Changing Land Reforms and Conflict Over Land in Sub-Saharan Africa

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ABSTRACT Among other issues, right to property and settlement have been the major causes of conflicts in Africa, especially with regard to land and land resources, which is perceived as a common holding that binds generations past, present and future together. Unfortunately, this notion about land is either rarely or not considered in the process of land reforms. There have been series of redefinition of right to land in various countries of the continent, to the extent that there are confusions regarding what the standards are, culminating in pressures and contestations over land between and betwixt groups. This paper presents the African conceptualization of land and importance of land to the people, the philosophy underpinning land reforms by African leaders, and how the implementation of these reforms generate conflicts.

INTRODUCTION

A close examination of the scenario in most societies in sub-Saharan Africa will attest to the fact that a lot of changes are taking place in the social, economic, political and other aspects of life of the people of the continent. Notable among these changes is the status of individual and group members of various African societies to land. In other words, ownership of land in most countries in the continent has exchanged hands right from the period of colonialism. The advent of colonial power positioned ownership of land to the government through land policies and legislations as it was the case in Nigeria Land and Native rights proclamation of 1910, thereby creating a shift from the traditional African concept of right to land to an alien one. These new legislations were more or less an extension or exportation of European colonialists' idea about land to African societies. After independence, the postcolonial African nation states governments embarked on what may be termed revolutionary legislations to redress or at the extreme cases undo what the colonialists have done with regard to land legislations. There were great hopes that these attempts would yield positive dividends, which will at the end make people get what belongs to them but the extent to which this guess is correct leaves a lot to contentions.

Instead, it appears that the emergent African leaders with their new land policies took the inherent long existed notion of land with its cosmological implications in most African societies for granted, and continued on the ways of the colonialists. They seem to have made no determined effort to redress the situation of African peoples, especially the rural peasants who for some decades were relegated to their landless status, as it were clearly the case in most East African countries, Kenya, Uganda, and Tanzania. The fact still remains that peasants are dispossessed of land which is their historical, ancestral, spiritual, cultural and economic heritage. From the perspective of these land policies, the indigenous people have become tenants on their own lands according to the dictates, interpretations and application of the various land policies. Far from being leasers of land to the settlers, government and its agencies, they are in most part of the continent leaseholders at present time and landless in some parts. This changing position has been one of the problems and worries among many societies in the continent, which had led to liberation struggles, notably in Zimbabwe (Cliffe 2001) and other African countries, where ideas about land and not just competing claims to land alone, were at the heart of one renowned episode in *Meru* land of Tanzania (Spear 1996).

It is obvious that the assemblage of the various land regulations and policies at different periods from the colonial through the post colonial era, coupled with the indigenous arrangements on ground created a sort of confusion about land in most parts of the continent. While the urban dwellers could contend with the westernized colonial and post-colonial regulations

to land, the rural peasants are found within the confines and paradox of the native, colonial and post colonial land regulations to contend with in their lives. The main thrust of this paper therefore is to address the implications of the conflicting land reforms, and how land relates to conflict situations in the African political and social landscape.

METHODS AND SOURCES OF DATA

This paper relied mainly on the secondary sources of information. In other words no empirical fieldwork aimed at data collection was carried out in the process of generating data, although, the researcher's informed knowledge and guesses (*emic perspective*) about the subject matter and the areas of coverage represents a veritable source of information. Secondary data utilized for this discourse include gray literature, government gazettes, publications and periodicals, newspapers and text books. Data extracted from these sources were sorted in a manner that they became useful in the write-up of this paper through a systematic content analytical technique.

OBSERVATIONS AND DISCUSSION

Importance of Land to Peoples' Livelihood in Sub-Saharan Africa

Economically, land means much to Africans. Livelihood in Africa depends so much on land, especially due to the agrarian nature of the societies where over 70% of its population live in rural areas and engage in peasant agriculture. It is true and should be stressed that the use of land for direct production of livelihoods contributes less of a proportion than in the past due to the occupational changes that occur across the societies of the continent but this change in production has not substantially altered the relevance of land to the people and societies of Africa. The importance of land irrespective of various competing conditions is not proportionately reduced because land still provides a portion of livelihoods that may be the difference between survival or not. Indirectly, land offers the base structure, and sometimes the only basis for social security throughout life among Africans. The question then is what could be more basic to people's livelihoods and survival

than land? In a practical sense, what is usually seen as relationship of a people or household to a small plot of land usually has a complexity that poses a great intellectual challenge for the outsider to comprehend. As Cliffe (2001) noted, in *Arusha* and *Meru,* people sustained more subtle and complex ideas about land. Land did of course have singular economic significance for people who relied on it to produce virtually all of their economic, alimentary as well as social needs where land was the source not only of good, but also wealth in disposable land surpluses.

Meaning of Land in Indigenous Sub-Saharan Africa Societies

In most sub-Saharan African societies, land by its nature is regarded as the economic and subsistence base of a people. The economic importance of land accounts for its use as the base for agricultural activities in the predominantly agrarian societies in African continent. It forms the ecological background in which social, political and economic activities of a people are determined (Obioha 1992). Physically, land therefore becomes the progenitor of not just wealth but overall existence of a people. Settlement, farming, and other aspects of source of human existence are interrelated in one way or the other to land. Land in most Africa societies includes the soil and things on the soil, which form part of the land in which they exist (Coker 1961; Lloyd 1961; Obi 1963). Irrespective of what may be the slight variation from the studies of the above authors, the common conception as regards the African ideology, belief, ethos and worldviews about land remains basically the same.

Beyond the physical and subsistence based meaning, Africans see land as an object that has spiritual and other implications. It is perceived as a birth right of every male child in the patriarchal societies and an aspect of man's socio-political status as it is the case among the Tivs of Nigeria, captured in Bohannan (1953). Most societies in Africa perceived land as a common property that serves as a link between the living, the dead and the unborn members. It is a common holding and a piece that binds generations past, present, and future together. The living members of African societies hold their ancestral land handed down to them by the dead, in trust for the future members. The above state-

ments suggest the notion for sacredness of land in Africa (Obioha 1992; Obioha and Molapo 2007; Obioha 2008a).

The political conception of land has made it a point of discord among peoples of African origin. In Africa, land was used as the measure of wealth and political strength of each group, the amount of land acquired by each group depicting its prowess in the past, and even contestable in the present political dispensation. Being alienated from ones own land is perceived as the worst deprivation that could occur to any living being. The history had it that the colonial masters found it extremely difficult to alienate Africans from their land in spite of the cons, tricks and violent modes they adopted in the process (Obioha and Molapo 2007).

These emerging conceptions and views about land in most societies in sub-Saharan Africa societies point to the fact that the meaning of land in relation to African concepts of property relations is radically different from the conventional ideas in the western society. Therefore, contestations over these conceptions and ideas about "land to the people of Africa" may amount to more than just an intellectual wrangle, but also some far reaching prejudices. The various meanings attached to land in most African societies could be perceived as unitary in nature with basic commonalties as a result of certain historical, cultural, magical and religious beliefs and emotional identities that run across societies in the sub-Saharan Africa. These factors have serious impact on the type of land tenure practiced in any society (Adigwe 1992).

Pre-colonial Land Tenure System in Sub-Saharan Africa Societies

Land tenure may be defined as the terms and conditions on which land is held, used and transacted (Adams et al. 1999). The system of land tenure governs the traditional or legal rights individuals or groups have to land and the resulting social relationships among the rural population. Its components are the system of land ownership and system of labour organization. In accordance with the existing conditions in sub-Saharan Africa, land tenure systems have developed throughout the societies, whereby both natural conditions (climate, soil conditions, topography) as well as social factors (socio-cultural values, political ideology, level of techno-logical development, population trend, changes in the cost price relationships, etc.) played a role.

In most African societies before colonialism, land tenure is a subject that goes beyond present generations. Indeed, both the generations past, present, and unborn are equal stakeholders to land in African context. The rules and regulation stipulating the tenure system forms part and parcel of customary laws and custom of every society. Customary land laws as practiced in Africa in essence constitute the rules, which guide the ownership, use, and acquisition of land in Africa. Lloyd (1962) described these laws as natural laws and customs, which are ancient and observed and their supposed antiquity being the basis of their authority. These land rules in Africa are not written; rather they are oral in nature and transmitted through generations by folklores and oral traditions. These laws define the working framework of tenurial procedures such as inheritance rule, land pledging, gift land and kola tenancy, to mention but a few. Thus, the operation and existence of these laws is intricately connected with the meaning of land to Africans before colonial rule.

With regard to the concept of ownership within the entire framework of the tenure system, land ownership system in Africa is contentious in nature, although there are several common grounds on which various societies' type and system converge. There appears to be no monolithic opinion on whether there was a common land ownership pattern that got across all African societies. However, the system of land holding recognized by most societies in Africa according to their customary laws was neither absolutely communal nor individual ownership in nature (Elias 1951). The relationship within cultural groups in Nigeria for instance is invariably complex, such that the right of individual members co-exists with those of group (community, family, and lineage) in the same parcel of land. An individual member of a family, lineage or group has only right of possession and use of land rather than that ownership. In espousing this view, it could be deduced that both the individual and the community have different kinds of right and interest in any particular piece of land that exists. Thus, while the individual holds land in trust for the community or family, the community claims the overall control. A study by Jones (1949) on the Igbos of South-Eastern Nigerian suggests that every land be-

longs to a group of people either a lineage or a community, there is no concept of abandonment of land or "no man's land". Land whether cultivated or not belongs to a lineage and within the lineage the individual has security of tenure and use of the land he needs for specific needs such as building his house, farming and other economic activities. The absence of notion for free land pre-supposes that there was no individual free access to land without the backing of the community. Land in most African societies is strictly a communal heritage and property (Ekong 1988).

The view that land in most African societies is strictly a communal property is to some extent limited to some societies and cannot be adjudged to be universal. For instance, among the Bugisu, Gayer (1957) found that individual land ownership exists, which practically provides for buying, selling, giving, exchanging, lending and short term leasing of land before colonialism. Though, Gayer was not emphatic on the magnitude, pattern and extent of the practice before colonialism, which created more fledging and consequently fertile ground for the practice in terms of laws that enable individualism and by extension individual ownership of land. Communal land and individual land strictly co-existed and are observed, although this practice may be one of the results of evolutionary processes and changes in cultural practices. More succinctly, communal lands among the Igbo are those held by community for purposes of common interest, while individual lands are those that surround individual houses (Obioha 1992) on which individual members of various communities have absolute right to use and not to dispose of it, which condition does not make land an individual property in the society. Irrespective of the individual occupation of parcels of land probably because of the settlement pattern of the society as it was the case among the Igbo of Nigeria, the common feature that runs across most societies and ethnic groups in Africa is the communal ownership of land. Similarly in Southern Africa, Beinart's fascinating case of Pondoland in present day Republic of South Africa illuminates that the Chiefs certainly did not exercise their power primarily by controlling access to specific pieces of land. In this case, once a group had been accepted by the chief and had an area of settlement pointed out, the distribution of land for cultivation was largely left to individual homestead heads. The Chiefs did, however, exercise more direct control over communal resources such as the major forests (Beinart 1982) and "unoccupied" lands.

Quite fascinating about communal ownership of land, especially with regard to African societies is the assumption that individualism and personal greed was not widespread before colonialism. Across the societies and continent of Africa, the communal tenure system is sustained by some factors, which range from religious ideology, politics, and economy. In an attempt to describe these underlying features, Colson (1971) specifically, highlighted the fact that land was bounded up with the religious ideology, politics, economy and social organization of the natives of Valley Tonga of Zambia, and which is customarily connected with the entire social structure as Dike (1983) also observed among the Igbo people of southeastern Nigeria. Another important factor is the consideration that land was not perceived as scarce and "valuable". The concept of valuable implies that land is neither a commodity nor monetarily transferable asset, priceless and therefore cannot be put to a particular cost. Biebuyck (1963) in his book *African Agrarian System* enunciated that land was in abundance in consideration with the population before colonialism in most African societies, and was relatively within the reach of every member of a community, as Brack (1961) proffered among the *Mbozi Nyihe* of South Western Tanzania. Generally, it is a consensus among scholars and observers that land use in Africa is one where any one who wanted land simply go out and cultivate some unemployed portions. Furthermore, the existence of the rule of inalienability of land in Africa is one of the factors that sustained communal claim to land. Individuals who have access to lands do not have the right to dispose of such lands for personal monetary or financial gains because of the religious or magico-religious attitude and belief of Africans towards land. Price (1933) and Green (1941) found that in most African societies, the myth of the original ancestor according to which common origin of the members of a community is traced, renders inconceivable the giving away of ancestral land to non-autochthonous individuals or groups. In this regard, community and family land have been held inalienable from a desire to preserve it for the requirements of the owning group, past, present and

future. Biebuyck (1963) observed also that in many situations, the growth of a feeling of insecurity and of hostility towards outsiders, as the outcome of increased land scarcity and greater demand for land, have resulted in stressing the concepts of inalienability, of group ownership and of ritual sanction in land tenure. This has generated some unanswered questions, tensions and compromises towards the inalienability, owing to the demystification of the age long held "ancestral possession notion".

In most societies in Africa, even though there is a common believe that all existing land belong to the communities or groups, the individual members still maintain certain rights over some lands. This brings to question, the issue of acquisition and occupation of land by individuals in various communities. Effective occupation is a rule through which original title to land can be acquired. It entails a claim by first consistent settlement. Rights on lands acquired through this means by individuals are usually strong, which customarily involves the ability to clear, farm, settle, and develop a virgin piece of land. This rule and procedure was employed as the means of land acquisition during the early settlement period of the indigenes of various towns and villages in Africa (Obioha 1992).

Following the argument on the system of land tenure in most African societies, two basic systems could be identified– communal and individual systems. However, even though both systems are practiced side by side with each other, the meaning and position of the communal system overrides the individual interest. Thus, it could be concluded that irrespective of the more pronounced "individuality" in some parts of Africa, land in most sub-Saharan African societies was communally based. It is important to note however that the notion of communal tenure system which makes land a common property of the community does not mean that every individual have equal access as it is supposed to be. For instance there was no equal access to land between male and female members of most societies in sub-Saharan Africa that were patriarchal. Most societies limited the original right of access to land only to taxable adult male members of their communities. In this regard, women can only take part in the use of land either through their fathers or husbands as it was the case. For instance in pre-colonial South Africa, even though women do not have direct

share of land from the community, yet land was allocated to families, and women had strong rights within the family (Preston-Whyte 1974: 180; Simons 1968: 194; Wilson and Elton Mills 1952: 133). Despite the strengthening of male control over land, women are often the primary users of arable land and the obligation to provide family members with access to the means of livelihood has remained a strongly held value and norm. Therefore, the impression that women had limited access to land in the pre-colonial period seems to be wrong to some extent. Walker (2002: 11) pointed out that the interpretation of 'customary' law by colonial administrators and magistrates served to strengthen, not weaken, patriarchal controls over women and to freeze a level of subordination to male kin (father, husband, brother-in-law, son) that was unknown in pre-colonial societies. For other different social categories that existed in the societies, there was also somewhat an unequal distribution of land among members. This brings up to the fore that one can not rule out that there was somewhat class conflict in most African societies in relation to land.

Colonial Land Reforms and their Implications on the Tenure System in Sub-Saharan African Societies

During the colonial era, the colonial masters embarked on some land policies that sustained their administration in African countries. In Nigeria for instance, during the last ninety-two years, various land policies have been enacted. Their scope for the most part has been regional rather than nationwide, which ranged from *Land and Native Rights Proclamation of 1910* to the *Land Tenure Law of 1962* of the northern region of Nigeria (before the republican status in 1963). Similarly, colonial land reforms were made in Kenya, Zimbabwe, and other African countries before their independence. These colonial reforms, however led to far reaching disadvantage to African natives who were mostly rural peasants. In South Africa for example, the distortions in the contemporary reality of 'customary' or 'communal' land tenure can be understood only in the context of the centuries old history of dispossession, state intervention, and a variety of localised reactions and adaptations. These were accompanied by fundamental modifications of indigenous land regimes to a very

large extent, which is tantamount to their complete destruction or replacement as could be interpreted from 1913 Land Act promulgated under the Union of South Africa. A complex and regionally specific history of conquest and settlement saw white non-natives sometimes referred to as "settlers" taking possession of most of the land surface of South Africa with state policies that reconfigured the livelihood and land tenure systems of the indigenous populations in ways that served the interests of the dominant classes, including most White population during the apartheid era. The act decreed that only certain areas of the country could be owned by natives. These areas until late nineties totaled only 13% of the entire land mass of the Union of South Africa (Collins and Burns 2007: 346). The act created a system of land tenure that deprived the majority South Africa's inhabitants of the right to own land which had major socio-economic repercussions.

Similarly, in Southern Rhodesia during the colonial period, farm workers were not considered as a relevant category in discussion of the racial land division. Instead the concern of the colonial masters was balancing (in a highly unequal manner) the "needs" of European farmers with those of "native" (Moyo et al. 2000). In South Africa, a number of scholars have described the extensive reconfiguration of 'custom' that took place in the early colonial period in relation to land matters, which involved not simply the imposition of Eurocentric views and prejudices on the part of colonisers, but creating an environment that was for their own interest. This new land policies 'feudal' model fitted well with British ways of thinking about states and societies, linked British land law and colonial contexts, and served the interests of regimes seeking to acquire land for settlers (Chanock 1991).

In most societies of Africa, the process and eventual outcome of the colonial land policies or reforms were unprogressive when the interest of the native rural peasants is considered. Study from Kenya (Alila et al. 1985) enunciated that Kenya experienced traumatic changes in land tenure systems beginning from 1895 colonial inception. The most significant change involved the colonial introduction of a completely new mode of production, which could be categorized as a capitalist mode from socio-political economy point of view. This new mode in agri-

culture especially forced a new relation with land both in terms of ownership and infrastructure on African people. In the process, the colonial administration alienated huge tracts of land from the African natives, and thus reducing their status from that of rightful owners or users, to non-owners and no-rightful users of their land of inheritance. The 1913 Land Act in South Africa entrenched existing reserves or 'locations' and the overall distribution of land within which scheduled "native areas" covered 7% of the land area. The 1936 Land and Trust Act added another 6% to this, bringing the amount of land reserved for African occupation to 13%. This land became the African 'homelands', or Bantustans, under apartheid. In these areas land-holders' rights to transfer or bequeath land were limited, the size of allotments was set, and women's land rights were circumscribed (Cousins and Claasens 2006: 4).

The second phase involved the employment of the alienated Africans as squatting labourers in the alienated land now owned by European settlers, which confirms permanent separation from the land they now worked on. In Kenya, colonial appropriation of land and alienation of a large section of the African people produced a situation where by 1930, probably more than 15,000 Kiambu Kikuyu had lost their land ownership while a similar number lost their communal or "tenant at will" use of land. A total of over 45,000 people lost their land among the Kikuyu of Kenya (Sorrenson 1968). By 1945, there were about 202,000 squatters and labourers in European farms within the Kikuyu areas of Kenya. Even though there were no immediate available estimates for other areas of Kenya where colonial alienation of land took place, a total of more than 7.5 million acres of land had been alienated and were in the hands of about 3,600 European farmers (IBRD 1963). Meanwhile, only 11.65 million acres out of the un-alienated 120 million acres were available for cultivation by the African population. It could be recalled from Kenya case that these colonial land reforms affected the relationship between Africans. The process of alienation took a fresh turn when competition among Africans for the little land in the reserve began, in which several litigations favoured the wealthier Africans (Alila 1985). Africans were forcefully removed from their own fertile land and thrown into the less favourable lands, as it was the case with the *Masai of Na-*

kuru and *Laikipia* districts that were thrown into *Narok* and *Kajiado* districts. The ultimate aim of the colonial masters was to create landlessness and therefore consequent poverty among the African peasants in Kenya. Further confusion was created and a deeper alienation entrenched when the idea of creating cheap labour was conceived by the colonists. In South Africa, the situation was more intense and oppressive as African 'reserves' were created, as a way of containing resistance and to facilitate the supply of cheap labour for the emerging capitalist economy. They also lowered the cost of colonial administration through a system of indirect rule, within which traditional leaders undertook local administration on behalf of the state. Many Africans, especially on the *Highveld* and in *Natal*, continued to live on white-owned farms and for decades remained the main agricultural producers as labour tenants or sharecroppers. The experience of the dispossessed was quite unimaginable as loss of land in African conception implies loss of self, identity and other important connotations to land.

However, as there were in other societies in Africa, in Kenya, the colonial administration consolidated its hold on land through the Swynnerton Plan of 1953. The plan was to set in motion a drive to alter the notion and fact of land ownership, as well as the attitude of Africans towards land as an indispensable means of subsistence (Swynnerton 1955). Under this plan, the small pieces of land scattered in several areas were to be consolidated into single units registered under individual ownership. This was a departure from the traditional land tenure system in which communal ownership or control and disposal of land prevailed in most African societies. Through this means, it is evident that the western private property rights would be extended to the African societies in Kenya. In Nigeria also, similar colonial reforms led to reservation of some areas known as Government Reservation Areas (GRA) in all the cities of the Federation. These areas were in most cases the best part of the cities both in context and quality of life. Similar practice in South Africa metamorphosed into segregating the country into areas that could be inhabited by whites alone and the rest unclassified zones before the end of apartheid regime. This was given effect from the promulgation of the unpopular group area Act. Studies have shown the impact of colonialism on the existing land law system and tenure pattern in some countries in the sub-Saharan Africa. Specifically from gender relation perspective, the colonial land policies widened the gulf between men and women in relation to land to the disadvantage of the womenfolk. From this point of view, Walker (2002) emphasises shifts in the character of women's land rights, in the context of pressures towards individualised interpretations of custom:

…the interpretation of 'customary' law by colonial administrators and magistrates served to strengthen, not weaken, patriarchal controls over women and to freeze a level of subordination to male kin (father, husband, brother-in-law, son) that was unknown in precolonial societies… this project involved not simply the imposition of eurocentric views and prejudices on the part of colonisers, but also the collusion of male patriarchs within African society, who were anxious to shore up their diminishing control over female reproductive and productive power' (Walker 2002: 11).

Chanock (1994:84) concludes that an indigenous system of land tenure did not exist under colonial conditions', and that its 'shadow' was used to deny the establishment of freehold tenure for Africans in an increasingly capitalist economy; this also 'distorted the rights recognizable and could be asserted in the customary one. What Chanock tried to justify is the fact that the colonial administration in various sub-Saharan African countries before independence deliberately sidelined the notions that may be interpreted as the indigenous systems. From a stronger perspective, Biebuyck's (1963) overview of changes in land tenure in the early colonial period notes the influence of a growing scarcity of land due to increased population, agricultural development, the development of new markets and growing demand for good quality land; new ideologies of inheritance and economic co-operation; new legislation and interventions by the courts; and large-scale resettlement of people. He emphasises the wide range of responses by people to these changes – sales of land became widespread in some areas, but elsewhere remained repugnant; in some places rights became highly individualised, in others they remained under the control of groups or political authorities. A general tendency where land was held in common by villages was for inheritance rights to fields to be exercised more strongly by

individuals and families; where it was held by kinship groupings, the size and genealogical depth of these groups tended to shrink. As a result of change in the economy from peasant cropping to cash cropping among the Gwambe Tonga people began to evaluate their old land in new ways, which is also a corollary of the introduction of money economy (Colson 1971). Similarly, Dike (1983) in his examination of the change in status of land among the Igbo of Nigeria also attributed the change in perception of land to several factors, which include contact with the European culture, the development of urban centres, the introduction of money in the economy and increase in population. The emergence of sale of land as he observed is strictly one of the impacts of colonialism. These were some of the anomalies inherent in the colonial land reforms, which alienated African natives from their own land, substituted the native land tenure system with the western and further created landlessness and poverty among Africans in all ramifications.

Post-colonial Land Reforms and Policies in Africa and the Underpinning Philosophies

The emergent African leaders in most post colonial or independent African nation states initiated major land reforms. Many problems had accrued as a result of the existence of the colonial land policies which most post colonial governments were saddled to address. For instance, the post independence government in Kenya has been involved in tackling the problem of landlessness, while those of Zimbabwe and South Africa were concentrated in reinstating the lost human status on land. In Nigeria, 18 years after the independence, the federal government promulgated a decree that aimed to make land more affordable for agricultural production.

Going by specific country case, the Kenya post independence government under Jomo Kenyatta in 1963 made land policy to address the imbalance of the past. The philosophy underpinning this *Kenyentta* reform was to redistribute land to native rural peasant Africans who lost their lands during the colonial era. President Kenyatta designed a land distribution programme described by him as *"to take the steam out of the kettle"* having observed that land was central in major rebellion and upheavals in colonial Kenya. In all the settler colonies in Afri-

ca, where the struggle for liberation took on some form of armed resistance, demands for land provided a banner to organise around and thus the issue of redistribution or restitution of land was inevitably a crucial post-independence policy agenda item (Cliffe 2001). However, the extent and form of such land reform varied. In one of the first scheme in Kenya, the postcolonial government redistributed over 1 million of the 9 million acres previously reserved for whites to African small holders. Cliffe also noted that elements of a similar story as obtains in Kenya also played out in Zimbabwe, following its independence some 23 years later. The landless and the land poor peasants who had been mobilized to provide the base for a long war of liberation were among the beneficiaries of a government resettlement programme. After Zimbabwean independence, some 3 million hectares of land were transferred to African hands and much of this land was beneficial both to social stability, increasing African agricultural production and more importantly for identity reassurance and self worth.

In Nigeria and Ghana, major land reforms took place some years after independence. With particular reference to Nigeria, a new land use decree No. 6 was promulgated on March 27, 1978 by the federal military government. The main rational and philosophy of the land use decree was to remove the serious obstacle on the path of fast economic and social development of Nigeria. Hitherto, it has not been easy to acquire land for development purposes. Governments, corporate bodies and even individuals, requiring small parcels of land for setting up industries or housing estates were denied the opportunity. Land prices were exorbitant and arbitrarily fixed. In a very succinct justification of their actions the government made it clear in the Act that since the total land area of the country Nigeria is absolutely fixed, while the demand for it continues to grow very rapidly in consonance with the growth in population and economic activity, it is therefore imperative to control and administer such a scarce natural asset on behalf and for the benefit of all the people of Nigeria (Federal Ministry of Information 1978).

Consequences of Changing Land Reforms in Post-colonial Sub-Saharan African States

In spite of the laudable objectives of the postcolonial land policies in the contemporary

African nation states, it could be pointed out that most of them have been fraught with problem of implementation. Against this background, Okpala (1979) argued that the relevance of the new land policy in Nigeria did not lie in the decree itself as such, but rather on the manner of implementation of the policy and on the outcome of the exercise. Suggestively, he believes that what Nigeria needed was not much of a new law, but a more efficient way of implementing existing land control measures. Furthermore, a decade after the enactment of land use decree in Nigeria, the implementation of the policy had been referred to as haphazard arising from the failure of the policy makers to take due cognizance of the social and cultural problems at the time the act was promulgated (Omotola 1988). There is yet a convincing outcome from the Land Use Act in Nigeria that strongly justifies the promulgation of such law. Anonymous observation from social critics and economic and social commentators point to a huge allegation that the law was meant to benefit the elites and has in practical terms benefited them due to the requirements that are attached to ownership of land such as the Certificate of Occupancy or Deed of Assignment as the case may be. These documents are issued by the Office of State Governors of various states of the Federation, where the "socially weak" and poor cannot access.

In practice, the various post-colonial land reforms in African nation states produced some consequences that may be regarded as undesirable to the public but more desirable to the technocrats. Commenting on the practicality of the land reforms for the benefit of all stakeholders in sub-Saharan African states, Wily (2006) enunciated that limitations abound. In practice, there is more de-concentration of State agencies to the local level than real devolutionary empowerment of community level bodies, elected or otherwise. Moreover, delivery or assisted uptake of opportunities to register customary properties is limited, while much of the impressive progress remains on the written page. Even, programme design is distinctively unwieldy and tends to rest upon costly state-driven institutional reforms. Technically, the accumulations of the new legislations upon the colonial ones have further transferred the ownership of land from the "original owners" or the masses to the capitalists who control various governments of these countries. Toulmin and Quan (2000:37) concludes from

Kenyan case that "the process of registration of titles has been very costly and the real benefits ambiguous, and tenure reform alone is not likely to enhance small holder production without a range of associated measures, as well as the damaging impact on the position of the poor. Also, in Nigeria, referring to the political economists definition of government as a group of people that manage the common business of the bourgeoisies, it is then appropriate to say that the bourgeoisies in the name of government took over all lands in Nigeria, and most likely in other African nation sates at the dawn of independence. This argument can be substantiated from the fact that in the contemporary land reforms in most African states, right to own land is strictly limited to the ability of the individual to document such land and obtain certificates of occupancy from the state governor or local government area Chairman, as may be the case in Nigeria, which is previously noted in this paper. Undocumented experiences of the common people corroborates that the processes and requirements for acquiring land under the present land policy is cumbersome and to a large extent difficult for the masses. Acquisition of certificate of occupancy in Nigeria requires some amount of money to be paid, which in most cases is beyond what ordinary man can produce.

Similarly in Ghana, Asiama (1998) maintained that there have been many problems with the registration of land in Ghana that can be attributed to the implementation of the system. These include, a cumbersome and costly registration process; coincidence of two different plans existing for the same property because cadastral plans need to be prepared for title registration, which are different from the plan used for the original transaction; the absence of site plans, which can result in two title certificates issued for the same plot; and a lack of logistics and personnel at land service delivery agencies. Most importantly, all the factors mentioned by Asiama are relatively unfavourable to the common masses compared to those that have access to the government offices. On the other hand, Kasanga et al. (1996) and Cotula et al. (2004) have argued that policy responses towards securing land rights for interest holders have mostly been attempts to eradicate customary systems and replace them with a "modern" system of land tenure. The pro-reformers have indeed argued that only "secure" private prop-

erty could provide adequate incentives for investments in land and that such tenure security could only be achieved through land titling and registration. However, the traditionalists or the conservatives in African tenure system have counter position to the above. According to their view point, land appropriation and domestication of private property rights on land is one of the necessary columns trying to build a blueprint of the European State in the African context, which were necessary to the metropolitan and capitalist interests. Thus, many of the reforms and the philosophies behind the reforms can be linked to the type of state which was exported to Africa from Europe by colonizers. This type of state marked by private property ownership and individualism as against African communalism has been manipulated in the recent time of the postcolonial era by African rulers which has resulted to series of shadow states and warlord politics (Reno 1998) or even ultimate state failure or collapse (Lemarchand 2003) in some instances.

There have been arguments that the culminations of various land reforms with their contradicting characteristics and provisions to one another have further led the common people in Africa in state of confusion. Most of the common indigenous people tend to wonder whether the lands of their inheritance has eventually become that of the "faceless" government as they are increasingly constrained by law in utilizing these land the way they want, and whether it is necessary and compulsory that they should adhere to these new policies or ignore them. These resentments and confusions are rooted in the present states where there is resilience of the customary land practices side by side with the statutory laws over land, which are inherited from colonial rule to bear on the same land administered by customary land rules. The existence and practice of the two legal systems in turn brought about confusion on the definition of a particular situation where each of the laws is applicable as it is the case in Nigeria, where customary and cultural attributes of citizens are very important.

Between and betwixt the state of confusion are other problems that arise as a result of the land reforms and policies that are forced on the people. In Nigeria for instance, the general public in a study by Egunjobi (1991) considered the post independence land use decree as undesir-

able. Their common understanding is that the law has not improved access to land by the masses; rather it has improved access to land by the government and her officials. In this case, access by government essentially means access by individuals in government. Some state officials who did not inherit much land from their lineage and had hitherto have found it difficult to obtain land for their use in the past has limitless access at the expense of the masses in the present dispensations. It is common place that officials in the government do seize the opportunity given by their positions to appropriate land from the masses (empirical examples abound in Nigeria, Kenya, and even Zimbabwe based on daily observations). In as much as the above statement is disputable or contestable, various officials in the government offices are duty bound to convince ordinary citizens of their country that all their actions with respect to land redistribution are meant to achieve more equitable society. Thus, in considering appropriation of land from the original owners, the various land reform policies in various parts of Sub-Saharan Africa established some route to corruption and oppression. There is no generalization at this juncture that all land reform policies in the whole of African nation states that adopted them resulted to huge corruption in the process of implementation. This is because even though African States share some similarities in land tenure policies, they also differ to a large extent from one another in their types of political regime. For example, there is no doubt that in Congo-Kinshasa (currently Democratic Republic of Congo) many land expropriation policies were applied during colonial Belgium and post colonial Mobutu´s governments, there may be hardly any difference in terms of how the policies impacted on the lived of the ordinary citizens of the country.. However, it has been argued that the implementation of one of the land reforms under Mobutu´s regime may be a direct effect of lack of resources to maintain the allegiance levels.

Culturally, the various land reforms have rendered the cultural rights of the rural people unimportant and to a greater extent meaningless. It infringed on their natural law of inheritance and succession, which indirectly gives meaning to their existence. It is however known that the whole life of the rural people in Africa is intricately tied to land and any hinge on that will

adversely affect them in other things. Socio-geographically, the poor have no houses in the cities and are made to surrender their agricultural undeveloped lands in the rural areas under the guise of land reform. Commenting on the social implications of land reform in Zimbabwe, Amanor-Wilks (1995) believed that, among other issues, many of the immense disadvantages faced historically by commercial farm labourers in their working and living conditions, and with respect to their political and social rights derives from their lack of land rights in Zimbabwe. In addition to the above, a shift in land policy in the mid-to late 1980s towards more "efficient" and "productive settlers" (Moyo 1995) led to a more explicitly negative official policy towards farm workers, who became characterised as foreigners, as unproductive, and *persona non granta* on settlement farms.

Implicitly, irrespective of the underlying philosophies of the land reforms by new African leaders to address the colonial injustices, most of the policies could be referred to as 'a patch work approach' and 'a mere piece of paper tiger" as Olaore (1980) described the situation in Nigeria. The land reforms have deepened the marginalization and fragility of the citizens rather than doing justice to them. This notion however raises some of the remaining glimpses of a quite different system of land use and land tenure; and the fate of land transferors that occurred in Kenya – and elsewhere in former settler colonies in Africa. Evidence from Kenya suggests that what happened limited the extent of a free market for land and concentration of ownership – and in that sense confounded the worst fears of critics who saw the post colonial land reforms leading to widespread landlessness and impoverishment (Cliffe 2001). In the case of Zimbabwe, the basic imbalance in land holding remained in place without changes, despite the periodic election promises. Much of the land that was re-distributed went not to the rural poor but to African large-scale commercial farmers and to people with political connections (Buch and Szeftel 2000). This condition which has lingered in Zimbabwe for more than two decades to the present has lately led to serious economic deprivations and dislocation of ordinary Zimbabweans. While the ruling party ZANU-PF has used land reclamation and further redistribution to the indigenous black population as the corner piece of their political campaign and clinching to pow-

er, the opposition elites have not left the party elites and their policies uncriticised. Therefore the misconceptions amongst politicians on "what works" in terms of crafting out people oriented land reforms and corruption free implementation has generated further political divides and acrimonies.

Economically, with the land reform policies, renter class are adequately protected by the law while the dispossessed millions of poor citizens whose only wealth is the underdeveloped land inherited from their forefathers (in patriarchal sense) are lost. As a result of this, they became land shortage and unable to practice what is their subsistence occupation, and on the extreme they are made poor because of their inadequate land or landlessness (Obioha and Odumosu 2002). The present outcome of various land reforms in Africa and particularly the Land Use Act in Nigeria has projected a scenario akin to the biblical proverb of the master taking from one who has less and giving to others with surpluses or who have more. Thus to those who have, more were given to them from the ones owned by the poor. Land reform policies as we have experienced in most countries in Africa may not be safe and satisfactory economic approach to an egalitarian society because the land policies have in most cases confiscated the lands of the poor and redistributed them to the wealthy class – the class that believes in the power of money. Commenting from what obtained in land reforms in Africa, Haugerud (1983) believes that many poor citizens lost the title to their land but were not necessarily thrown out of their homesteads; they simply did not have the required paper to either get further credit for farming or substantiate the ownership of their land. The continued occupation of land on which the peasants no longer have proof of ownership further heightened their feeling of insecurity. This has been identified as a factor that has contributed to the decline of the smallholder part of coffee economy in Kenya. Thus the land reforms have not worked in the ways they were intended (Cliffe 2001).

From the above expositions, most land reform policies in postcolonial Africa nation states as they culminated from the colonial ones threw the common people into state of confusion on what actually obtains with regard to land. They are alienated from lands, which they believed to be the property of their inheritance. In other

words, they do not have control over their land any longer based on the changing policies and laws over land. They feel psychologically dispossessed with a deep feeling of worthlessness in the society. Their timid conception presently includes the notion that the government of their nation, state or local council could throw them out any time their land of abode is required for "public interest." The paradox and dilemma do not end at this point; rather there is also the practice of non-compensation to the rural poor when they are dispossessed of their land property unlike the wealthy that know how to follow up with the laws of the land. It seems and undoubtedly that the rural poor may be ignorant of their basic rights to land and what their demands should be when such land is being made use of by the government.

Issue of considerable importance emanating from this is the revocation of rights on land. The major point of contention is to resolve the dilemma arising from the need to acquire land for the economic development of the nation states of sub-Saharan Africa, and at the same time assuage the feelings of those who loose their lands in the process. The above notion takes root in the way Africans, including the political leaders customarily conceive land as belonging to someone, which substantiate the view that "there is no man's land in Africa." Which means there is no free land in Africa even before colonialism, whether the land is occupied or not at the particular time of reference. In spite of this notion, the African political leaders and elites continuously go ahead to promulgate and establish various obnoxious land acts, which have only benefited the more privileged few in the society to the detriment of the majority rural peasants. Their hidden agenda, which they are still implementing, is to gradually reposition land, which is the only resource that the poor can lay claim to, into the hands of the few rich who do not have original claim to those lands. Unfortunately, the resultant effect of these unpredictable policies is mainly the gruesome conflicts over lands that keep on emerging in various nation states of sub-Saharan Africa.

Land Reforms, Land Resources and Conflicts Nexus in Sub-Saharan African Nation-States

The place of land in the various conflict situations recorded in African continent cannot be underestimated. Owing to the economic, social and political importance of land to African sub population groups, contestation over land has never been an issue that is taken for granted. Most important but seemingly unreasonable to a non-African, is the magical and religious attachment to land which has formed the root and basis of numerous conflicts over land in the continent. Obviously, the introduction of the new land laws and reform agenda in African colonies in the continent brought about a shift in the various rights to land that have been in existence long before the colonial adventure. The *'authochonous'* rights or the indigenous right to land as practiced separately from alien and *'non-authochonous'* rights were made complex and confusing, which has resulted in notable land clashes. There are two ways towards the explanation of this relationship between land and various conflict situations in the continent, which include the macro analysis of liberation struggles and inter-sate conflicts and microanalysis of ethnic rivalries and interpersonal contestations.

Macro Analysis of Liberation Struggles and Inter-state Conflicts Over Land

The centrality of land in most liberation struggles cannot be underestimated in Africa and can hardly be understood by a non- African, because of the people's conception of land. In Kenya experience, good land alienated and appropriated by white settlers, and land pressures led to political struggle for "land and freedom", which reflects different values about land in Africa. In other words, a people do not believe to be liberated or free when they are not controlling their own "land." In revisiting the land issue that underlay the "*Mau Mau*" rebellion in Kenya, Kawharu (1977) was convinced in the people's belief that "the land is the people". Recent observation of relationship between people and land in Africa calls for more attention to the way land is embedded in the social fabrics of the society, and perceived in quite different ways to those of the western culture. Mackenzie (1995) in quoting an African woman stated "land is like a child that cannot be left unguarded" and, that "a piece of land never shrinks", which brings out indigenous views in an evocative phrase of Kikuyu proverbs. These notions however stress the central significance of land, but more spe-

cifically the differing conceptions of whites or non-Africans and Africans about the relationship between land and people, and most importantly why most Africans endlessly die because of piece of land.

Most recent in this aspect is what is happening at present in Zimbabwe, southern Africa, where there is a new land policy by the government of Robert Mugabe, which repositioned land unto the confines of Africans. It is however, a response to an age long quest for change of land policy in Zimbabwe by the indigenous black population. History has it that the land issue had caused a lot of confrontations between the White "settlers" and the African indigenous people, leading to violent conflicts and killings. The contestation has always revolved around the question of supremacy between aboriginal right and right of conquest over land in that part of Africa. At present it may be pretty early to forecast what will happen to South Africa if the present quest for a more revolutionary and radical land reform and redistribution by the youths continues. The post apartheid land redistribution policy of "willing seller willing buyer" seems not to be addressing the real issues as most lands, particularly the more fertile arable and productive ones are still in the possession of non-African (White) farmers. It appears that the items on the land reform agenda and the ways and means of the implementation have caused some irreparable divide in the ruling party, African National Congress (ANC). One of the main sources of rifts, claims and counter claims between the African natives of South Africa and the White South Africans have centered on land. Some politicians and well meaning citizens who are working continuously to eschew escalated conflict or war in South Africa have always tried to be more diplomatic in making statements about land.

At the level of the inter-state conflict over land, typical examples and scenarios have been played out in most parts of sub-Saharan Africa. In the West-Central Africa, various inter-governmental and governmental policies in Nigeria and Cameroon have led to conflict over land around the *Bakassi* peninsular of the two countries. There are some speculations that Nigeria had not accorded the *Bakassi* area of the country the much expected inclusion policies with regard to land in that area prior to the contestation of the land by the Republic of Cameroon. However, it is interesting to note that the main cause of the conflict over the oil rich Bakassi peninsular by Nigeria and Cameroon was ample misinterpretation and misunderstanding of the age long land agreement between the colonial masters of the two countries, which was documented as part of land policy by the colonialist in their colonies, without due consultations with the native people. The conflict was on for some decades, resulting to arms struggle and loss of lives of soldiers and civilians in both countries until the case was definitively decided at the International Court of Justice in Hague, where the peninsular was ceded to Cameroun, while the native inhabitants largely remain Nigerian citizens (in international identity classification). The above Nigeria-Cameroun case depicts vividly the utter neglect of the wishes of the African people with regard to what concerns them and their land because the local people were neither consulted by the colonial French and British overlords in the crafting of agreement on their cultural inheritance. Similarly, there is no evidenc yet to indicate that the native African people in the Bakassi peninsular were also consulted during the Court's seating and processes in Hague. The Court's decision in a greater part has separated the people from their real existence, which is land. There are also pockets and large scale on going conflicts in the East and Central Africa between some competing countries over the border lines and margins. Some of these contestations emanate from internal adjustment or reforms in land use policies and laws, which usually extend and impact on the neighbouring countries. People in different countries have been relocated out of their countries to settle in the neighbouring countries due to implementation of unfavourable land policies in place.

Micro Analysis of Ethnic Rivalries and Interpersonal Contestations

In African continent, there are various internal conflicts within countries or nation states that are generated as a result of land reforms and policies. Ethnic conflict which manifests either inter or intra is possibly the most widespread. These are mostly conflicts over grazing land, over cattle, over water points and over cultivable land, but most importantly over ethnic superiority over land with regard to their ancient history. These conflicts go back a long

way, in some cases to the pre-colonial period. However, major changes have been introduced in the countries' economies such as changes over land laws, which often contradict customary laws, confiscation of large tracts of land for ranching and large-scale farming, and increase in population. Most important is the rise of rural inequalities – between rich and poor/landless farmers, between rich ranchers and poor cattle owners. Obioha (2008b) evinced that these changes have led to a considerable competition for the scarce resources of land (cultivable and grazing, including water). Furthermore, environmental deterioration in land productivity and scarcity of water has contributed to the intensity of the competition, coupled with various laws that are associated with them. Examples of large-scale conflicts over cultivable land include well-reported conflicts in Kenya (Rift Valley), Nigeria *(Ife* and *Modakeke Yoruba communities* and *Umuneri and Aguleri, Igbo communities)*, the DRC (between the *Hema* and *Lendu*, in *Ituri* District) and in Ghana (Bujra 2000). These conflicts have some peculiarities and different dimension which suggests that some of them are instigated by the government as it was suspected in the case in Congo, during the regime of Mobutu, where he used land reforms and distribution to maintain allegiances of some favoured groups of people in the country. Hence, confrontations between *Hema* and *Lendu* do not keep a direct relationship with their "ethnic" origins, social-economic functions or land access, but a consequence of the logic and collapse of neo-patrimonial system of allegiance. There is also a strong evidence to believe that the relationship that existed in some areas of Africa between political power and land still exists. For instance, in some regions of the eastern Congo-Kinshasa, access to land and mineral resources is one of the sources of political power of the local authorities and warlords as well. One of the ways to control people is through the control of natural resources, and this sort of allegiance is searched by State officials as well as local authorities (Van Acker 1989).

In some countries, like in Nigeria, the recent land use policy has generated an enduring crisis that relate to the interpretation and misinterpretation of the provisions of the law. Conflictics over land resources, particularly the mineral oil in the Niger-Delta region of Nigeria derives its main cause from the 1978 Land Use Act in Nigeria which tranfered all lands in the country to the Federal Government or her agencies, like the state and the local government. By implication, the local people do not have any claim to any mineral resouerce that exist in their locality. In spite of the damages and losses that besiege the livelihood of the Niger-Delta people, for instance, the laws of the country makes it difficult for them to ask for demands that are not within the laws of Nigeria. This situation has ignited a prolonged acremony and violent conflict which has claimed lives of Nigerians and foreigners in that region.

Irrespective of reasons that may be adduced by social researchers as the main causes of conflict in Africa, it is very evident that the root cause of most conflicts is contestation over land and land resources in the rural and urban space, between the indigenes or earliest and recent settlers. It could also be between two co-earlier settlers contesting for supremacy and control over the land and resources of the urban centres. The problem however, has been with the changes that have taken place in the land policies of various countries in the sub-Saharan Africa. The unfolding pattern is intense and quite unpredictable, however a related holistic profiling of some of these conflicts have been enunciated by Obioha (2008b) where he identified eleven typologies of conflicts that are based on contestation over land and its resources by various interest groups and stakeholders.

CONCLUSION

Land tenure systems are institutionally established and are, therefore, difficult to alter. Political power structures; cooperative ties and class, cultural, and ethnic interests and motives all work towards maintaining the established forms. Systems of land tenure in sub-Saharan Africa are not immutable, just as it is the case in other societies. Changes in the various administration and government, and influences emanating from the political power structures brought about changes in the land tenure systems in Africa. As in recent times in Africa, these factors have been changing more and more rapidly, in which case the systems of land tenure have to adjust to it, without any considerations on the native African peoples beliefs and meaning to land. As has been globally observed in Africa, one of the devastating consequences of

redefinition of land rights is the incessant land disputes and inter/intra ethnic feuds over land in the African continent. The situation as it turns to be at the moment requires efficacious practices to handle the uprisings. It is noteworthy that unless something meaningful and urgent is done in readdressing African land policies and laws in consonance with the people's beliefs, there appears to be no end to the problem.

REFERENCES

Adams M, Turner S 2005. Legal Dualism and Land Policy in Eastern and Southern Africa. *Paper presented at the United Nations Development Programme (UNDP) 'Conference on Land Rights for African Development: From Knowledge to Action'*, Nairobi, Kenya, 31 October–3 November.

Adigwe F N 1992. *Land Tenure and Agricultural Organisations in Rural Bendel Town in Nigeria*. Unpublished Manuscript.

Alila P, Kinyanjui K ,Wanjohi G 1985. *Dynamic Problems and Policies: Rural Landlessness in Kenya*. Nairobi Institute for Development Studies: University of Nairobi Press.

Alila PO 1985. Administration of co-operative for rural development in Kenya. In: G Fassil (Ed.): *Challenging Rural Poverty*. Trenton, New Jersey: Africa World Press, pp. 43-62.

Amanor-Wilks D 1995. *In Search of Hope for Zimbabwe Farm Workers*. Harare: Dateline Southern Africa and Pamos Institute.

Asiama SO 1998. Comparative Study of Land Administration Systems: Ghana Case Study. *Unpublished Report.* University of Science and Technology, Kumasi.

Beinart W 1982. *The Political Economy of Pondoland, 1860-1930*. Johannesburg: Ravan Press.

Biebuyck D 1963. Introduction. In: D Biebuyck (Ed.): *African Agrarian Systems*. London: Oxford University Press.

Bohannan P 1953. *Tiv Farm and Settlement.* Oxford: Oxford University Press.

Brack B 1961. Land tenure and social change in Bugusi. *African Journal of Rural Society*, 6(8): 68-88.

Buch R, Szeftel M 2000. Struggle for land. *Review of African Political Economy,* 84: 173-180.

Bujra A 2000. African Conflicts: Their Causes and Their Political and Social Environment. *Paper presented at the Ad Hoc Experts Group Meeting on the Economics of Civil Conflicts in Africa*, held at the UNECA, Addis Ababa, from 7-8 April 2000.

Chanock M 1991. Paradigms, policies and property: A review of the customary law of land tenure In: K Mann, R Roberts (Eds.): *Law in Colonial Africa*. Portsmouth, NH: Heinemann Educational Books.

Cliffe L 2001.The Struggle for Land in Africa. *Leeds African Studies Bulletin:* No. 64: 9-22. Leeds: Leeds University Centre for African Studies, Annual African Studies Lecture.

Coker GBA 1961. *Property Law among the Yoruba.* London: Oxford University Press.

Collier P, Binswanger H 1999. Ethnic Loyalties, State Formation and Conflict. *A Background Paper Prepared for the Africa in the 21st Century Project.* Washington, D.C.: World Bank.

Colson E 1971. *The Impact of Colonial Period on the Definition of Land Rights in Colonial Africa*. London: Oxford University Press.

Collins R O, Burns JM 2007. *A History of Sub-Saharan Africa*. Cambridge: Cambridge University Press,

Cousins B, Claassens A 2006. More than Simply 'Socially Embedded': Recognizing the Distinctiveness of African Land Rights. *Keynote Address at the International Symposium on 'At the Frontier of Land Issues: Social Embeddedness of Rights and Public Policy'*, Montpellier, May 17-19, 2006.

Cotula L, Toulmin C, Hesse C 2004. *Land Tenure and Administration in Africa: Lessons of Experience and Emerging Issues*. London: IIED/FAO.

Dike A 1983. Land tenure system in Igboland. *International Review of Egthnology and Linguistics: Anthropos*, 78: 40-52.

Egunjobi L 1991. *An Emperical Study of the Implementation of the Nigerian Land Use Policy.* Social Science Council of Nigeria/Ford Foundation Research Project. Abuja: SSCN.

Ekong EE.1988.*Rural Sociology: An Introduction and Analysis of Rural Nigeria*. Lagos: Jumak Publishers Limited.

Elias TO 1951. *Nigeria Land Law and Custom*. London:Oxford University Press.

Federal Ministry of Information 1978. *Nigeria's New Land Tenure System: Questions and Answers*. Lagos: Federal Ministry of Information.

Gayer CMA 1957. Report on land tenure in Bugisu. In: CMA Gayer (Ed.): *Land Tenure in Uganda*. Entebbe: Government Printer, pp. 1-6.

Green M M 1941. *Land Tenure in an Ibo Village*. London: Cambridge University Press.

Haugerud A 1983. The consequences of land tenure reform among small-holders in the Kenyan Highlands. *Rural Africana*, 15/16: 73-74.

IBRD 1963. *The Economic Development in Kenya*. Washington: John Jopkin Press.

Jones GI 1949. Ibo Land Tenure. *Africa,* 19(4): 309-323.

Kasanga RK, Cochrane J, King J, Roth M 1996. Land Markets and Land Contradictions in the Urban Area of Accra-Ghana. Land Tenure Center, *Research Paper* 127, University of Wisconsin, Madison.

Kawharu I H 1977. *Maori Land Tenure: Studies of a Changing Institution.* London: Oxford University Press.

Lemarchand R 2003. The Democratic Republic of Congo: From failure to potential reconstruction. In: R I Rotberg (Ed.): *State Failure and State Weakness in Time of Terror*. Washington D.C: Brookings Institute Press.

Lloyd PC 1962. *Yoruba Land Law.* London: Oxford University Press.

Machenzie F 1995. A farm is like a child who cannot be left unguarded: Gender, land and labour in Central Province, Kenya. *IDS Bulletin,* 26(1): 17-23.

Moyo S 1995. *The Land Question in Zimbabwe.* Harare: Sapes Trust.

Moyo S, Rutherford B, Amanor-Wilks D 2000. Land reform and changing social relations of farm workers in Zimbabwe. *Review of African Political Economy,* 84: 181-202.

Obi SN 1963. *Ibo Law of Property.* London: Butterworth and Co.

Obioha EE 1992. *Continuity and Change in Customary Land Laws: A Case Study of Awo-Idemili, Imo State, Nigeria.* BA Project, Unpublished.University Ibadan, Ibadan, Nigeria.

Obioha E E, Odumosu O 2002. Globalization and Deepening Rural Poverty in Contemporary African Societies. *Paper presented at the 12th Pan African Anthropological Association Conference*, 4th August 2002, in Nairobi, Kenya.

Obioha EE 2000. Ethnic conflicts and the problem of resolution in contemporary Africa: A case for African options and alternatives. In: P Nkwi (Ed.): The Anthropology of Africa: Challenges for the 21st Century. *ICASSRT Monograph* 2, pp. 300-307.

Obioha EE, Molapo EL 2007. From leasers to lease holders: The dilemma of rural African peasants in changing land reforms in sub-Saharan African Nation States. *Loyola Journal of Social Sciences,* 21(1): 79-101.

Obioha EE 2008a. Change in tenurial pattern and customary land practices among an Igbo community in southeast Nigeria. *The Anthropologist*, 10(1): 45-53.

Obioha EE 2008b. Climate change, population drift and violent conflict over land resources in north eastern Nigeria. *Journal of Human Ecology,* 23 (4): 311-324.

Okpala I 1979. *The Land Use Decree of 1978: If the Past should be Prologue.* Unpublished Manuscript.

Olaore GO 1988. *Land Use and National Development in Nigeria.* Ibadan: NISER.

Omotola JA 1988. *Land and Land Rights: Whither Nigeria.* Lagos: University of Lagos Press.

Preston-Whyte E 1974. Kinship and marriage. In: WD Hammond-Tooke (Ed): *The Bantu-Speaking Peoples of Southern Africa.* London: Routledge Kegan Paul.

Price W 1933. *Land Tenure in Yoruba Provinces*. London: University Press.

Reno W 1998. *Warlord Politics and African States*. Boulder: Lynne Rienner.

Simons J 1968. *African Women: Their Legal Status in South Africa.* London: Hurst.

Sorrenson MPK 1968. *Origins of European Settlement in Kenya.* London: Oxford University Press.

Sorrenson MPK 1997. *Land Reform in the Kikuyu Country.* London:Oxford University Press.

Spear T 1996. Struggles for the land: The political and moral economics of land on Mount Meru. In: G Maddox, J Giblin, IN Kimambo (Eds.): *Custodians of the Land: Ecology and Culture in the History of Tanzania*. London: James Currey Ltd., pp. 213-240.

Swynnerton RJM 1955. A plan to intensify the development of African agriculture in Kenya*. The Journal of Administration Overseas,* 17(1): 15-21.

Toulmin C,Quan J 2000. *Evolving Land Rights, Policy and Tenure in Africa*. London: IIED.

Van Acker F 1989. La Pembénisation du Haut-Kivu: Oportunisme et Droits Fonciers Revisistés. *L´Afrique des Grands Lacs*. Annuaire.

Walker C 2002. Ensuring Women's Land Rights. *Paper presented to a World Bank Regional Workshop on Land Issues in Africa and the Middle East,* held in, Kampala, Uganda, April 29 to May 2, 2002.

Wilson M, Elton Mills ME 1952. *Land Tenure: The Keiskammahoek Rural Survey.* Pietermaritzburg: Shuter and Shooter.

Wily LA 2006. Land Rights Reform and Governance in Africa: How to Make it Work in the 21st Century. *Discussion Paper.* New York: United Nations Development Programme.