

## LAND GOVERNANCE IN THE ERA OF RURAL DEVELOPMENT IN WEST AFRICA: SCIENTIFIC RESULTS AND PERSPECTIVES OF DEBATES

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**Abstract:** During the last decades, with the increase of demography, urbanization, globalization and general commodification, the land value has increased and some social strata such as young people, women and the disabled become vulnerable and their control land remains almost non-existent. This situation has led to gender inequality in farmland accessibility and increase unemployed young people. With the aim to improve conditions of access to farmland, this analysis to shed light on land tenure problematic and problems related to young people and women's access to farmland. A total of 70 papers from Africa, Asia, America and Europe have been considered. In Africa, 8.1 to 15% of papers have been produced by researchers from Benin Republic and Senegal, and 6.1 to 8% from Burkina Faso, Mali and Niger. 52.73% papers from international results, when 36.36% and 10.91% have respectively been collected from other national or local scales. The main research fields of these papers are rural land acquisition and accessibility, conflicts about land accessibility, land governance and institutions, and about actors and vulnerability. Inheritance was the most common regime of land tenure in the most of the countries in Africa while the smallest land tenure scheme was the borrowing regime with 23.67%. 85% of papers identified women as the most vulnerable actors in the acquisition and accessibility of rural lands. However, youth are almost excluded from access to land ownership. This study provides an analytical overview on the difficulties of women and young people to accede to farmland that are important to increase the agricultural productivity and to improve gender inequalities in rural land acquisition and accessibility.

**Keywords** Land governance, access to land, rural development, land conflict. West Africa.

## LA GOUVERNANCE FONCIÈRE À L'ÈRE DU DÉVELOPPEMENT RURAL EN AFRIQUE DE L'OUEST: RÉSULTATS SCIENTIFIQUES ET PERSPECTIVES DE DÉBATS

**Résumé :** Au cours des dernières décennies, la question foncière est devenue plus préoccupante du fait de l'augmentation de la démographie, l'urbanisation, la mondialisation de l'économie et la marchandisation des terres. Ces chocs interne en

agissant sur le foncier ont favorisé une augmentation de sa valeur vénale, des difficultés d'accès et de contrôle des terres notamment agricoles et le renforcement de la vulnérabilité au niveau de certaines couches sociales telles que les jeunes, les femmes et les personnes handicapées. Cette situation liée à la gouvernance foncière crée des inégalités dans l'accès aux terres agricoles et l'augmentation du nombre de jeunes chômeurs. Dans le but de contribuer au débat sur les rapports entre politique foncière et conditions d'accès aux terres agricoles, cette revue documentaire est initiée et vise à faire le point sur l'état de la question foncière dans le monde et en Afrique de l'Ouest. Ceci dans le but de nourrir le débat sur les questions qui restent ou qui méritent d'être encore plus creusées au niveau de la gouvernance foncière. Pour y arriver, au total, 70 articles provenant d'Afrique, d'Asie, d'Amérique et d'Europe ont été examinés. En Afrique, 8,1 à 15% des articles ont été produits par des chercheurs de la République du Bénin et du Sénégal, et 6,1 à 8% du Burkina Faso, du Mali et du Niger. 52,73% des articles proviennent de résultats internationaux, tandis que 36,36% et 10,91% ont été respectivement collectés à d'autres échelles nationales ou locales. Les principaux domaines de recherche de ces articles sont l'acquisition et l'accessibilité des terres rurales, les conflits liés à l'accessibilité des terres, la gouvernance foncière et les institutions, ainsi que les acteurs et la vulnérabilité. L'héritage est le régime foncier le plus répandu dans la plupart des pays d'Afrique, tandis que le régime foncier le moins répandu est le régime d'emprunt avec 23,67%. 85% des articles identifient les femmes comme les acteurs les plus vulnérables dans l'acquisition et l'accessibilité des terres rurales. Cette étude fournit un aperçu analytique des difficultés des femmes et des jeunes à accéder aux terres agricoles qui sont importantes pour augmenter la productivité agricole et pour améliorer les inégalités de genre dans l'acquisition et l'accessibilité des terres rurales.

**Mots-clés :** Gouvernance foncière, accès à la terre, développement rural, conflit foncier, Afrique de l'Ouest.

## Introduction

Traditional process of land inheritance is not only an economic good but rather a living space with multiple dimensions such as political, environmental, social, cultural and religious. In the Andean cosmovision, the earth represents the fertile mother who gives life and nourishes man (Charlier et al., 2014). Everything that man does is done on a space and therefore on the earth. The land is therefore sacred, it does not belong to the present generation, and it is lent by future generations and must be preserved. In the past, the occupation of a land perimeter by a social actor not belonging to the owner family was done on the basis of a sacrificial ritual sealing a pact between the newcomer and the mythical owners of this space, or the maleficent forces that occupy it (Charlier & al., 2014). This sacrificial ritual is done by the village chief, the head of the family or a representative. According to this access mode, the land is not bargained for, it is sold for a bottle or two bottles of drink liquors and a chicken to invoke the ghosts of the ancestors for peaceful cohabitation and "success" agricultural activities (Komona, 2014). During these last decades, with runaway demography, urbanization, globalization and general commodification, the land value is seen from another angle and access becomes difficult for some social strata (Wagemakers et al., 2009). Farmland is shrinking, cities are expanding, and the land value is increasing every year. Faced with this situation, the villagers are obliged to permanently maintain the areas they occupied, which has led to the

individualization of land rights, thus marking a break with the traditional access tenure under the village chief control to the benefit of a modern mode of access to agricultural land, which has become a market good, under the control of the heads of families. In this situation, some social strata such as young people, women and the disabled become vulnerable and their land power remains almost non-existent (Rakotomalala, 2014). They are left behind in the distribution of farmland, which increases the jobless rate and make high the gender inequality in rural land acquisition and accessibility. Young people already on the verge rush to urban centers and the majority of them become taxi-motorcycle drivers (Delville and Saïah, 2016). Women suffer and sometimes become enemies for the in-laws. They can only have access to the land by a right of usufruct which is often accompanied by restrictions, which can go so far as the prohibition to practice perennial crops and this right can be withdrawn at the end of the agricultural season or in case of separation between the wife and her husband (Chauveau and Jacob, 2006; Avohoueme and Mongbo, 2016).

This situation increases the rate of unemployed young people in cities and the suffering of women in households. This does not promote economic development and the empowerment of young people and women. To identify the different sources of this problem and to propose reforms that can ease the access of young people and women to farmland, it is important to take stock of the situation for better land governance in Africa and Benin especially. There is little documentation on land governance in Africa and most of the existing documents relate to specific countries or regions. With regard to land conflict, some studies have covered the field and identify women, young people and the disabled as vulnerable actors (Wagemakers et al., 2009; Leeuwen et al., 2016; Delville, 2018). In terms of land governance, the work carried out has treated a range of actors differently without showing their synergy and their specific role in the settlement of accounts (Angsthelm et al., 2010; Charlier et al., 2014; Perrin et al., 2016; Delville, 2018). This review has the challenge of making an inventory of land governance and access of young people and women to agricultural land. Specifically, it sets itself the task of identifying the different types of land conflicts, the actors of governance, and determinants of farmland price and land tenure systems.

Only the full text of the remaining 111 research articles was examined for its relevance to the research question. Two questions guided us in selecting the relevant item. These questions were: (i) has the study demonstrated its contribution through a case study (Elliot et al., 2019)? (ii) Did the case study address agricultural land/land governance and social conflict?

If the articles answered both questions positively, they were considered relevant to our research. Finally, only 55 of the 320 original literature articles met these criteria. This is the last set of documents used for this systematic review.

## 1. Methodological approach to research

We conducted a literature search of the databases while focusing on studies of agricultural land governance. We reduced the list of selected papers to three selection stages and the results were evaluated according to the main themes of investigation. The selection steps are shown in Figure 4 below. Information found in the literature has been used to describe pathways to a holistic integrated framework. We identified these pathways by examining some types of information in case studies on agricultural land governance. This information is used to integrate land conflict assessment and land tenure.

## 2. Inclusion/exclusion criteria and screening studies

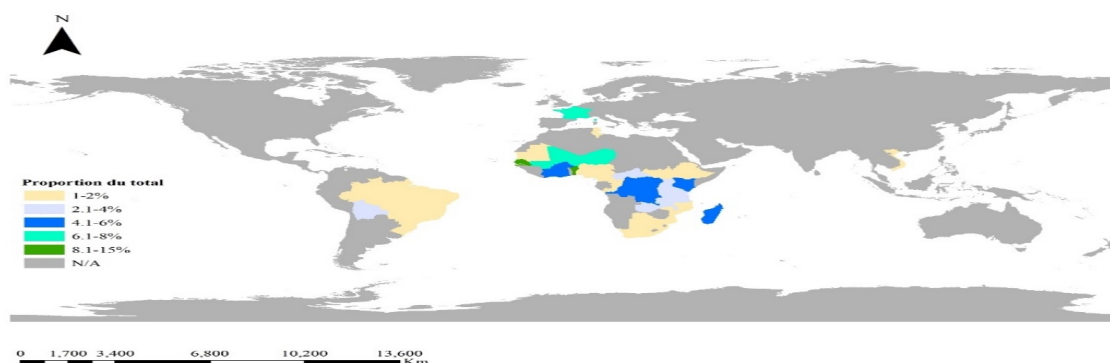
The search provided 320 abstracts (305 journal articles, 11 conference papers, 4 case-reports) that were read to find potential relevant publications for review. The abstracts were excluded if no information was provided on either the farmland/land governance or social conflicts with an overview on youth and women. From the abstracts, a total of 111 potential relevant publications were considered for the full review. The full text of these 111 publications was reviewed to identify those that provide information on either farmland/land governance, social conflicts, women or/and youth. Publications were excluded if the full text was neither in French, nor in English or if published in predatory journal. A total of 70 publications were ultimately used for this review. The data collected in the publications were grouped in four themes (rural land acquisition and accessibility, conflict of land accessibility, land governance and institution, actors and vulnerability) for the analysis and discussion.

## 3. Results

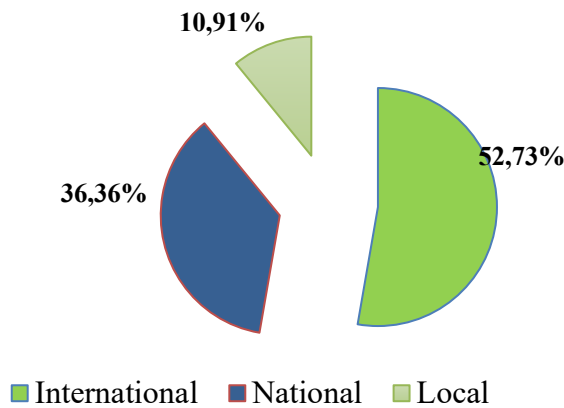
### 3.1 Spatial and scale distribution of research

The number of the current reviewed papers is increasing in Africa. For example, 8.1 to 15 % come from studied in Benin and Senegal, and 6.1 to 8 % from Burkina Faso, Mali and Niger (Fig. 2). In Europe, papers are mostly from French. Brazil and Bolivia are countries of South America where 2.1-4 % and 1-2 % of papers have also been obtained. In Asia, only Vietnam is the country in which 1-2 % of the papers were obtained for this review. Finally, most of the papers used in this review were collected in sub-Saharan Africa (Fig. 2). In terms of the scope of the studies, the reviewed papers were mostly from the study conducted internationally. The figure 3 showed the percent of papers from different scale of the study areas. Thereby, 52.73 % were from international scale when 36.36 % and 10.91 % were respectively form national and local scales. No difference was found between countries and the scale of study in Africa.

Fig. 1 Map of spatial distribution of the reviewed papers in the world



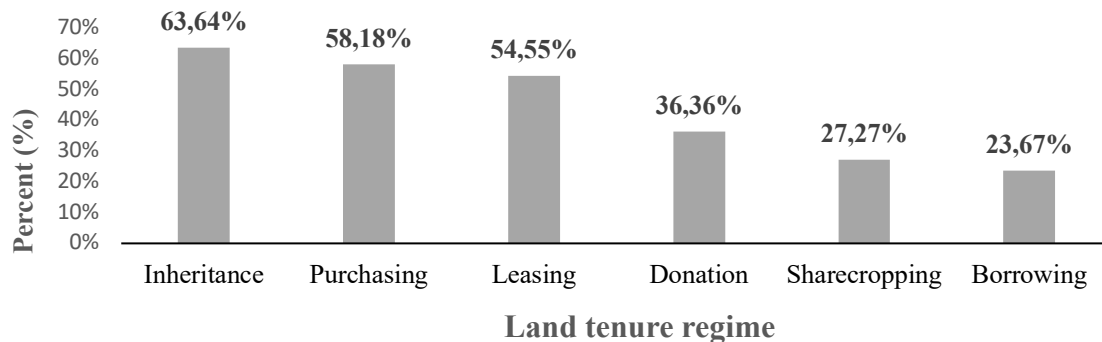
Source: field data, 2022



**Fig. 2** Scope of studies in the reviewed literature

### 3.2 Rural land acquisition and accessibility

Several regimes can be accounted for rural land acquisition in Africa (Coulibaly, 2022). Thus, six different types of land acquisition regimes have been found in the papers (Fig.4). In this context, inheritance is the most common regime of land tenure in most cases



(Charlier et al., 2014; Otsuki et al., 2017). Moreover, land acquisition can be also made through the purchase, the lease, the donation, the sharecropping and borrowing (Kadjegbin et al., 2018; Afolabi et al., 2021; Akolgo-Azupogo et al., 2021) (Fig. 4). Inheritance and purchase tenure patterns were identified in 63.64% and 58.18% of papers reviewed, respectively. The smallest land tenure scheme was the borrowing regime with 23.67% and ranked behind the sharecropping regime (27.27%). The decline in the borrowing regime could be explained by the depletion of available land due to the population explosion and the increase in insecurity and land conflicts.

**Fig. 3** Percentage of the reviewed land regimes

### 3.3 Conflict of land accessibility

The dynamics of the land system are influenced by land access, control and use factors that lead to a complex set of land claims and conflicts (Deneault, 2012). Three different types of land conflict (Conflict of right of ownership, Conflict of right of use and Conflict of right of ownership and use) can be recorded in the reviewed papers (Table 1). The studies carried out in whole Africa accounted respectively 28.57 %, 25 % and 5.88 % for ownership right conflict (Mansion & Broutin, 2013; Thomas et al., 2020), use right

conflict (Range, 2018; Di Roberto, 2020) and both ownership and use right conflict (Afolabi, 2021). In addition, it has been observed, not more than two studies conducted in the individual country on land conflicts. These conflicts can be found between people intra and inter-family (Wagemakers et al., 2009; Di Roberto, 2020), between people inter-customary (Chauveau & Jacob, 2006) or inter-community (Komena, 2014). According to Deininger et al. (2014), land conflicts usually occur after the fraudulent allocation of land propriety to economically or politically influential people (Lavigne-Delville, et al., 2009, Deininger et al., 2014; Range, 2018). However, the slight land conflicts can be arisen due to the land border opposing members of families, communities, villages or land users (Jayne et al., 2016; Aloko-N'guessan et al., 2018).

**Table 1** Distribution of publication percentages on land conflicts in Africa

COUNTRIES	CONFLICT OF RIGHT OF OWNERSHIP	CONFLICT OF RIGHT OF USE	CONFLICT OF RIGHT OF OWNERSHIP AND USE
<b>AFRICA</b>	28.57% (Lavigne-Delville et al., 2009 ; Van Der Zwan, 2010 ; Mansion & Broutin, 2013 ; Thomas et al., 2020)	5.88% (Afolabi, 2021)	25% (Range, 2018 ; Di Roberto, 2020)
<b>BENIN</b>	7.14% (Chauveau & Jacob, 2006)	5.88% (Lavigne-Delville, 2018)	
<b>BOTSWANA</b>		5.88% (Kampamba et al., 2019)	
<b>BURKINA-FASO</b>	7.14% (Chauveau & Jacob, 2006)		
<b>BURUNDI</b>	7.14% (Claessens, 2021)		8.33% (Leeuwen et al., 2016)
<b>CONGO</b>		5.88% (Wagemakers et al., 2009)	
<b>COTE D'IVOIRE</b>	14.29% (Chauveau & Jacob, 2006 ; Aloka-N'guessan et al., 2018)		8.33% (Komena, 2014)
<b>ETHIOPIA</b>			8.33% (Kirigia, et al., 2016)
<b>GAMBIA</b>		5.88% (Deininger et al., 2014)	
<b>GHANA</b>		11.76% (Nolte and Väth, 2015, Deininger et al., 2014)	8.33% (Akolgo-Azupogo et al., 2021)
<b>KENYA</b>		5.88% (Nolte and Väth, 2015)	8.33% (Kirigia et al., 2016)
<b>MADAGASCAR</b>		5.88% (Deininger et al., 2014)	8.33% (Kirigia et al., 2016)
<b>MALAWI</b>		5.88% (Deininger et al., 2014)	8.33% (Kirigia et al., 2016)
<b>MALI</b>	7.14% (Chauveau & Jacob, 2006)		8.33% (Kirigia et al., 2016)
<b>MAURITANIA</b>		5.88% (Deininger et al., 2014)	8.33% (Kirigia et al., 2016)
<b>MOZAMBIQUE</b>			8.33% (Otsuki et al., 2017)

<b>NIGERIA</b>		5.88% (Deininger et al., 2014)	8.33% (Kirigia et al., 2016)
<b>SENEGAL</b>		5.88% (Deininger et al., 2014)	8.33% (Kirigia et al., 2016)
<b>SOUTH AFRICA</b>		5.88% (Deininger et al., 2014)	8.33% (Kirigia et al., 2016)
<b>SOUTH SUDAN</b>		5.88% (Deininger et al., 2014)	8.33% (Kirigia et al., 2016)
<b>RWANDA</b>	7.14% (Claessens, 2021)		8.33% (Kirigia et al., 2016)
<b>RDC</b>	7.14% (Claessens, 2021)	5.88% (Deininger et al., 2014)	
<b>UGANDA</b>	7.14% (Kjær, 2017)		8.33% (Kirigia et al., 2016)
<b>TANZANIA</b>			16.67% (Kironde, 2009; Kirigia et al., 2016)
<b>ZAMBIA</b>	7.14% (Nolte, 2014)	5.88% (Nolte, 2013)	

Source: field data, 2022

### 3.4 Land governance and institution

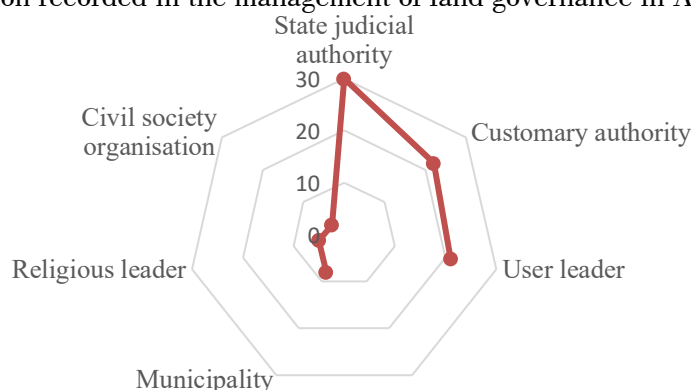
Land governance includes decision-making about land access, land rights and use, and land resource management. Broadly speaking, these decisions are taken by land governance institutions (Leeuwen et al., 2016; Perrin et al., 2016; Lavigne-Delville, 2018; Debonne et al., 2021). For example, 100% of the articles have reviewed that state institutions were heavily involved in land governance. These state institutions are represented at various levels where requirements should be revealed. Locally, the institutions involved in land administration and management, particularly in terms of land information (land registers), are the municipalities (Ekpodessi & Nakamura, 2018). In addition, central government institutions often play a role in producing and storing legal and para-legal land laws. Thereby, land tenure legislation and regulation, and land management laws are specific to each country and regarding to the constitution of the country (Manji, 2020). Likely, land tenure legislation and regulatory framework in many African countries is rooted in colonial and post-colonial context (Ekpodessi & Nakamura, 2018). Therefore, in the current situation of the increasing population demography, land tenure security decreases causing violent conflicts over land and food insecurity. This paper also revealed the customary institution's importance in land governance mainly in rural areas. Indeed, 100% of the documents used showed the most significant implications of traditional authorities in the regulation of land tenure and the management of land issues related to the security of agricultural land. According to several authors, these institutions set out the rules and regulations that govern land use, including access to and availability of land (Abdulai & Ndekugri, 2007; Van Leeuwen, 2014; Biitir & Nara, 2016). Land laws in African countries can be formal and informal, especially if they have been respectively established by the state institutions and the customary institutions (Wagemakers et al., 2009). In all cases, formal laws are constantly reviewed because of legal reforms in each country, despite the fact that the basic colonial base is often preserved. For example, land laws were revised in 1991, 1996 and 2012 in Burkina Faso by introducing new decrees (Coulibali, 2022). A similar situation was observed in many countries such as Cameroon (Milol, 2007), Benin (Angsthelm et al., 2010;



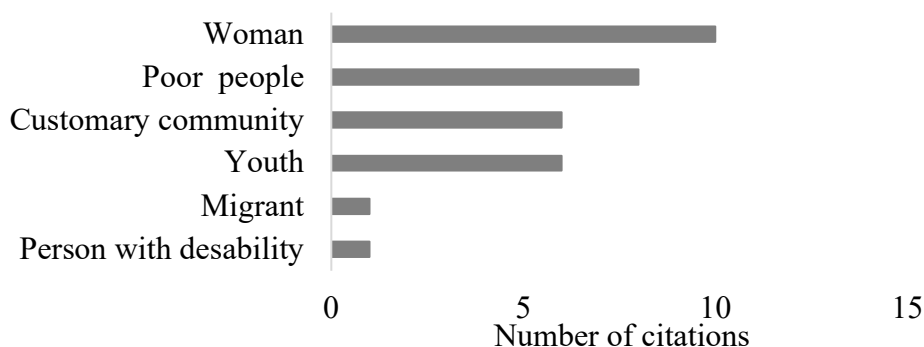
Avohoueme and Mongbo, 2016; Ekpodessi & Nakamura, 2018), Mali (Koumare, 2022), Zambia (Kironde, 2009) and the Central African Republic (Mbetid-bessane, 2014). Number of limits were revealed in the implement of the formal laws. 80% of the articles showed that there is multifaceted corruption in the implementation of land laws in the field. However, according to Kironde (2009), there is a disengagement from land investment due to the arbitrary application of land laws in a number of African countries. Nolte and Vāth (2015) found that the application of formal legislation narrows the gap in women's access to land in many areas. Also note that customary land laws and regulations are not usually universal and are often tainted with corruption. (Kirigia et al., 2016).

### 3.5 Actors and vulnerability

The result showed the high intervention of the state judicial authority in the exercise of land governance. Therefore, 30 citations of state judicial authority were identified in the reviewed articles (fig. 5). These state authorities should be represented at diverse levels from ministries to decentralized territorial agencies (Avohoueme and Mongbo, 2016; Thomas et al., 2020; Debonne et al., 2021). There are also the authorities of research institutions and universities who intervene in land legislation and regulation in many countries (Sylla et al., 2013). The results showed that the customary authority and the user leader are actors who govern the accessibility and safety of the land at the base (Lavigne-Delville, 1998; Kirigia et al., 2016). These actors have been quoted 22 and 21 times respectively in reviewed papers (fig. 5). In addition, it was noted that the municipality, religious leader and civil society organization are increasingly influential in managing rural land governance in Africa. The fig. 6 showed the important vulnerable actors of rural land governance in Africa. Women have been identified as the most vulnerable actors in the acquisition, accessibility and security of rural lands. According to Avohoueme and Mongbo (2016), there is an uneven distribution of agricultural land by age, gender and status of the farmer and women and youth are almost excluded from access to land ownership. In many rural African areas, women have generally access to land ownership through their husbands. Therefore, this could make divorced or widowed women particularly vulnerable, those in polygamic marriages, and those with only female children, especially when customary protection mechanisms are increasingly under pressure (Leeuwen et al., 2016). The poor people are also found most vulnerable and followed by customary community and youth. This result may be supported by the multifaceted corruption in the implementation of land laws (Kampamba et al., 2019; Thomas et al., 2020). Consequently, much work needs to be done to reduce the usual cases of corruption recorded in the management of land governance in Africa.





**Fig. 4** Importance of actors involved in land governance**Fig. 5** Distribution of the vulnerable stakeholders in land governance

### Conclusion

This review article focused systematically on land governance, institution of land management, rural land acquisition and accessibility, conflicts and actor's vulnerability to get insight on future research in Africa. A total of 320 abstracts were screened in order to have the potentially relevant papers where 55 publications were finally taken into account in this review. Number of land governance studies were carried out in Sub-Saharan Africa. Thus, 8.1 to 15 % are from Benin and Senegal, and 6.1 to 8 % from Burkina Faso, Mali and Niger. In terms of the scope of the studies, 52.73 % of the publications were from the international studies. Inheritance was the most common regime of land tenure in the most of the cases studies while the smallest land tenure scheme was the borrowing regime with 23.67 %. According to land conflict distribution in the whole Africa, the ownership right conflict was recorded in 28.57 % of papers, use right conflict in 25 % papers and both ownership and use right conflict in 5.88 %. These conflicts occur after the fraudulent allocation of land propriety between people intra and inter-family, people inter-customary or inter-community. 100% of papers found that the state institutions and traditional authorities were heavily involved in land governance. Also, formal laws are constantly reviewed because of legal reforms in each country, despite the fact that the basic colonial base is often preserved. 80% of the articles showed that there is limitation of the law because of the multifaceted corruption in the application of land laws in the field. Thus, women have been identified as the most vulnerable people in the acquisition, accessibility and security of rural lands. Consequently, much efforts needs to be done to reduce the usual cases of corruption recorded in the management of land governance in Africa. This review could also help to identify the area of study gap for future orientation in Africa and specially land governance assessment and the implications for youth entrepreneurship in rural areas. The review focused on 24 years period (1998–2022) and could exclude relevant publications neither in English nor in French. This may decrease some information pertain to this review focus. However, the evidence provided by this review on studies summary of rural land governance, land accessibility and security strategy is an important information for the upscaling of study perspective in Africa and especially in West Africa.

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### **Author contributions**

RPMK proposed the topic and collected papers. KMN collected papers and revised the manuscript. MYZ contribute to database. MNB revised the manuscript. GCA contribute to the collection of papers and wrote the manuscript.