

The complexities of land access in Southeast Madagascar

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Abstract:

Access to sufficient fertile land is a serious problem for many farmers on the Southeast coast of Madagascar. This article will not only focus on their plight but will compare their current land situation to policy-making on the national level. The authors of this article argue that the lack of access to land is not only exacerbating problems such as insecurity of tenure and poverty but is also likely to complicate existing social tensions in the research setting.

⁵ The fieldwork for this research was conducted by C.C. Pronk in the context of her master studies at VU University Amsterdam. She graduated in August 2005. S.J.T.M. Evers co-authors this article in her capacity as supervisor of the research and thesis of C.C. Pronk.

Research in Rural Southeast Madagascar

This research project - instigated by Dr. Sandra Evers in 2005 - was part of a collaboration between the VU University Amsterdam (The Netherlands), Université d'Antanatarivo (Madagascar) in particular the Institut de Civilisations/Musée d'Art et d'Archéologie (ICMAA) and the Dutch NGO Interchurch Organisation for Development Co-operation (ICCO). The collaboration enabled a group of both Dutch and Malagasy students to do a joint period of three months' fieldwork in Madagascar, focusing on local problems concerning natural resource management and poverty. It was in this context that law student Miora Rahaingo Rafenohanitrasoa and cultural anthropology student Carolien Pronk initiated, prepared and executed this fieldwork project. While paying particular attention to those who have been adversely affected by the land problems in Madagascar, the present article aims to provide insight into the historical development of land management and the ensuing problems in the province of Mananjary, region Vatovavy/Fitovinany. Results obtained during this research project aim to shed light on the consequences of land access insecurity on a local level. This study hopes to provide interesting material not only for policy-makers and NGO's, but also for researchers and other interested parties.

During the three month period of fieldwork, mainly qualitative methods were employed such as topic and in-depth interviews coupled with a study of available documentation, which included state documents, administrative accounts, articles and research papers. The information thus gathered provided insight into both current and historical processes concerning land access and management in the research area. In order to broaden the scope of our findings, a survey was held among 93 of the 291 households in the research village, the results of which were supplemented by participant observation such as working on the land, learning reed braiding and sharing meals with the villagers. Using the method of Rural Rapid Appraisal (RRA), this fieldwork was expanded further by organizing various types of games and activities for the community of subsistence farmers.

Access to Farm Land

Studies on land access are often oriented towards formal property rights, in which formal access to land is gained by user rights or other property rights. However, as several scholars argue, a closer look at land access for local people shows that not only the formal rights such as property

relations should be studied, but also the broader informal dynamics of changes in regime and economic circumstances.

This article adopts the definition of Ribot and Peluso (2003), two experts in the field of natural resource management, who argue that “access differs from property in multiple ways that have not been systematically accounted for within the property and access literature” (ibid: 153). They define access as “the ability to benefits from things – including material objects, persons, institutions, and symbols” (ibid: 153). In this sense, the meaning of access to land should be seen as “a bundle of powers”, not necessarily as a “bundle of rights”. Though actors have no official powers, they try to gain access to land by exerting their influence over others unofficially, which shows that power may not be necessarily attached to them, but is derived from participating in a certain power field. Power is “inherent in certain kinds or relationships and can emerge from or flow through the intended and unintended consequences or effects of social relationships”, thereby “disciplining institutions and practices can cause people to act in certain ways without any apparent coercion” (Foucault 1978, 1979 in ibid: 156). Access is “about all possible means by which a person is able to benefit from things” (ibid: 156). Depending on an individual’s or group’s position and power within various social relationships (ibid: 153-158), land situations and access will likely be subject to continual change. So, in order to understand land access, it will be necessary to study the relevant land situation, and carefully delineate which rights and profits each separate actor may be either entitled to or able to claim.

Apart from land access alone, there is a complementary relationship between access control and access maintenance. *Control of access* is defined by Ribot and Peluso as “the ability to mediate others’ access” (ibid: 158), whereas *maintenance of access* refers to “the requirement of expending recourses or powers to keep a particular sort of resource access open” (ibid: 159). *Gaining access* is then “the more general process by which access is established” (ibid: 159). In addition, *webs and bundles of power* are “the means, processes and relations by which actors are enabled to gain control and maintain access to resources” (ibid: 159). These concepts form the theoretical framework in which land access for subsistence farmers in the research community will be analyzed in this article.

In the case of Madagascar, control and maintenance of land access has been a complex policy issue for years. Like many other post-colonial African countries, traditional customs of land management were in many ways often contradictory to the system of the French Civil Code which was introduced during colonization. For example, although the Civil Code made individual land ownership possible, it hardly ever applied in pre-colonial Madagascar. In the more traditional Malagasy perception, land is a communally given resource whose use and access should not be

limited to individuals. Especially inappropriate would be individual ownership of ancestral land called the *tanindrazana*, the spiritual home of the ancestors that is protected by kinship relations. Because of the contradictions between traditional customs and modern legal perceptions, the Malagasy government faced many problems with the implementation of a land registration system. In the view of Dekker (2004) a land registration system should arrange and secure land access, but may also stimulate economical development and increase profit. However, implementation of such a system has turned out to be a complex issue.

However, due to the complex situation of legal pluralism, Madagascar did not succeed in constructing such a system and therefore decided to postpone its implementation, thus enabling developments which have led to the current situation in which many Malagasy are insecure with regard to land access. The situation has brought about a permanent process of spoliation and plundering, which was created by the combination of a shortage of available land and ensuing competition, but also by illegal claiming of land. Due to this, land owners fear the loss of their property to local farmers and leaseholders who will strongly dictate the occupation of land.

In addition, as stated above, since the colonial period, there have been continual conflicts about the recuperation of land domains. Due to the resulting insecurity surrounding land distribution, state institutions are being forced to spend more time on keeping public order, while vital processes such as agricultural intensification and renovation of natural resources need urgent attention - not to mention the ongoing degradation of resources which is taking place in the meantime (Teyssier 2004: 1-3).

Land degradation, which is mainly a consequence of the island's extreme poverty, is seen to be closely linked to land access. As official figures demonstrate, most Malagasy people live under the poverty threshold: World Bank estimated the poverty-rate in 2002 to be 68.7% and in 2005 rural poverty was still at a high 73.5% (World Bank Country Brief 2006). In 2005, Madagascar had 18,6 million inhabitants and only US\$290 per capita income (World Bank 2006 Data and Statistics), which makes Madagascar one of the poorest countries in the world.

The PNUD statement (2000: 32) that "access to land is one of the main determinants of poverty" appears to be true for large parts of the Malagasy population. In an interview, a representative of the Food and Agricultural Organisation (FAO) argued that in the whole of Madagascar there is almost no fertile land to be found that has not already been cultivated. Since the population of Madagascar is rapidly increasing and is estimated to grow to 23.5 million by 2010 (UN-Habitat 2006), land access will continue to be of great concern for Madagascar in the years to come.

Historical Overview of Land Access in the Study Area

In the research area, the *ampanjaka*, who were regional or village leaders, were responsible for the social and political organization of a village, community or even a region, and had the task of ensuring that everyone upheld the rules of the *dina* - a local system of customary laws (often not written). Part of the *ampanjaka* responsibility was virtual control over land distribution, whereby the *ampanjaka* relied upon the opinions of the elders, who were exclusively male. As long as men and women fulfilled their tasks and functions and followed *dina* rules, the families were considered to be part of the community and were therefore entitled to communal land.

The situation changed during the second half of the 19th century when international commerce with France, England and Portugal greatly expanded. After 1896, when Madagascar was colonized by the French, large-scale farming methods were implemented and new plantations were developed with a view to maximizing export profits. Towards the end of the 19th century, large commercial concerns were established in the district of Mananjary in order to stimulate land production processes. Coffee production transformed Mananjary into one of the most important export cities of the island and brought the region glorious times at the beginning of the 20th century. Infrastructures were designed so as to hire farmers as employees, affording them security and a more structured work environment, but limited financial reward. Socially their position of inferiority to the French was perpetuated by this structure (Ramiaramanana 1992).

Land access has historically been problematic for sharecroppers and tenant farmers, particularly in the absence of formal title. Officially, subsistence farmers were permitted to obtain formal land rights by individual or collective registration from 1929 till 1960 (Keck 1994: 45). However, both the procedures for allocating land rights and the definition of substantive rights remained vague, placing farmers at a considerable disadvantage, and allowing the French to claim fertile plots of land occupied by Malagasy farmers on the basis of superior paper title (Blanc-Jouvan 1971: 227).

Following independence in 1960, a number of French departed from the district of Mananjary which allowed a limited group of Malagasy from the elites to step into their shoes as owners. In 1972, president Ratsiraka gained power and introduced socialist policy calling for the nationalization of large tracts of arable land such as the plantations in the Vatovavy/Fitovinany region. In the Mananjary district, one of the largest companies granted holding and management rights over these lands was the COROI Plantations Nationalisées (CPN). Under difficult macro-economic conditions and due to ill-conceived policy, the CPN project ended in failure, and

commercial output stagnated. Local farmers once again returned, and cultivated their own crops. Although the CPN made some attempts to inject large investments into agriculture and subsequently introduced user contracts as incentives to stimulate production, their efforts turned out to be in vain, as the subsistence farmers had already destroyed part of the old plantations and converted the land to other use. Coffee, once the main produce of the area, gradually disappeared and was replaced by rice. Ultimately, the CPN and nationalization itself was discredited, and the CPN was liquidated in 1994.

Towards the end of the 1980-s and early 1990s, the Malagasy government tried to regain land control by making a shift from a socialist policy to a market policy. Under the name *Société pour le Conditionnement et l'Exploitation des Produits Agricoles* (SCEPAG) several departments of the liquidated CPN carried on business. As the SCEPAG were able to employ only very few subsistence farmers, most of them continued to cultivate the nationalized plantations in order to earn a living. During this period, the *Services de Topographie* granted Malagasy farmers the option to buy provisional land titles for a small sum of money, an option which was exercised by many. At that time most farmers believed that these grants were the equivalent of registered title. However, unfortunately the registration of these provisional land titles was only partly realized, due to illegible documents and insufficient financial resources to improve the administrative system. Integration of the existing land rights -both traditional customs and official modern laws- had not been achieved.

In the 1990-s both state institutions and international development institutions developed policies in order to resolve the issue. Land laws were changed and several commissions tried to create a registration system that would function properly. In 2000, the Malagasy government joined the World Bank to initiate the “*Programme National Foncier*” (PNF), which is still in effect (Teyssier 2004: 1-3). Founders of the PNF hoped to succeed where earlier projects had failed, by reconciling official land policy and local custom. The PNF had intended to transfer the farmer’s provisional titles into official land certificates that could be upgraded at a later date to land titles. These were to be adjusted to the local values of land tenure and judicial procedure, with a view to implementing a long term plan geared towards not only increasing land security but also stimulating *Services Foncier* to execute their task of public service conscientiously (Teyssier 2004: 3).

The PNF will have many challenges to consider in the research area. The *Service Foncier's* administration documents dating from the 1930-s are illegible. There are numerous outstanding disputes in connection with the substantive rights of several land actors. As land access is largely hereditary, subsistence farmers often lack proper paper title or other documentary evidence of rights, which have been transmitted from generation to generation since ancestral times. Today,

especially in cases of land disputes, the question is often whether a certain piece of land is legally held according to written law, or whether it may be considered to be legitimately occupied land according to verbal accounts (Healy and Ratsimbarison 1998: 296-297). Due to the ongoing conflicts about legality of land access in the early 2000-s, the registration process for a land title was inaccessible in the district of Mananjary, which more or less reflects the national state of affairs. For instance in 2005 a mere 10% of the land was registered. In the “Lettre de Politique Foncière” of February 2005, the government wrote:

Un demi million de demandes d'acquisition de terrains domaniaux est déposées auprès des services fonciers. Encore plus nombreux sont les ménages qui souhaiteraient obtenir une reconnaissance écrite de leurs droits fonciers (Unité Technique de Préparation de PNF 2005: 3).

This letter illustrates that it is not until the PNF programme will be fully realized that security of land access will be achieved. In order to realize the PNF aims, land title offices (*guichets fonciers*) will be established to carry out land registration and to resolve local land disputes with the support of local procedures such as the *dina* or a court of law.

At the time of this project, the PNF was in the process of setting up a *guichet foncier* in the research community. This research could provide the relevant background information on the current land access situation in the research setting as a basis for the instalment of *guichet foncier*. In the next paragraph, the land situation of subsistence farmers during the research period will be discussed, paying special attention to their land access and experiences of (in) security.

Land Access for Subsistence farmers

The subsistence farmers living in the research community are part of the small ethnic group known as Amtambahoaka, which stems from Arabian immigrants in the 15th century. Most subsistence farmers basically live from the land. Survey figures show that 99% of the households in the research community were totally or partly dependent on agricultural production, most often cultivating rice (82%), manioc (67%) and sweet potatoes (42%).

Land access for subsistence farmers is not only related to their land statutes but also to their way of obtaining land, as is shown by their current land situation. Ramiaramanana did a research on the legal status of land owned by people from two different communities, of which one was the research community discussed in this article (see table 1).

Table 1: The land situation in the research community from 1993 - 1997

| Year: | 1993 | 1994 | 1995 | 1996 | 1997 |
|-----------------------|------------|------------|------------|------------|------------|
| Judicial status: | | | | | |
| Titled | 97 (15%) | 105 (16%) | 113 (16%) | 122 (16%) | 129 (15%) |
| Nationalized | 300 (47%) | 300 (46%) | 320 (45%) | 327 (43%) | 339 (39%) |
| Inherited | 176 (28%) | 179 (27%) | 204 (29%) | 231 (30%) | 259 (29%) |
| Reclaimed or occupied | 63 (10%) | 71 (11%) | 75 (11%) | 84 (11%) | 84 (9%) |
| Total of lands | 636 (100%) | 655 (100%) | 712 (100%) | 764 (100%) | 881 (100%) |

Source: Ramiamanana 1997: 42.

The data of Ramiamanana indicates that although most people in the community have no official land titles, they often do have use of nationalized land or have access by way of inheritance. Our research data gives a similar impression. Reasons for not obtaining an official land title are likely due to insufficient financial resources and an inability to follow the complicated and long registration procedure. Most community members are illiterate, do not speak French and do not understand the complex legal language required for registration. Therefore the statutory jurisdiction is only accessible to people who have the necessary knowledge and money, as the regulation of land registration so eloquently shows. Another reason for not initiating a registration procedure is that many subsistence farmers think they already have land access which is officially registered by the provisional titles which they obtained from the *Service des Domaines* in the 1990-s. However, these have not been cadastrally recorded.

‘Propriétaire ? [The people around him laugh.] « Ils n’ont pas des titres ici, pas de statistiques, pas de documents... Monsieur X, un vazaha, cultivait un mètre carré de terre et aidait les paysans. Il a fait une liste de parcelles et l’a envoyée au Service des Domaines. Le Service des Domaines a effectué une descente sur le terrain puis a reconnu les parcelles comme étant à Monsieur X et lui a délivré des titres officiels. Les paysans, eux, possèdent des titres mais provisoires, c’est-à-dire que le Service des Domaines a effectué une reconnaissance, mais n’a fait pas de bornage.’ (Quote of a man of 47 years old resulting from a discussion with 14 people from the community)

Most subsistence farmers in the research community have inherited land from their parents. But although both sons and daughters are entitled to inherit, for women land falls back

to the family when they leave the village upon marriage. Fathers and sons will administer it in the interests of the family as a whole, thereby securing the inheritance for future generations. It is only the eldest son -accepted as member of the group of elders- who may take decisions concerning land and property. However, as the land is often divided up among many children, productivity per capita tends to diminish every generation, which causes a number of problems:

'La terre est partagée entre la famille. Le chef de famille décide cela. Les familles ont souvent huit, neuf ou dix enfants, le minimum est quatre à six. Il y a un problème pour partager. Les enfants doivent se débrouiller quand ils sont plus grands. C'est un grand problème. Le problème est même plus grand : les terrains qu'ils occupent sont nationalisés. Les familles ont souvent demandé si elles pouvaient obtenir les terres. Mais les autorités ne savent pas qui peuvent acheter les terrains. C'est très compliqué, les gens ne peuvent pas décider.' (Research data, interview with the chef (43 years) of a village in the research community)

'Le monsieur a onze frères et sœurs; c'est donc six hectares pour douze enfants. Ils exploitent la terre tous ensemble. Ils sont trois frères qui exploitent vraiment le terre, les autres frères et sœurs sont partis ailleurs : ils vivent dans d'autres fokontany. En principe, les femmes peuvent exploiter leur terrain, mais elles finissent par suivre leurs maris et laissent la terre être exploitée par leurs frères. Ils y font des cultures vivrières : le riz, le manioc, la patate douce, les légumes et la vanille. Trois personnes ne suffisent pas pour le travail et le terrain est trop petit, il ne suffit pas pour la famille.' (Research data, description of a subsistence farmer family)

Inheritance of family land is accompanied by rights and duties, and is an integral part of the solidarity ties (*fihavanana*) laid down by custom. In most cases, land which has been transferred by customs will have required legal action. The name of the title would have to be changed. However, many farmers are in the difficult position that they have never received any proof of either the registration or sale of their land. In the traditional social structure -and even in today's society- land agreements were never documented, as this was considered a sign of distrust and was therefore received negatively by the community. Only people outside the community were known to document land transactions.

Apart from the discussions about the legality of land access, an attempt at gaining insight into the main problems and wishes or dreams expressed by subsistence farmers. The three most pressing land problems cited by subsistence farmers are a lack of funds for land cultivation (32%); availability of land (23%); and a great shortage of rain (16%), which illustrates the importance of land cultivation or production in their lives. Their wishes or dreams were focused on multiplying the cultivation cultures (24%); obtaining more money (19%); and acquiring more land (14%). It is evident that access to fertile land is not only the main problem they encounter

but also their dreams indicate and emphasize the importance of agricultural production for subsistence farmers, of which land access is a prerequisite.

'Chaque année, il produit cinq à sept tonnes de riz. Le terrain est ainsi partagé dans la famille: les frères et les sœurs vivent ailleurs dans d'autres villages. Le plus grand problème est matériel: il n'y a pas de machines, elles sont trop chères. La production est seulement pour la famille, il n'y a rien qui reste à vendre. La personne n'a pas à payer d'impôts à l'Etat parce qu'il n'a pas de papiers officiels, il n'a pas de titre officiel. Il n'a pas eu de problème jusqu'à maintenant. Cela coûte trop chère de faire une immatriculation, il préfère rester sans papiers et sans titre.' (Research data, description of a subsistence farmer family)

Even though for most small families both short and long term future land access is insecure, there are those who do not worry, as they trust the government or outsiders will not take away their land. However, others do worry, especially if they are aware that modern laws now permit the sale of land to foreign investors or any other interested parties. Due to their lack of financial and material resources, farmers have little chance of following the necessary registration processes for securing their land access. Besides this, almost all subsistence farmers in the research community indicate the shortage of land as both a crucial factor in maintaining their livelihood and a stressful problem. Due to a great population increase, the community is outgrowing the availability of land needed for housing space as well as for agricultural purposes. Almost everyone works on the land, but for most families the profits are virtually negligible and the fact that the quality of land has deteriorated, not only limits production but makes it very monotonous to boot. The fact that there is little or no chance of earning an income other than from the land, coupled with the risk of nature threatening the annual gross profit by sending yearly cyclones between the months of December and April, together form a very bleak prospect.

Land Access of Other Actors

Subsistence farmers are not the only actors who experience the negative economic and social consequences arising from insecure fertile land access. There are three actors in the research community, all individuals, whose stories are relevant to the discussion. First of all there is a Pakistani gentleman who owns large plantations which he inherited from his grandparents in 1976. They came to Madagascar seeking refuge due to political tensions in northern Pakistan and succeeded in rebuilding their lives in Mananjary by buying large fields from foreign owners, containing several plots in the research community. Under the nationalization policy of Ratsiraka, the CPN took over the management of this land, which made the legal status of the nationalized land ambiguous, as it was neither clear whether the Malagasy state still recognized the ownership

rights of the family, nor whether it could repossess the land or not. As happened to many plantations, despite the fact that the Pakistani gentleman had invested in his land, due to a wildly overgrown coffee plantation in the time of the CPN's bankruptcy, the condition of his land had deteriorated to such an extent that the land had become useless. At present most of his financial resources are tied up in the land which is now rapidly losing its value due to degradation. Needing to obtain some money by selling part of the land, the Pakistani gentleman put in a formal request to the prefect of Mananjary for permission to do so in 2004. In order to set the procedure in motion, the state first has to recognize his ownership rights. Therefore the state is officially obliged to pay him compensation before the land can be sold to third parties. The Pakistani gentleman argues that the state does not have sufficient financial resources to pay the compensation he is due, which according to him is why the state has postponed its decision indefinitely, leaving him in an untenable position.

Secondly, there is a former land worker who started working for the CPN before the 1980-s when he was still a poor subsistence farmer like the rest of his community members. In 1996, the CPN had financial problems and could no longer pay wages nor invest in the production process. The CPN user contracts were violated, so that the situation of the CPN workers became very uncertain. Despite this uncertainty, this particular farmer and some others decided to continue working for a few more years, and having cultivated the land for that period he knew exactly what the land was worth in terms of quality and profit yielding. The coffee and food crop production was sufficient for life subsistence, so the ex-CPN worker made some minor investments such as buying new seeds and some tools, and started cultivating pepper, cloves, vanilla, nutmeg, leeches and some food crops, both for his own use and for sale on the market. This initiative yielded him very positive results, as now he can boast of having the highest productivity rate in the region and can provide employment for fifteen paid workers, and his family enjoys a relatively high standard of living. However, the land situation is still complicated by the fact that the piece of land he is cultivating is in fact part of the Pakistani gentleman's claimed property, which means that the occupation and cultivation of that land by the ex-CPN worker could be illegal. The Pakistani gentleman sent a letter to summon the ex-CPN worker to leave the plot. However the ex-CPN farmer refused to comply unless harder measures were to be taken. The Pakistani man is now afraid that because the state does not recognize his land rights on paper, he will lose his land to either the state or the ex-CPN worker. Although this ex-CPN worker is reaping the benefit of the situation for the time being -as are his fifteen employees- he does have serious worries about the future.

Thirdly, Mr.B, a Frenchman who came to live in the community in 1996, is the owner of a coffee production company which he bought from Mr.A, another Frenchman, after colonization. Part of the sale agreement was to buy less fertile land, with the proviso that Mr.B would become responsible for its maintenance. However, soon it became apparent that Mr.B's principal interest was raising cattle rather than cultivating land, since the latter would be too unprofitable in his view. Mr.B concentrated on cattle breeding and decided to cultivate only a small fertile plot. As a cattle breeding, which was uncommon in the community, turned out to be more profitable than expected, he was able to employ 35 men. In 2000, Mr.B requested the state for permission to purchase more land, but since he has never received any response, he is wondering whether he will ever be able to purchase any more land in the future. One of the main difficulties is the lack of communication between the various political levels of government. Mr.B had requested the purchase from the prefect of Mananjary, but after two years his file was transferred to the provincial counsel of Fianarantsoa. Even though as far as he was concerned, the procedure had been close to being completed, the authorities of Fianarantsoa recommenced the procedure at the inscription level. Without being given any clear reasons, Mr.B was again referred back to Mananjary to continue the procedure. The delay appeared to be due to difficulties surrounding the uncertain legal status of the land which Mr.B had bought in 1996. In 1976, although the piece of land had been nationalized, it was also registered in the name of the former owner of the company, Mr.A. The legal procedure should have been to trace Mr.A and pay him the required compensation so that Mr.B would be able to start the registration procedure for the land he bought in 1996. However, as Mr.A remains untraceable, Mr.B can neither start the necessary procedures, nor prove his claim to the land. His inability to prove his rights to the land also makes the necessary and desired increase in investments very risky indeed.

As a consequence of the current land problems, both the three actors discussed above and the subsistence farmers in general, have experienced a disquieting level of insecurity as regards fertile land access. Dekker speaks of the difference between objective and subjective security, and states that objective insecurity about land access is caused by the lack of official documents in which people's land rights are documented. The provisional titles given to subsistence farmers are non-official legal documents, which make it possible in some cases for several people in the research community to (re)claim rights to the same piece of land. The subjective insecurity of land access occurs in situations in which farmers feel there is a great risk of losing their land rights (Dekker 2003: 54). Within the research community, the Pakistani gentleman, the ex-CPN worker and the Frenchman have all experienced subjective insecurity due to the fear of other actors or state institutes reclaiming their land. Another section of the

subsistence farmers' group have experienced subjective insecurity because of their fear that the state, migrants or private (possibly foreign) investors will reclaim their land and further limit their land access. The majority of subsistence farmers blame the Malagasy state for the economic and social tensions they endure due to indistinct procedures in land access.

Economical and Social Consequences of Insecure Land Access

One important economic consequence of insecure land access is that subsistence farmers are forced to find other financial resources. Although a few farmers are in a position to invest in land, they are cautious about doing so since while their future access to land remains insecure. Other actors such as the Frenchman and the Pakistani gentleman no longer want to invest in land, as without legal security it would be very risky for them to do so. In the context of dire poverty, subsistence farmers particularly, can only very occasionally make the type of small investment that will show immediate profit, such as buying seeds and tools or machines for working the land. Faulty communication and transport infrastructures are structural problems that prevent mostly subsistence farmers from exporting their products in order to improve their situation, thus confining them to the smallest of innovations in order to try to increase their chance of making a profit. Because of limited financial resources, the Pakistani and French gentlemen can no longer make any investments either, as most of their possessions are tied up in the land.

One of the main social consequences of insecure land access is the social tension it creates in and around the community, which causes many conflicts. If involved in such a conflict, subsistence farmers often seek mediation from the *ampanjaka*, who often act as intermediaries between the living and the ancestors, by asking the ancestors to help them find solutions to the land conflicts. However, both the authority of the *ampanjaka* and the belief that the ancestors will help the subsistence farmers seems to have diminished in recent years. As far as they are concerned, their chances of earning a decent living have deteriorated considerably. Without fertile land to cultivate, without sufficient work for the youngsters -especially in large families-, without having any prospects of a better situation in the future, some subsistence farmers have begun to doubt the power of the ancestors. In a group discussion, two subsistence farmers explained the following:

Nous avons pensé que les ancêtres pouvaient nous aider. (-) alors que les ancêtres ne peuvent jamais nous aider. S'ils nous avaient aidés, la vie serait autrement. (-)

Nous avons été éduqués par les coutumes par les coutumes dès notre enfance et nous sommes encore considérés comme les 'les gardiens des coutumes' de nos jours. Mais si on approfondit le sujet, surtout les coutumes, si les ancêtres nous avaient vraiment aidés, les Antambahoaka ne seraient pas dans cette situation de pauvreté. (-)

Autrefois et aujourd'hui ne sont plus le même. Avant, un ampanjaka possédait beaucoup d'avantage, parce que tous les villageois aidaient l'ampanjaka. Aujourd'hui, être ampanjaka est devenu dur.

Most subsistence farmers used to believe that the ancestors would help them if they could, but now wonder why they are still suffering. Since in recent years the situation has shown no signs of changing for the better, the feeling of trust and faith in the ancestors has been seen to ebb away, resulting in a loss of authority for the *ampanjaka*. Neither the ancestors nor the *ampanjaka* seems to have managed to influence the lives of the farmers for the better, as they can neither take away poverty nor offer them secure land access.

In cases where the *ampanjaka* cannot solve the dispute, the people have started to ask the mayor of the research community for mediation and if they do not succeed there, the involved parties are brought to the regional court. In cases involving land conflicts, subsistence farmers now try to gain more security by consulting both traditional authorities and representatives of the official political system. This change in conduct could be seen as yet another social consequence of insecure land access and is described as “forum shopping”, it is a practice of seeking out the forum which is likely to produce a result favourable to one's position (Benda-Beckman 1984 in Biezeveld 2002: 21). Subsistence farmers generally do not have the savvy to engage in the subtle practice of forum shopping, and Mananjary subsistence farmers fear that somebody else might therefore be able to lay claim to their inherited land (cf. Ramiarantsoa 1995: 84, 129).

Another social and economic consequence of insecure land access is the struggle youngsters go through about their future. Despite the fact that the *dina* requires every man over seventeen to work on the land, many in the research community have no land to work on. While the *dina* also stipulates that boys must remain in the community, some of them have to leave in order to find work. These are radical decisions for the boys, because by not respecting the *dina*, they risk being banned from the community, even if they should wish to return. It is therefore particularly the boys that struggle with the lack of prosperity. Girls however, have their own struggles in connection with insecurity of land access. Traditionally their future would be

determined by marriage, since they are expected to follow their husband and his family, but in the last few years, there have been many boys with insufficient land to live from. Rumour has it that girls are leaving for the city to find employment, often resulting in prostitution.

Conclusions

At the beginning of this article the definition that was adopted for the study of land access configurations in Southeast Madagascar was that of Ribot and Peluso (2003). During the ensuing discussions it became increasingly clear that land access may indeed be defined as “the ability to benefit from things”, since the land access of people in the research village determines to what extent people may profit from agricultural production. Land access potentially means access to food, work, housing, etcetera. Land rights do not necessarily mean power to access land. Numerous examples were presented here, such as the case of some of the subsistence farmers, or the Pakistani gentleman and even the Frenchmen. They all claimed to have legal rights to at least part of the land they used, while their power to retain their land access turned out to be quite limited. On the other hand, for the opposite scenario, the ex-CPN worker did not have legal rights to land while he was able to retain control of access to land. As Ribot and Peluso suggest, power derives from participating in a certain (power) field. Actors who no longer have a place in the power field, such as the Mr.A, who appears to be the legal owner of the land which Mr.B uses, are more than likely no longer entitled to maintain land access.

The local history of who holds power in the land situation shows how access relations have kept changing during the last century, shifting from the *ampanjaka* in pre-colonial society, to the French during the colonial period, and culminating in an elite of a few stakeholders having the greatest power as regards land access. During all these periods, subsistence farmers have experienced limited power and access to land. However, it cannot be said that they have been “powerless” victims as they managed to retain more power during the weakening control of the CPN by taking possessions of the old coffee plantations for their own profit. Nowadays, the majority of subsistence farmers find themselves confronted with insufficient land access, a situation in which insecurity has taken the upper hand.

Insecurity of land access is generated by the complexity of land registration policies and systems, in which traditional perceptions and customs, coupled with the official state registration system, have created a situation of legal and institutional pluralism. It appears as if subsistence farmers have become more and more insecure due to the fact that neither the *ampanjaka* nor the state institutions have been able to provide them with ways to secure their access to land. The *ampanjaka* have lost their authority due to their lack of power to either change the situation or

solve land conflicts, while the state registration system seems to have become completely inoperable. Hopefully PNF can change this. A rapidly growing population has pressurized the need for land access and has left farming families with insufficient land to provide for their own subsistence and for the possibility of inheritance for future generations. Without the prospect of at least some increase in prosperity for the young generations, this situation of insecurity is likely to accelerate land conflicts within the research community, which in turn may paralyze economic and social development.

As subsistence farmers have neither the financial resources for investment in a better future, nor the hope of any positive or immediate solution to their dilemmas, it is evident that social tensions will become more acute. The Pakistani gentleman has invested all his money in land that is now depreciating in value due to land degradation. The ex-CPN workers who seems to be making a good profit and even has fifteen workers in his employ, doesn't dare to make even small investments either, since his right to land access is constantly under threat. Finally, the Frenchman would like to make some investments, but does not because of the blocked registration procedure. Insecure land access would appear to have stretched its tentacles to all social levels of the research community, thus affecting not only its social structure but also the possibility of economic development.

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