six family members to sign the lease in the name of the extended family.<sup>37</sup> For both projects, the paramount chief took up a symbolic and mediatory function in this process.

In the case of Natural Habitats, previous investors had initially acquired the land in a 'top-down' manner that largely excluded the rights and claims of landholding families. The predecessor project West Africa Agriculture Nr. 2 Ltd. (WAAL2) concluded a lease agreement directly with the late Paramount Chief of Makpele Chiefdom, who signed over nearly all of the land in the chiefdom to the company. Landholding families were largely unaware of this deal and only learnt that their land had been leased out to the company at a later stage, largely due to the engagement of the Sierra Leonean NGO Green Scenery that investigated the case.<sup>38</sup> Substantial local protest ensued. The arrival of the new investors under the name Natural Habitats in 2014 and the drastic downsizing of the concession area moved the locus of authority and decision-making power over land to individual landowning families. They could now decide if they wanted to lease out their land or not and were in a position of negotiating the terms of lease agreements. The NGO Solidaridad strongly supported the families in this process, and the paralegal organization Namati legally represented the communities in negotiating fair lease agreements.

The role of the paramount chief in the project strongly contrasts between WAAL2 and the current Natural Habitats company. The lease contract for WAAL2 was concluded directly between the company and the late Paramount Chief of Makpele Chiefdom. This chief passed away shortly after the deal was signed in the late 2012 and was succeeded by his son in 2013. The latter was the incumbent chief during the changeover from WAAL2 to Natural Habitats. The newly crowned paramount chief expressed a strikingly different attitude with regard to his role, compared to his predecessor. Whereas the old paramount chief seemed to equate his role of 'custodian of the land' with that of 'landlord' with sole authority over the land, the new paramount chief saw this differently:

My role of paramount chief is that I'm the custodian of the land, although land is owned by individual families. I don't own the land... So whatever decisions [those] families come up with in regard to their land is what I have to protect.<sup>39</sup>

37. Interview, company representative, Freetown, 14 May 2019.

38. Interview, landowners, Zimmi, 3 June 2019; focus group discussion, NGO staff and farm managers, Zimmi, 3 June 2019.

39. Interview, paramount chief, Zimmi, 3 June 2019.

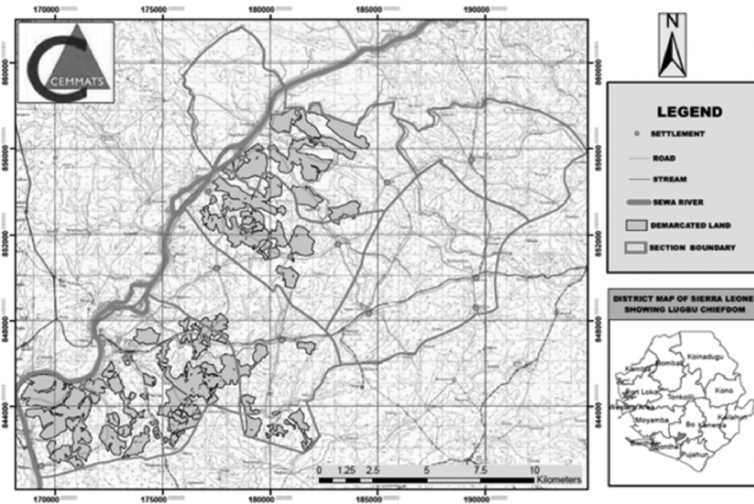


Figure 1 Map of the individual plots of land leased by Sierra Tropical from individual families. Credit: *Sierra Tropical (2019)*.

### Shape of lease area

The cocoa project Lizard Earth acquired 17 individual lease contracts with local landowning families in 2018. Lizard Earth follows a sustainable ‘block farming’ approach, by which land is not acquired as a consolidated surface area but consists of several parcels of land, at times adjacent to one another. The land is not simply leased but subject to joint management and revenue-sharing agreements with the landowners.

Sierra Tropical acquired a larger concession area of 4,300 hectares of land in 2018 but proceeded to renegotiate and lease only 750 hectares of land directly from around 50 landholding families. Figure 1 shows the scattered individual plots of land leased by the company within the wider concession area.

In the case of Natural Habitats, the previous investment company, WAAL2, acquired over 30,700 hectares of land within the Makpele Chiefdom, covering almost the entire area of the chiefdom of 41,218 hectares in a deal that was concluded directly with the late paramount chief. After WAAL2 transferred the lease to Natural Habitats, the new company overhauled the so-called ‘master lease’ and created new individual lease agreements for each landowning family, based on community consultations and negotiations.<sup>40</sup> This resulted in the downsizing of the concession area to 2,320 hectares.

40. Focus group discussion, NGO staff and farm managers, Zimmi, 3 June 2019.

### Conformity to international guidelines and involvement of NGOs

In the case of Lizard Earth, the concept of the project was to develop an innovative, sustainable, and responsible business model for cocoa production on a large scale, in line with numerous international best practice standards.<sup>41</sup> The agreements that were negotiated with landholding families consisted of a mixture of lease and partnership agreements. The land acquisition process included a process of land ‘pledges’ made by families willing to offer land to the investor, a participatory surveying and mapping exercise of the plots offered, and an official survey of the plots by government surveyors.<sup>42</sup> This also included mapping land ‘use’ rights, which relies strongly on the perspectives of the local communities and particularly conforms to numerous recommendations inherent in international guidelines that emphasize the need to recognize and secure ‘legitimate’ tenure rights, particularly those of vulnerable and marginalized groups (i.e. VGGT, section 3A; CFS-RAI, Art. 20).<sup>43</sup> The investor, the supporting NGO, Welthungerhilfe, and the funding organization DFID have made it clear that the Lizard Earth project can be understood as a ‘showcase’ or ‘demonstration project’ for the exemplary use of global governance mechanisms for responsible land investments.

We are supporting this project, in the hope that it will become a ‘proof of concept’ for this kind of business model and for how to undertake responsible land investment generally. ... So that we can finally move away from the mere theoretical discussion around proper land governance towards having a specific example to be able to say, ‘it’s possible, and it’s also profitable’.<sup>44</sup>

Similarly, for Sierra Tropical, the way the land was acquired by the company from the landowning families was ‘bottom-up’ in nature and based on the principle of Free Prior Informed Consent (FPIC). In the case of Natural Habitats, after renegotiating the land lease and downsizing the concession area, the project is now depicted as a ‘showcase’ example of the successful implementation of the VGGT.<sup>45</sup> This is also strongly due to the involvement of the Dutch NGO, Solidaridad, that joined the Natural Habitats project in 2016 and organized numerous awareness-raising

41. Interview, company representative, Freetown, 23 August 2019.

42. *Ibid.*

43. UN Food and Agriculture Organization, ‘Voluntary Guidelines on the Responsible Governance of the Tenure of Land, Fisheries and Forests in the Context of National Food Security’ (FAO, Rome, 2012); Committee on World Food Security, ‘Principles for Responsible Investment in Agriculture and Food Systems’ (CFS, Rome, 2014).

44. Interview, NGO staff member, Freetown, 15 May 2019.

45. Myers and Sanjak, ‘Reflections on the limited impact of the VGGT in sub-Saharan Africa’.



and training workshops on the content of Sierra Leone's new NLP and the VGGT. The project further provided for community participation, political representation, and options for contestation. For example, in 2016, two opposing community groups were formed, the resistance movement Makpele Landowners and Users Association and the Makpele Individual Land Owners Association, which consisted of those landholding families willing to lease out their land to Natural Habitats.<sup>46</sup>

*Land investments with centralized authority over land (paramount chief)*

The case studies presented further are emblematic of dynamics around land deals where the decision-making power over land is highly concentrated in the person of the paramount chief and where the land rights and interests of landholding families are largely subordinated. While these dynamics are visible in other large-scale projects in various sectors around the country, including the conflict-ridden case of the Socfin palm oil plantation in Pujehun District, the recent mining investments Koidu Limited and Meya Mining in Kono District particularly epitomize this dynamic.

### **Scale of decision-making**

The diamond mining concessions in Kono District were largely concluded in a 'top-down' way. The lease agreements were negotiated by small groups of elite decision makers, including the central government, the mining company, and the paramount chief in the hosting chiefdom. For mining projects in Sierra Leone, a mining company first needs to acquire an exploration licence from the central government in Freetown for a specific area to search for suitable mineral deposits. The paramount chief of the region is notified and instructed to inform the local communities in his constituency. At that stage, there is no interaction between the mining company and the communities living on the land nor an option for them to veto exploration activities.<sup>47</sup> After the exploration phase is concluded and if the company is content with the mining prospects, the company is issued a mining licence. This is done at the national level and without consultation of local communities. However, the investor is then supposed to negotiate a land lease agreement with the paramount chief and provide for a Diamond Area Community Development Fund (DACDF) for the support of mining communities.<sup>48</sup>

46. Interview, landowners and users, Zimmi, 3 June 2019.

47. Interview, senior government official, Freetown, 22 August 2019; interviews, district-level government officials, Makeni, 17 July 2019, and Kono, 18 July 2019.

48. Government of Sierra Leone, 'Mines and Mineral Act' (Government of Sierra Leone, Freetown, 2009); interview, senior government official, Freetown, 22 August 2019.

**‘De money is ours to chop’<sup>49</sup>.—the particular role of paramount chiefs in Kono District**

The role of the paramount chief, as part of the small group of elite decision makers in mining deals in Kono, has historically, and still is particularly, crucial in the process of deal-making. Frankfurter and his colleagues analysed the endurance of a historical ‘strategic partnership’ between paramount chiefs and foreign mining companies in this region. In what they term ‘indirect rule redux’,<sup>50</sup> the authors argue that by engaging directly and exclusively with paramount chiefs (and central government actors), foreign mining companies in Kono District are employing neo-colonial strategies of indirect rule in order to gain preferential access to mining resources in Sierra Leone. My interviews with paramount chiefs, sub-chiefs, local communities, artisanal miners, and local government representatives confirmed that family landownership claims are largely ignored during mining deals and that the image of paramount chiefs as omnipotent landlords is deeply ingrained in the region.<sup>51</sup>

Here in Kono, land does not belong to families. The land belongs to the whole community, but the paramount chief is the landowner. He owns the whole land on behalf of the community.<sup>52</sup>

Continuing trends of the colonial and post-colonial periods, paramount chiefs ‘continue to benefit financially from industrial mining, especially in terms of “community” income derived from surface rents and the DACDF’.<sup>53</sup> The potential downwards-trickle of surface rent payments that are supposed to reach local communities seems to be largely captured and controlled by paramount and sub-chiefs. In a focus group discussion with several sub-chiefs in Kono District, I was told that the paramount chief has the discretion to decide who may benefit from surface rent payments by investment companies. The beneficiaries are thus often the chiefs themselves and other people of authority but seldom the landholding families or local communities.

The paramount chief oversees this [the distribution of surface rent money], knowing that who is important gets more. He decides! ... [I]n

49.. In the Sierra Leonean language, Krio, ‘to chop’ means ‘to eat’/‘to consume’; focus group discussion with section chiefs and town chiefs, Kono, 18 July 2019.

50. Frankfurter et al., ‘Indirect rule redux’, p. 522.

51. Focus group discussion with artisanal miners, Kono, 17 July 2019, focus group discussion with section chiefs and town chiefs, Kono, 18 July 2019; interviews, paramount chiefs and sub-chiefs, Kono, 17 and 18 July 2019.

52. Interview, district-level government official, Kono, 18 July 2019.

53. Richard Fanthorpe and Roy Maconachie, ‘Beyond the “crisis of youth”? Mining, farming, and civil society in post-war Sierra Leone’, *African Affairs* 109, 435 (2010), pp. 251–272, p. 268.

some other areas, the money is shared among the people. But here, all that money - we can decide what to do [with it], ... that surface rent, it's ours to chop! It's ours to chop!<sup>54</sup>

In the case of the diamond company Koidu Limited, previous studies have shown that the paramount chief of nearby Tonkolili District is intimately intertwined with the company's management team and directly benefits from the investment.<sup>55</sup> For one, the paramount chief is a paid member on the company's board of directors.<sup>56</sup> He was further made manager of a company-funded football association, directly receiving and managing the funds for the football club, which was funded by the company in a bid to mend relations between the company and the communities following public outcry over the expansion of the mining project and associated resettlement of communities.<sup>57</sup> This dual role of company board member as well as representative of the community seems to be at odds with one another.<sup>58</sup>

### Shape of lease area

Typical of lease agreements in land deals where the decision-making power over land is highly concentrated in the person of the paramount chief, the mining companies in Kono District have acquired single ('blanket') leases over large, consolidated areas. For example, the lease area of Koidu Limited spans an area of 4.9 square kilometres within Tankoro chiefdom, Kono District, as shown in [Figure 2](#).

Even larger than the area leased to Koidu Limited, Meya Mining's operations encompass an area of 130 square kilometres that span across four chiefdoms, namely Gbense, Nimikoro, Kamara, and Tankoro chiefdoms.<sup>59</sup>

### Conformity to international guidelines and involvement of NGOs

In the cases presented here, where chiefly power is near-absolute, international soft laws for responsible investment practices and NGO advocacy of these are largely absent. This is in spite of concerted efforts by the government of Sierra Leone and the international donor community to promote

54. Focus group discussion with section chiefs and town chiefs, Kono, 18 July 2019.

55. Sigismund A. Wilson, 'Corporate social responsibility and power relations: Impediments to community development in post-war Sierra Leone diamond and rutile mining areas', *The Extractive Industries and Society* 2, 4 (2015), pp. 704–713; Frankfurter et al., 'Indirect rule redux'.

56. *Ibid.*

57. Wilson, 'Corporate social responsibility and power relations'.

58. *Ibid.*, p. 711.

59. Interview, paramount chief, Kono, 17 July 2019; interview, company representative, Freetown, 23 May 2019.



*Figure 2* Map showing surface area leased to Koidu Limited.  
Source: *Koidu Limited (n.d.)*, edited by author.

tighter regulation and reform of the mining industry towards more responsibility and social and environmental sustainability. This was perhaps most clearly signalled by government (and donor) efforts for Sierra Leone to join the Extractive Industries Transparency Initiative (EITI) in 2006. EITI is a global accountability and transparency standard for the oil, gas, and mining sectors and associative with global ‘best practice’ standards. Supported by the World Bank’s EITI Multi-Donor Trust Fund, Sierra Leone was recognized as an EITI compliant country by the EITI board in 2014.<sup>60</sup> As a further attempt to reform the country’s mining industry, the government passed the Mines and Minerals Act in 2009, which contains provisions towards greater community inclusion and shared benefits. Article 138 specifies that mining companies ‘shall assist in the development of mining communities affected by its operations to promote sustainable development, enhance the general welfare and the quality of life of the inhabitants,

60. Extractive Industries Transparency Initiative, ‘Sierra Leone declared EITI compliant’, 28 April 2014, <<https://eiti.org/news/sierra-leone-declared-eiti-compliant#:~:text=Sierra%20Leone%20was%20recognised%20as,requirements%20of%20the%20EITI%20Standard>> (2 February 2023).

and shall recognize and respect the rights, customs, traditions and religion of local communities.<sup>61</sup>

However, these initiatives and regulations, promoted alongside broader policy reforms and the promotion of the VGGT in post-war Sierra Leone, did not work to bolster the land rights and interests of landholding families in this region and only had a negligible impact on the well-being and development of mining communities.<sup>62</sup> This is largely rooted in the continuation of colonial patronage politics, elite deal-making in land-based projects, and uncurbed authority of paramount chiefs.<sup>63</sup> Large-scale mining concessions such as Koidu Limited and Meya Mining are largely outside of the purview of international donor and civil society organizations promoting the conformity with and use of soft laws such as the VGGT, CFS-RAI, or FPIC, and there is very little involvement of advocacy groups with investors and/or local communities in Kono District generally.<sup>64</sup>

### *Conclusion*

This article puts forward two arguments. First, there are important variations within the customary land tenure system and thus in the local politics of land control in Sierra Leone. These variations are well captured in the degree to which decision-making power is centralized in the institution of the paramount chief or is devolved to landowning families in negotiations around large-scale land investments. Second, I suggest that these variations in local land politics have important differential impacts on the way that global codes of conduct for responsible land investments appear and are leveraged during investment projects. The case studies suggest that where landowning families had direct control over their land, global norms played an important role in land deal negotiations. This was evidenced among other factors by the practice of FPIC, community consultations, and individual lease agreements between the investor and the families. In these cases, paramount chiefs took up a symbolic and mediatory role rather than a central decision-making role. Moreover, numerous NGOs were present in these cases and observed, assisted, and advised investors, communities, and local government representatives on proper adherence to global norms. In investment cases where the paramount chief was the main decision maker in land deal negotiations, global norms for responsible investments seemingly did not gain traction. In those cases, lease agreements were concluded among a small number of elite actors, including

61. Government of Sierra Leone, 'Mines and Minerals Act' (Government of Sierra Leone, Freetown, 2009).

62. Wilson, 'Corporate social responsibility and power relations', p. 705.

63. Frankfurter et al., 'Indirect rule redux'.

64. Interview, NGO staff member, Freetown, 21 May 2019; interview, donor organization representative, Freetown, 19 August 2019.

the paramount chief, the investor, and individual politicians, often without the consent and knowledge of the landholding families. Leases covered huge, consolidated areas of land and often ignored family landownership rights, claims, and preferences. NGOs and international (donor) organizations promoting adherence to global governance norms were either absent or unable to stop or the deal.

This article contributes to ongoing debates on the changing nature of customary tenure in Africa<sup>65</sup> and the fluidity of the roles of African traditional authorities.<sup>66</sup> It adds a new perspective to these debates by showing that variations of customary tenure with different constellations of power and control over land exist simultaneously at the subnational level. Changes in customary tenure systems can thus unfold in highly uneven ways across time and space within a given context. Furthermore, I suggest that these transformations and variations of customary tenure and chieftaincy institutions can be triggered both ‘from below’ and ‘from above’. As outlined in the article, the historical ebbs and flows in chiefly power in Sierra Leone are rooted in legacies of colonial ‘indirect rule’, the targeting and subsequent near-eradication of chieftaincy institutions after the civil war, their restitution, as well as the uneven effects of post-war governance reforms and the pressures exerted by the international community in Sierra Leone.

The Sierra Leonean case underscores the importance of a strong understanding of the domestic political context for actors and agencies invested in responsible land investments and points to some important sources of opportunity and constraint in the local context that can shape the course of reform. The dependence of the post-war Sierra Leonean government on the international donor community in the post-war era enabled the mainstreaming of donor-promoted policies, reforms, and guidelines in most of the country, including global norms for responsible investment practices such as the VGGT. However, despite their enormous promotion by the international community in tandem with NGOs and the Sierra Leonean government, the uptake of these soft laws seems to be at least partially

65. Lauren Honig, ‘The power of the pen: Informal property rights documents in Zambia’, *African Affairs* 121, 482 (2022), pp. 81–107; Admos Chimhowu, ‘The “new” African customary land tenure. Characteristic, features and policy implications of a new paradigm’, *Land use policy* 81 (2019), pp. 897–903; Liz Alden Wily, ‘Customary tenure: Remaking property for the 21st century’, in Michele Graziadei and Lionel Smith (eds), *Comparative property law. Global perspectives* (Edward Elgar Publishing, Cheltenham, 2017), pp. 458–478.

66. George M. Bob-Milliar, ‘Chieftaincy, diaspora, and development: The institution of Nk suohene in Ghana’, *African Affairs* 108, 433 (2009), pp. 541–558; Nauja Kleist, ‘Modern chiefs: Tradition, development and return among traditional authorities in Ghana’, *African Affairs* 110, 441 (2011), pp. 629–647; Edem Adotey, ‘Parallel or dependent? The state, chieftaincy and institutions of governance in Ghana’, *African Affairs* 118, 473 (2019), pp. 628–645; Carolyn Logan, ‘The roots of resilience: Exploring popular support for African traditional authorities’, *African Affairs* 112, 448 (2013), pp. 353–376.

conditional on local land politics in Sierra Leone, which are neither clear-cut nor static. Instead, variations between different forms of authority over land (i.e. chiefs and families) and ongoing tensions between these play an important role in determining the way that land rights and claims are exercised and secured, land is allocated and leased out, and, in turn, how global norms are received and taken up in land deal negotiations. The mining cases in Kono District as well as the aforementioned oil palm project, Socfin, in Pujehun District demonstrate the salience and resilience of strong chiefly authority in some parts of the country, despite attempts by the state, the international community, and civil society actors to promote changes. This article is thus in line with wider literature that calls into question the assumption of state-centrism inherent in many soft law instruments and notions of a 'top-down' logic of norm diffusion.<sup>67</sup>

However, the continuous strong influence of the international community in Sierra Leone cannot be ignored and provides important new research avenues. The extensive land policy reforms and numerous donor-driven programmes of 'testing out' international soft laws for responsible land investments are exerting substantial pressure on investors. Both the Natural Habitats and Lizard Earth projects were supported by international donor and civil society organizations to carry out specific processes of land acquisition that were in line with the VGGT and FPIC. These included lengthy participatory land mapping exercises and extensive consultations with communities, landholding families, and land users—even if this was not required in that form by national law. It stands to reason that this could help to bolster rural communities and landholding families on the long run and help shift the balance of power between paramount chiefs and families to the benefit of the latter. Thus, while variations in local land politics and the use of global norms can be studied through the lens of land deal negotiations, land deals might themselves contribute to shaping ongoing changes in customary tenure in Sierra Leone. Finally, it seems that potential high stakes of the Sierra Leonean government in some particularly lucrative land deals might also work to prevent the influence of the international community to some degree. The limited reach of international donor and civil society organizations around diamond mining investments in Kono District could be indicative of this. Understanding these particular domestic contingencies alongside the (historic) changes and continuities in the customary tenure system in Sierra Leone is paramount to developing meaningful and more equitable land governance reform.

67. Tzouvala, 'A false promise?'; Madeleine Fairbairn, 'Indirect dispossession: Domestic power imbalances and foreign access to land in Mozambique', *Development and Change* 44, 2 (2013), pp. 335–356; Hannah Twomey, 'Displacement and dispossession through land grabbing in Mozambique', (Working Paper 101, Refugee Studies Centre, University of Oxford Department of International Development, Oxford, 2014).