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Changing Land-tenure Arrangements and Access to Primary Assets under Globalization

A Case Study of Two Villages in Anglophone
Cameroon

Francis Menjo Baye*

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Abstract

This paper illustrates how, in relation to globalization, formal and informal land institutions are prone to generate conflict over land rights and examines the implications of such conflicts on security levels of access to primary assets for the poor in two villages in Cameroon – Vekovi and Ekona. The land laws in Cameroon are an outcome of its colonial heritage and exist alongside the communal tenure system. As the issue of land awareness comes to the fore, engendered partly by population pressure, relative .../

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JEL classification: Q15, Q12, O18

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* University of Yaoundé II, Department of Economics and Management, Cameroon. Email: bayemenjo@yahoo.com

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price changes and the commoditization of land, conflicts develop: farmer–grazer conflicts in Vekovi, and farmer–farmer and indigenous people–state conflicts in Ekona. The rent-seeking attitude of administrative and judicial authorities, who use inconsistencies in the dual tenure system, reduces the possibility of negotiating lasting solutions to land related conflicts in these villages. The social cost of this behaviour is not limited only to mutual distrust but also includes the opportunity costs of both time and financial resources mobilized by the parties in conflict to follow-up legal procedures. The informal land-tenure system generally operates in opposition to the national land laws in our case study villages, an atmosphere that generates or exacerbates conflict situations that create insecurity and restrict productivity-enhancing investments. Land markets are more buoyant in Ekona, which is relatively more cosmopolitan and with farm-to-market roads that are fairly developed, than in Vekovi, which experiences net out-migration and is poorly accessible. As a more homogenous society with strong traditional conventions, land transfer in Vekovi remains biased in favour of males, while Ekona enjoys gender neutrality in access to land. Conflict adjudication in the case study villages would be more legitimate if both formal and informal interpretations inform the land dispute settlement mechanisms.

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UNU World Institute for Development Economics Research (UNU-WIDER)
Katajanokanlaituri 6 B, 00160 Helsinki, Finland

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1 Introduction

Individuals, governments, and other national and international stakeholders are now aware that the capacity to achieve their goals is affected directly or indirectly, either positively or negatively, by the forces of globalization. Local happenings may shape and are shaped by distant events as globalization unfolds. Although the institutional environment in a small open economy may not necessarily have the capacity to determine the forces of globalization, it may however mitigate or reinforce the effects of these forces on citizens via the mechanisms that sanction access to primary assets.

Within this set up, land-tenure institutions can offer one window through which to glimpse the channels in which the forces of globalization are affecting parts of the political, cultural, social and economic lives of people in clearly identifiable ways and how people are acting in response to those changes (Vosburgh, 2003). Land-tenure institutions are the laws and/or customs relating to the control and use of land (Upton, 1979). These institutions both influence and are influenced by the pattern of land-use and rural population density. At the same time, they also reflect the national level social and political characteristics, which evolve as globalization unfolds.

Moreover, peasant societies in the tropics consider land more than just another factor of production: it is the major determinant of their livelihoods, beliefs and sense of belonging. Land is also an important vehicle that provides access to economic opportunities, accumulating wealth, and transferring it between generations (World Bank, 2003), especially in rural settings. The traditional land-use system is being altered by an international environment, which imposes neo-liberal reforms like privatization and liberalization. This context is further reinforced as the commercialization of agricultural, pastoral and forest products are reshaping relations of production and exchange, leading to new demands for access to and control over land and its related assets.

The main objective of this paper is to illustrate how the evolving land-tenure arrangements are prone to generate conflict situations and the implications of these on tenure security and access to primary assets for the poor at the village level in Cameroon. This objective is guided by the following propositions: (1) the effective land-tenure and resource use arrangements at the village level draws heavily on both the country's colonial heritage and the village specific cultural endowments that are constantly modified by exogenous influences; (2) tenure systems, with or without policy, will ultimately move towards gender neutral private ownership, but more homogenous communities in terms of ethnicity and tradition will transform slower than less homogenous ones; (3) land related conflicts occur mostly where informal constraints/incentives and formal land laws function in opposition, while tenure security prevails more where they function in harmony; (4) land markets and conflict situations develop with increasing awareness of the demographic and economic importance of land, and especially when villages become more cosmopolitan; and (5) conflict situations adversely affect incentives to access and derive returns from land related assets.

Section 2 of the paper presents a conceptual framework that examines the relationship between formal and informal land institutions and their influence on conflict situations under globalization, and possible implications of such conflicts for the poor via their access to primary assets. Section 3 establishes a colonial link to the present land-tenure arrangements, as well as discussing other related vectors of globalization in Cameroon. Section 4 presents the methodology for data collection and a socioeconomic description

of the villages surveyed. Section 5 outlines the findings of the paper, and Section 6 pools the various strands of the paper into concluding remarks.

2 Conceptual framework

2.1 Land-tenure institutions, conflict situations, and primary assets

Institutions are the humanly devised constraints that shape human interactions (North, 1990). This has long been characterized by Commons (1961) as ‘collective action in control of individual actions’. By defining and limiting the set of choices of individuals, institutions structure incentives in human exchange. Institutions can be: formal rules, regulations and enforcement, which include political, judicial and economic rules and contracts, or; informal constraints, which refer to conventions, codes of conduct and norms of behaviour that are culture specific. As pointed out by North (1992), the mental models that may prompt economic and political entrepreneurs to contemplate institutional changes are partly culturally derived, partly acquired through experience, and partly through training.

Land-tenure systems influence and are influenced by conflict situations, which engender insufficient access to primary assets – a situation that is the outcome of economic, social and political processes, and their interactions. These interactions are mediated through a wide range of both formal and informal institutions including land-tenure arrangements. For example, while the law governing the control and use of land in Cameroon is defined formally by an act of parliament and promulgated to law by the President of the Republic in a judicial sense, how the rights over the use of land and related assets, as well as over the returns on them are determined and interpreted in practice depends largely on the socioeconomic and cultural implementation context (Baye, 2003). In this regard both formal and informal institutions tend to affect and determine – by interaction – security levels of access to and returns on primary assets.

As articulated in Nee (1998), formal rules (including those governing land matters) are produced and enforced by national institutions, which seek to solve problems of collective action (in control of individual actions) through third-party sanctions. Informal norms on the other hand, arise out of networks and are reinforced by means of ongoing social relationships. To the extent that members of rural networks have interests and preferences in land matters independent of what economic and political entrepreneurs enact, the respective contents of informal norms and formal rules are likely to reflect opposing aims and values that generate conflict situations, which may hamper the asset holdings of the poor if not well mediated. However, when the formal rules are perceived to be congruent with the preferences and interests of actors in sub-groups, the relationship between formal and informal institutions will be mutually reinforcing.

The close coupling of informal norms and formal rules would enhance the incentive structures that facilitate access to primary assets and their returns, and lower transaction costs because monitoring and enforcement can be achieved informally. The greater the reliance on formal sanctions, the higher the transaction costs in maintaining compliance (Nee, 1998). By the same token, contrasting and conflicting views of fairness and

justice of institutional arrangements can raise transaction costs (North, 1992) in the process of adjudicating land related conflicts.

To render this framework for understanding the dynamics of conflict more tractable, we follow Niskanke (2004) who builds on the World Bank's *World Development Report* (2000) to classify assets into two main categories: primary assets and secondary assets. Primary assets can be sub-divided into four groups, comprising: (1) natural assets (land, pastures, forests, fisheries, water, etc.); (2) human assets (household composition and size, health and nutritional status, education and skills); (3) physical assets (productive and household assets, livestock and food stocks) and; (4) financial assets (cash, savings, access to credit and insurance markets).

Secondary assets constitute the institutional environment that affects and determines the outcome of conflict situations.¹ The institutional environment is, therefore, composed of all market and non-market formal and informal arrangements that may influence conflict situations. Changes in the institutional environment may act as a constraint on primary asset accumulation and their returns by perpetuating insecurity in land-tenure. For instance, institutions that promote discrimination by ethnicity, gender and religion, can engender social and spatial fragmentation and create conflict situations in rural areas. On the other hand, if the socioeconomic and political governance structures of these institutions are flexible, mutually reinforcing and favourable, the poor can have a much better opportunity of preventing or coming out of conflict situations and building up their primary assets over time.

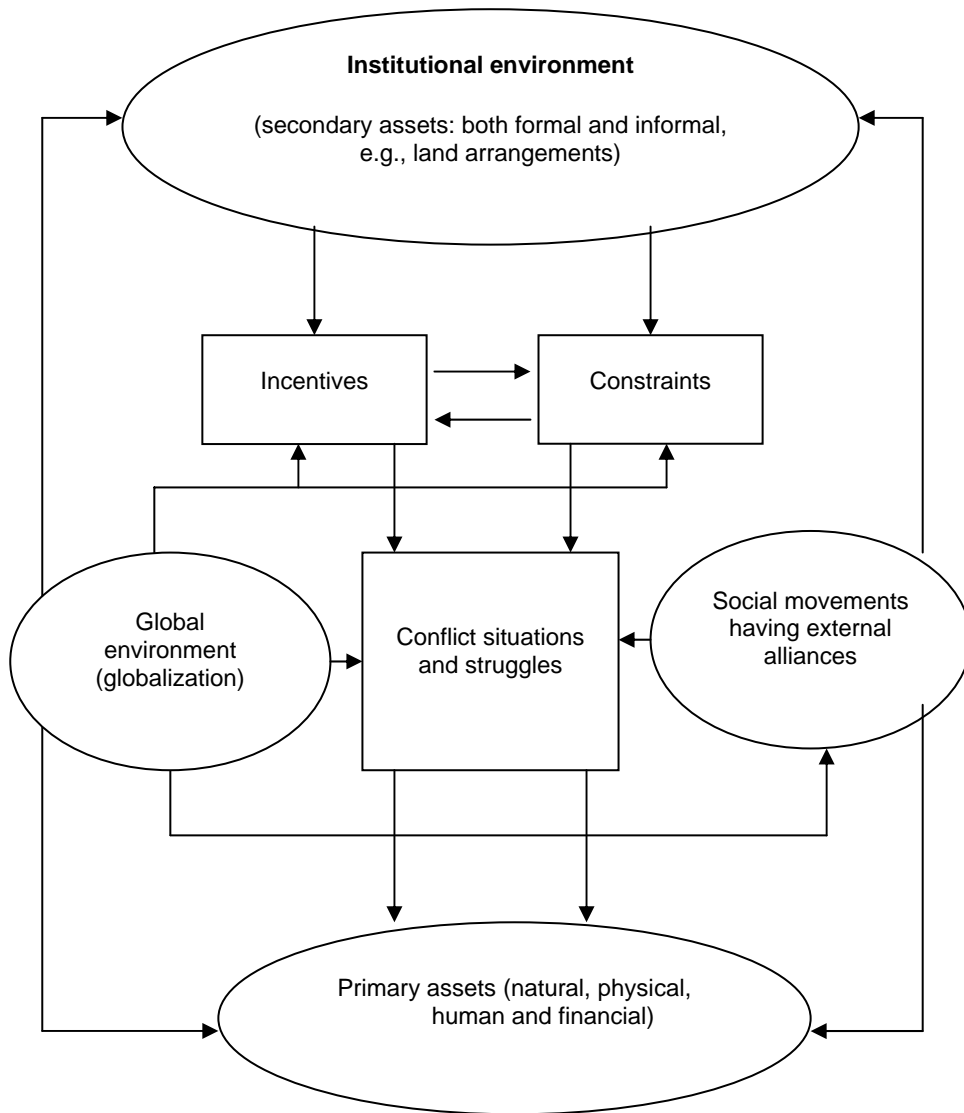
2.2 Land-tenure arrangements and conflict management under globalization

This framework of conflict interpretation and management recognizes that individuals interact not just through markets, but through a wide range of institutional arrangements that include markets, whose main facets can be changed by both internal and external forces. Consequently, the framework considers land related conflicts and their management not just as a function of local realities, but also a function of the institutional environment that mediates other exogenous factors propelled by the forces of globalization spanning from the colonial era.

Figure 1 proposes a simple model that attempts to capture linkages between land-tenure systems, social movements, conflicts and asset acquisition in a globalizing environment. Internal and external factors influence the institutional environment, which acts as a filter and generates a series of incentives and/or constraints that impact on conflict situations that affect primary asset holdings. The incentives reduce land-based conflicts, while the constraints usher in conditions that fuel disputes over landed property. Conflict situations in the rural economy can also transmit signals that may influence

¹ The secondary assets implied by this framework of analysis could include those governing: (1) property right regimes, land-tenure relations, access and use-rights to productive assets and other natural resource management; (2) production relations; (3) marketing arrangements; (4) gender relations; (5) labour market arrangements (on-farm and non-farm wage employment opportunities and rural-urban or rural-rural migration/resource/remittance transfers); (6) financial market arrangements; (7) provision of social services, and; (8) social networks and safety-nets (Niskanke, 2004).

Figure 1: Globalization–institutions–asset characteristics



changes in the institutional environment. These signals may be transmitted via social movements, which may be having alliances with external social forces. These movements tend to push forward struggles by indigenous people over land and related assets. Exogenous factors could also influence these incentives and constraints directly, intensifying them or mitigating their influences on conflict situations, which fuel and are fuelled by insecurity that generates disincentives to primary asset accumulation.

More generally, as argued by Shipton (1989), population pressures, high-value cash cropping and private ownership of land are closely connected in sharpening individual and group claims on parcels of land. This often leads to more frequent and bitter conflicts over land, and at the same time it challenges the capacity of the dispute management institutions such as the traditional council, the local administration and the legal system. Under such circumstances, authorities' direct control over land tends to erode, and the increase in land litigation widens the scope for the payment of fees and

bribes in the process of dispute resolution (Shipton, 1989; Lund, 1999), practices that seldom secure sustainable solutions.

3 Vectors of globalization and their implications on land-tenure

3.1 The influence of imperial power on land-tenure

The presence of imperial power in Africa had the effect of causing a reorganization in the local land use and power structures, in response to colonial markets and government pressures. Even where the imperial policy did not seek to alter the structure of land use and power, the colonial presence alone was often enough to cause a breakdown in traditional structures (Vosburgh, 2003). During the process of colonization, doors were opened to future western influence, especially economic predominance, through the introduction of cash economies, taxes and manufactured goods. Trading directly or indirectly with western nations may also have had the effect of changing the value of commodities and thus the pattern of land use. While some traditional systems successfully adapted themselves to incorporate cash economies, they may have lost the features that made them work efficiently prior to contact with the western nations.

With the growing dominance of capitalism and democracy as a global operating standard (Huntington, 1991), the concept of private property lies at the heart of political and economic assumptions (Riker and Weimer, 1995). Property rights and tenure regimes based on collective notions of ownership and control have, therefore, come under attack in the environment of all-round liberalization integral to IMF/World Bank Structural Adjustment Programmes (Moyo, 2003) systematically administered across Africa. Land titling as an individualizing process that supposedly allows for easier access to agricultural credit and the expansion of the land market has been favoured as the preferred policy direction for Africa by the neo-liberals. This context is further reinforced as the commercialization of agricultural, pastoral and forest products are reshaping relations of production and exchange leading to new demands for access to and control over land. The various processes of commoditization that have occurred have generated growing conflicts over land allocation and use across many social and material cleavages, particularly the more generic dimension of class, gender, nationality, ethnicity and race (Moyo, 2003).

Proponents of these policy prescriptions in Africa fail to realize that the formalization of land ownership is particularly attractive where indigenous tenure systems are weak or absent, where the return on investment in land is high, and where collateralized lending has taken root (Jacoby and Minten, 2005; World Bank, 2003; Feder and Nishio, 1999). In most of sub-Saharan Africa however, these conditions do not apply systematically, leading some to question the wisdom of land registration and distribution of land titles as preconditions for increased agricultural investments and productivity (Atwood, 1990; Migot-Adholla et al., 1991; Bruce et al., 1994). These authors are among those who argue that sub-Saharan Africa lacks the infrastructure, factor market development and other prerequisites for land-tenure reform to significantly promote agricultural intensification and productivity growth.

In this setting, establishing a modern property rights system, without legally recognizing informal rights, may expand the scope for rent-seeking by those mandated to implement the land laws and/or mediate conflict situations. As summarized in Atwood (1990), natives may face far fewer risks of loss of land under the existing informal system than migrants would face. In this context, while land registration might reduce the risks faced by a migrant, it may increase the risks and insecurity faced by locals as individual family members struggle to secure title deeds in their name. Hence, for many locals, registration may create rather than reduce uncertainty and conflict over land rights.

The dominance of external financial and development institutions in Africa's policy making processes and local markets have contributed to fuelling the land conflicts that have developed (Moyo, 2003). One of the common sources of today's land-related crises in Africa is, therefore, globalization. Arguably, social justice and economic inequality have always been influenced by global politics and economics. This is championed by neo-liberal reformers who are selling or encouraging the sale of state-owned businesses, which nationalistic rhetoric equates with 'ransoming the patrimony' (Berardo, 1998).

The land-tenure and resource access system operating in Cameroon is the outcome, at least in part, of the chequered history of the country. The geographical location now identified as Cameroon, has gone through different periods and experiences beginning from that of migratory tribal groups in search of appropriate places for settlement, through a colonial period that saw Germany, Britain and France as colonizing powers that imposed their systems of tenure and resource access on the territory, to present day liberalization, privatization and NGO activities. The present tenure and resource use arrangements in Cameroon, therefore, draw heavily on both its colonial heritage and cultural endowments.

3.2 Legacy of the colonial era

The traditional attitude of the African towards land was beautifully phrased by a Nigerian Chief to the West African Lands Committee of 1912: 'Land belongs to a vast family, of which many are dead, a few are living, and countless members are still unborn' (Peterson, 1986).² Yet, to better understand the present land-tenure system and access to land related resources, it is perhaps necessary to begin with the period that gave rise to the present tenure system in Cameroon. Under the German Natural Resource Tenure System, all lands, except those occupied by the indigenous people for farms and residence, were expropriated without compensation. Land operated by the Cameroon Development Corporation (CDC) is a case in point. The German administration, therefore, took control of all resources and the natives had rights only to farming and harvesting wood for fuel and construction of their homes.

The French administration (of Francophone Cameroon) and the British administration (of Anglophone Cameroon) pushed the Germans out from Cameroon during the Second World War. Under the French administration, a land registration and certification system was introduced, whereby individuals could obtain titles to land that gave them rights to exploit timber and other forest products within limited wooded areas. The

² Earlier attributed to Elias (1962): *Nigerian Land Law and Custom*, London

British tenure system recognized the native laws and customs with regard to the use and occupation of land. They paid royalties to chiefs for harvesting trees and non-timber forest products (NTFP) on native lands. This administration also recognized the need for non-natives to occupy land, and so issued certificates of occupancy.³ Three successive laws, each reinforcing the nationalization of all land and natural resources upon it have been enacted in Cameroon since independence. These laws draw inspiration from the colonial administrations.

The 1974, 1976, and 1994 land-tenure legislations abolished the traditional land-tenure systems and prescribed formal land and resource use procedures, which progressively tilted to individual ownership under some form of freehold. The Cameroonian authorities viewed these ordinances as a land reform law intended to protect the small farmers, assure them a permanency of tenure and encourage development in rural areas. The freehold tenure implied by this reform is based on exclusive rights (to sale, sub-divide, lease, make a gift or bequest), whereas the traditional system is founded on the right of access as a member of the community. If the customary system of individual rights in the cropland were effectively replaced by individual title under freehold, with the head of each family getting absolute rights in the land cultivated, aggregation of fragmented tiny plots of land may result in the carving out of peasants by more progressive farmers. This outcome would further alienate peasant farmers from asset accumulation.

A number of factors led to an increasing amount of land coming under permanent individual control. These include: the introduction of perennial cash crops like coffee and cocoa by the colonial masters, which enabled taxes to be levied; the necessity for investment in land improvement and for safeguards in its occupation and use; population growth, and; urbanization and the growing recognition that land had commercial value. These factors bring private rights independent of policy. Policymakers and their development partners use this thinking to justify legislating for private property and titling whereby they are merely accelerating the inevitable (Bruce et al., 1994). This produces a reasoning where private land ownership increases tenure security and hence investment (and thereby productivity). Out of Africa, Feder et al. (1988) finds evidence that private property increases security, access to credit and investment in rural Thailand. Such evidence is, however, not systematic in Africa (see Migot-Adholla et al., 1991).

The national land ordinances give the government *de jure* rights over land, while *de facto* control in most rural villages remains in the hands of traditional rulers and landlords. The land ordinances, while initiated to help small farmers, have actually helped the wealthy and educated, especially those who are aware of the laws, have the resources and access to the bureaucracy required to apply for land allocation certificates and have the patience to wait for many years.

3.3 Openness of the Cameroonian economy

Computing the degree of openness and net foreign direct investment–GDP ratio can capture some facets of the extent of Cameroon’s insertion into the global economy. The

³ See Sikod et al. (2000) for more development of these issues.

Table 1: Indicators of the degree of Cameroon's insertion into the global economy

Year	Export ratio (%)	Import ratio (%)	Openness (%)	FDI ratio (%)	Foreign debt ratio
1975	22.69	15.12	37.80	0.92	15.99
1976	22.64	19.38	42.03	0.27	19.82
1977	25.06	20.86	45.92	0.13	33.03
1978	23.66	21.81	45.47	0.76	34.92
1979	21.08	24.72	45.80	1.03	37.67
1980	28.16	27.40	55.56	1.56	38.39
1981	25.26	35.71	60.97	0.40	34.80
1982	36.79	39.19	75.98	0.38	38.43
1983	32.66	43.45	76.11	0.78	39.36
1984	35.72	51.82	87.53	2.89	37.18
1985	31.90	52.46	84.36	3.36	38.87
1986	20.86	35.53	56.39	1.95	39.03
1987	15.74	33.13	48.87	2.80	37.87
1988	16.37	27.99	44.36	2.80	38.12
1989	20.95	30.31	51.26	3.92	48.70
1990	20.18	29.68	49.86	0.99	59.70
1991	20.00	25.99	45.99	1.18	55.34
1992	20.55	32.10	52.64	1.81	65.00
1993	17.09	28.62	45.72	1.13	61.99
1994	22.08	38.72	60.81	-2.90	105.11
1995	25.68	48.00	73.67	-1.94	118.33
1996	22.49	50.20	72.68	1.02	105.64
1997	25.30	56.30	81.60	1.09	102.80
1998	26.50	63.08	89.58	-0.57	114.41
1999	24.39	62.04	86.43	0.07	103.15
2000	30.73	69.77	100.50	3.16	104.78
2001	31.85	78.10	109.95	4.38	98.43
2002	27.44	80.84	108.27	7.50	90.70

Source: Compiled by the author with data from the World Bank Africa Database 2004.

general indication as shown in Table 1 is that Cameroon was more open to the global economy in the early 1980s, when Cameroon's economy was booming, than in the early 1990s. This observation is supported by the ratio of net foreign direct investment, which suggests an important inflow of foreign capital in the 1980s than the 1990s, even if it was mainly absorbed by the oil sector.

From the latter half of the 1980s Cameroon's participation in the global economy was weakened by deep economic crisis. Disinvestments followed (negative sign of the ratio of net foreign direct investment) as confidence in the management of the economy plummeted. The 1994 CFA devaluation somewhat enhanced Cameroon's international

Table 2: Composition of exports by selected sectors: Cameroon, 1961–2000

Year	Cocoa in total exports (%)	Coffee in total exports (%)	Cocoa and coffee in total exports (%)	Oil in total exports (%)	Others in total exports (%)
1961-70	30.85	25.00	55.85	-	44.15
1971-80	27.45	25.75	53.20	-	46.80
1981-85	16.08	17.50	33.58	38.18	28.24
1986-93	12.21	11.38	23.59	42.36	32.95
1994-2000	8.9	7.03	15.93	37.31	47.76

Sources: 1961–1980 computed from records of the National Institute of Statistics. 1981–1991 compiled from Cameroon in Figures, various issues. 1992–2000 compiled from data from the Ministry of Economy and Finance, Department of Customs.

standing, and the ratio of net direct investment subsequently turned positive. The foreign debt situation bulged in the 1990s before returning to sustainable levels as Cameroon was admitted into the HIPC initiative in 2000 and reached completion in 2006.

3.4 Liberalization of commodity sub-sectors and access to land

Cocoa and coffee are the two main traditional agricultural exports produced in Cameroon. They represented over 50 per cent of total export receipts on average from 1961 to 1980 (excluding oil). Both planters and plantations are ageing. The average age of coffee and cocoa trees in Cameroon is over 35 years and that of cultivators over 60 years: the prospects of replacement are somewhat bleak due to persistent low world prices in recent years.

With the emergence of significant oil exports in the early 1980s, the contribution of coffee and cocoa to the value of total exports declined to an average of about 34 per cent. As indicated in Table 2, the contribution of these sub-sectors declined substantially in the early 1990s as the share of oil exports dominated. From 1994, the contribution of oil exports declined slightly in favour of non-traditional exports.

Faced with prolonged declining world market prices for commodities in the latter half of the 1980s, and handicapped by extremely high production costs, low yields, shortage of liquidity at the public treasury and the banking sector, the state managed stabilization fund within the marketing board system could no longer continue to perform its objectives, as it could not lay hands on funds that had been accumulated over the years. Deficits increased and the stabilization mechanism was disrupted.

The slow down in the decline of the share of the traditional export sector after 1994 could be attributed, at least in part, to the ephemeral effects of liberalization of the sub-sectors. The state withdrew from the production and marketing sectors by progressive liberalization of the fertilizer sub-sector starting from 1988, and the coffee and cocoa sub-sectors from 1991. The liberalization of the coffee and cocoa sub-sectors directly exposed farmers to world commodity markets. The process initially coincided with two fortunate episodes – the 50 per cent devaluation of the CFA Franc in January 1994 and the July 1994 world commodity market price hikes following frosty weather in Brazil.

The coffee business became very lucrative and there was panic buying at all levels in the marketing chain with no premium for quality. This acted as an incentive for farmers

and other dealers to seek artificial ways of increasing the tonnage marketed by harvesting unripe fruits and/or marketing semi-wet produce. These malpractices were further exacerbated by the laxity in quality considerations at the port of shipment. Of course, Cameroon exports were soon rejected for not conforming to quality norms.

The efforts by port of shipment exporters to conform to quality norms led to the non-respect of contract deadlines, and this attracted enormous penalties that led to the near collapse of marketing produce abroad.⁴ It was the peasant farmers that had to bear the brunt. The response by farmers as they experienced sharp drops in their incomes was to reduce maintenance and re-orientate production strategies towards other activities, notably annual crops. This trend slowed down the process of land speculation for perennial cropping, which had been the main vehicle to individual ownership in Cameroon, even under communal tenure systems.

3.5 NGOs and land awareness

In the early 1980s, the government of Cameroon missed an opportunity to use part of substantial oil revenues for agricultural development. When it plunged into economic crisis from mid 1980s, the donor community started doubting the efficiency of public administration of rural projects. Coupled with problems of governance and their attendant effects, foreign governments and donor agencies preferred assisting local communities through NGOs rather than through their traditional governmental counterparts.⁵ The proliferation of both international and local NGOs in Cameroon with the mission of ameliorating the environment and livelihood condition of the rural poor appears to be in line with this perception.

With the present wave of globalization, liberalization of economic activities and the progressive state withdrawal from active involvement in aspects of rural development, NGOs are perceived as a means of filling the gaps left by governments (Tafah and Asondoh, 2000). An example of such an NGO is Heifer Project International, who have been active in sedentary animal husbandry throughout the country. The promotion of sedentary animal husbandry has been instrumental in curbing the growth of land related conflicts, especially farmer–grazer problems.

4 Methodological issues and the villages under study

4.1 Some methodological issues

The results presented in this paper are based on fieldwork conducted in the month of October 2001 in two Cameroonian villages – Vekovi in the northwest and Ekona in the southwest provinces, the two Anglophone provinces of the ten provinces of the Republic of Cameroon. Both formal and informal methods were used in collecting field

⁴ For more discussion on these lines, see Baye et al. (2002).

⁵ This view is well articulated by Bebbington and Thiele (1993) as they note that, ‘donors, faced with the confidence crises and inefficiencies of their traditional governmental counterparts now prefer to work with NGOs in programmes of poverty alleviation ... and sustainable development’.

data, including direct observation, and discussions with administrators and delegates of sector ministries in the sub-divisional headquarters, as well as some identified individuals in the two villages. Data were formally collected at the community level through a structured questionnaire administered by group discussions with key

Table 3: Basic features of the villages surveyed

Variables	Villages	
	Vekovi	Ekona
1 Population	11,000	15,185
2 Participants in group discussions:		
• Male	26	21
• Female	17	8
3 Ethnic groups (%)	Nso: 75 Bororos: 15 Oku: 8 Others: 2	Ngi: 30 Lebialem: 25 Bakweri: 10 Bakossi: 10 Eroko: 10
4 Communities speaking a different local language	3	~15
5 Local chiefs/quarter heads	60	12
6 Non-resident NGOs	2	1
7 Religious denominations	5	7
8 Credit unions	1	2
9 Co-operatives	0	2
10 Informal money lenders	2	—
11 Njangi groups	>55	21
12 Dominant land-tenure system	Communal	Informal
13 Local enterprises	15	8
14 Indigenous people in the village (%)	75	10
15 Active political parties	2	2
16 Women's groups	62	54
17 Villagers practising witchcraft (%)	40	—
18 Traditional 'Sundays' per month	8	4
19 Households	1572	5530
20 Average household size	7	2.8
21 Distance to nearest town (km)	10	7
22 Average drive-time to nearest town (mins)	45	15

Source: Field work survey by the author.

informants (village chiefs, quarter heads, teachers, health providers, agricultural field workers, farmers, grazers, women, and youth). The groups were composed of 43 and 29 persons in Vekovi and Ekona, respectively (Table 3).⁶

The questionnaire captured demographic information, road infrastructure and distance to markets, ethnic composition, institutional arrangements related to land-tenure, gender relations, migration, etc. (see Baye et al., 2002). The limited resources (time and financial) did not allow for a sampling framework such that the observations would be representative of all the villages in Cameroon. Instead, the fieldwork was narrowed to the two villages, Vekovi in the highland and Ekona in the lowland ecological zones.⁷ The main results in this paper are motivated by land-tenure arrangements.

4.2 Presentation of the villages under study

4.2.1 Vekovi in the highland: a socioeconomic and cultural description

Vekovi is located in the Jakiri sub-division, Bui Division, in the northwest province. It is mostly savannah grassland with limited forests in the higher areas lying between 1,500 and 2,100 m above sea level: increasing human activity has degraded the forests. The temperatures are mild, between 10–19°C, and the soils in the lower areas are fertile and suitable for crop cultivation, but most land is more suitable for grazing. Historically, because of population pressure and the need to feed and shelter the growing population, some Nso people (the main ethnic group in the division) were obliged to move southwards to ‘Dzeekwa’ (meaning the road to the farm), which includes Vekovi, with its fertile and available space.

Vekovi has a population of about 11,000 people (year 2000 estimate by the Jakiri Rural Council). With 75 per cent being Nso this is quite a homogenous population. Other ethnic groups are the Bororos (15 per cent), Oku (8 per cent) and others (2 per cent). The Bororos are a nomadic tribe of grazers, who are beginning to settle in permanent homesteads. Forty per cent of the surface area of the village is grazing land, 30 per cent is used for rain-fed agriculture, 20 per cent for housing/settlement, and 10 per cent is forest (Table 3). Vekovi is under the traditional leadership of a sub-chief, assisted by fifty-nine quarter-heads, only eight of who are landlords (Table 3). They oversee the activities of the traditional village councils and report to the Fon of Nso, who is the paramount ruler of the clan.

Access to the village is relatively poor, by dirt road, on foot or by old vehicles that use modified five-litre plastic containers as fuel reservoirs. The nearest town is 10 km away; an average of about 45 minutes drive due to the rocky and undulating nature of the road caused by erosion. The enclave nature of the village in terms of road infrastructure and

⁶ The difference in the numerical strengths of the groups is not thought to significantly affect the findings. This view is maintained because our focus was on the qualitative assessment of responses arrived at by consensus or majority vetting, thus, any representative group of persons above twenty could have sufficed for the exercise.

⁷ The choice of the two ecological zones was made after some preliminary discussions with colleagues and practitioners in aspects of rural development in the country. These ecological zones, however, help to capture rural behaviour in the main ecological zones in the country.

the total absence of electricity supply, radio and television signals is a vivid indication that the village is yet to take advantage of information technology that could help enhance the asset holdings of the local population.

The villagers rely on their own efforts to mobilize funds as exercised through participation in credit union activities and Njangi (tontine)⁸ associations. There are many more Njangi associations in the village organized by women than those organized by men. These Njangi permit women to pool together their risks and uncertainties from crop failure or destruction by animals. In this regard, women tontines function as an insurance fund, which offer each of them some degree of security and a credible safety-net.

Men's groups are usually 'juju' societies in which the main motive is the promotion of the cultural values of the members rather than the financial empowerment. Men's groups tend to perpetuate inequality in the village as the richer members use goats, chickens and palm wine to acquire influential positions in the society. This enables them to determine the distribution of initiation or upgrading requirements provided by others, or the *modus operandi* and the direction to be taken by the group. As an asset, therefore, social capital (measured by membership in Njangi and other associations) matters more for women than for men. It is also a source of some empowerment to the women.

Agriculture is the main activity and the staple of the village economy. The traditional cash crop is Arabica coffee, while some field crops are becoming major cash earners (see Table 4). Market days are held once a week and buyers come from neighbouring Jakiri, Kumbo, Bamenda and Foumban to buy food crops. Traditional measurement units are dominant if not exclusive. It is the belief of the villagers that the prices they receive for their produce is very low compared to the costs of goods and services that they require. The degree of price fluctuation in the village for farm products is very volatile and highly seasonal in nature – being very low immediately after harvest and high between planting and harvesting (Table 4). The poor state of the roads during some periods of the year aggravates the seasonal price instability.

The traditional division of labour in Vekovi is such that women engage in food production and men in cash earning activities, especially Arabica coffee cultivation. However the low farm-gate price of coffee – blamed on heavy taxation and the Dutch disease – led men to reduce effort in the coffee fields. This tendency was intensified as increased demand in urban centres for field crops like Irish potatoes, beans and corn, as well as the commercial value of eucalyptus trees, acted as an incentive for men to transfer their resources to the production of these crops. The position that Arabica coffee occupied in the 1960s and 1970s as the main cash earner is now a narrative of the older generation, illustrated by the closure of the Vekovi coffee co-operative in 1984. With the liberalization of the sub-sector since the early 1990s and the recurrent low world prices, the situation remains precarious.

⁸ Thrift institutions that operate in many least developed countries.

Table 4: Production, marketing, and price behaviour

Variable	Vekovi	Ekona
Production		
Main crops grown	Arabica coffee, Irish potatoes, beans, maize, cassava, coco-yams, sweet potatoes, groundnuts, plantain, bananas, avocados, tobacco, kola nut, guavas, oranges, raffia palm, tomatoes, carrots, huckleberries, cabbages, pepper	Cocoa, Robusta coffee, plantain, yams, coco-yams, maize, sugar cane, sweet potatoes, cassava, mangoes, oranges, plums, grape fruits, pepper
Livestock/fisheries	Poultry, goats, sheep, cattle, milk	Poultry, goats, pigs, fish
Hunting	Rat moles	Antelopes, monkeys, pangolins, reptiles.
Marketing		
Frequency of market days	Once a week	Twice a week
Major buyers of produce	Private	Co-operatives
Means of transport from farm to home	Head load and donkey	Head load and pushcart
Means of transport from home to market	Head load and donkey	Head load and pushcart
Mode of payment	Cash	Cash
Price behaviour		
Measurement units	Traditional	Metric
Average level of farm-gate prices	Very low	Low
Degree of price fluctuation	Very high	Fair
Importance of seasonal factors	Very important	Moderately important

Source: Field work survey by the author.

4.2.2 Ekona in the lowland: a socioeconomic and cultural description

Ekona is in the Muyuka sub-division, Fako Division, in the southwest province, situated on the north-eastern slopes of Mount Cameroon; an active volcano. It is an old roadside village along the Buea–Kumba road with a population of 15,185 people (1999 estimate by community leaders), and is some 800 m above sea level. Climatically it is warm with a heavy rainy season; humidity is high year round (76 to 90 per cent). This abundance of water facilitates the growth of crops like bananas and plantains, the soils are volcanic and very fertile, making Ekona a rich agricultural area and attractive for migrants.

The Cameroon Development Corporation (CDC), a semi-public company created in 1947 by the British administration, has large plantations of rubber, banana and oil palms in the area and many of the settlers are either former casual workers of the CDC, or the offspring of former workers. Workers came mostly from Ngie in the northwest province and Lebialem in the southwest province, while some Bamilekés, who fled the war in East Cameroon over fifty years ago, have also settled in Ekona. The native population,

even if they now constitute a minority (about 10 per cent), are the Bakweris (see Table 3). There are over fifteen ethnic groups and different languages in the village.

The village of Ekona is confined to a relatively small area, yet it has become quite cosmopolitan due to the activities of the CDC. Seventy-five per cent of the non-forest land area is under rain-fed agriculture and 25 per cent is taken up for housing/settlements. The head of the Ekona village is a second-class chief, assisted by a sub-chief and ten quarter-heads. There is a traditional council, with a council chairperson.

As for infrastructure, there is a deteriorating highway running through the village. To cover the 7 km from Ekona to the main administrative office in Muyuka takes about 15 minutes by car or bus. Traffic on the road, in spite of its deteriorating condition, is relatively dense, and there are farm-to-market roads linking the village to most outlying farms. The CDC constructed most of these roads for the evacuation of its produce.

The main economic activity of the population is farming. Crops produced can be divided into traditional export crops – cocoa and Robusta coffee – and crops for local consumption. Increasing quantities are being sold to meet the food needs in the accessible urban centres, including plantains, yams, coco-yams, sugar cane, peppers, sweet potatoes and cassava. The population also grows some fruit trees – mangos, oranges, plums and grapefruit (Table 4). There is virtually no animal husbandry as the terrain is not appropriate, however small ruminants like goats, pigs and poultry are raised (Table 4) and serve as a store of value and insurance against sudden income shortfalls.

Ekona has a biweekly market, where villagers buy and sell with traders and customers from Douala, Limbe and Buea. The marketing of food crops is mostly by the farmers themselves or by their children; the most common means of transporting goods is by head and pushcart with most of the burden carried by the women and children. Prices fluctuate seasonally and generally the villagers feel that the prices they receive for their produce is low and that this keeps their income low (Table 4). The marketing of cocoa and Robusta coffee is mainly through the co-operatives and these sub-sectors were liberalized in the early 1990s.

5 Results related to land-tenure arrangements

5.1 Land ownership and the market in Vekovi

Despite the observation that there has been a net out-migration from Vekovi, the average size of land owned by a farm household has decreased: a tendency attributed to demographic factors (high birth rates and low death rates). The issue of land markets is sanctioned by the traditional system and the legally established system as provided by the land laws. The strict traditional system does not endorse the sale of land, yet the strict administrative system endorses the sale or individual ownership of land when land titles are drawn. In effect what is practiced is a mix of the two systems; although the sale of land is traditionally not allowed the sale of the property on the land is allowed, which of course cannot be dissociated from the land. For all practical purposes, however, the land market is quite inactive in the village in that sales and purchases of land rarely occur.

Our survey identified a wide range of contractual arrangements. Land is traditionally only inherited by males – females have only use-rights (Table 5) – particularly land planted with coffee trees. Some land is leased by landlords who in return demand a fowl (chicken) and a calabash (half a jug) of palm wine to grant use-rights to the land for annual crop production. This is the traditional system of access to land for growing field crops. Recalcitrant landlords demanding money for this purpose are called to order if brought to the knowledge of the village traditional council, in which case they may be required to pay fines. Elements of sharecropping can be identified in the sense that after harvest, some cultivators are expected to hand over part of their harvest (which is not necessarily a fixed proportion of the harvest) to the landlord. At times, the cultivator also gives up some labour hours to help the landlord in land preparation or in harvesting, especially of Arabica coffee.

Another contractual arrangement was identified between the grazers (Bororos) and farmers whereby a fenced parcel of grazing land is given to the farmer, split into two distinct plots; one for the farmer's own use and one to cultivate on behalf of the landlord. Instances do occur where the Bororo landlord provides some farm inputs, though this form of arrangement may not survive for long because Bororos are beginning to become more sedentary and cultivate their own food crops.

Land with title is legally acceptable as collateral, yet not 1 per cent of the land in the village is titled. Traditionally, land with property can be allowed as collateral, though it is not legally enforceable, if it has no title. The village council of chiefs does rule on problems related to contractual arrangements in the village, however if plaintiffs fail to be satisfied with the verdict they take the matter to the law courts and the modal outcome is usually a contradictory pronouncement. This possibility accentuates the main tenure problem in the village, which is the farmer–grazer conflict (Table 5).

The demarcation of farming and grazing land that took place over 20 years ago is now highly contested because of the growing population in need of more farmland. This situation is worsened by the demarcation of forest reserve areas by the Kilum Mount Forest Project, a British sponsored environmental protection project. The villagers generally understand, from experience, the necessity for conserving the mountain forest area since it constitutes the watershed of many streams running through the village.

Many farmers are generally not satisfied with the manner in which cases between grazers and themselves are handled by the law courts. The general belief by the farmers is that the Bororos use their cattle and goats to corrupt the divisional officers and judges in order to obtain judgements in their favour. The conflicts contribute in depleting the primary assets of farmers as well, since both the farmers and the grazers use their scarce resources on several occasions to hire the services of lawyers – resources that could have been used to equip and send their children to school. Generally, the conflict between the farmers and the grazers involve the encroachment of farmers into grazing land and/or the destruction of crops in farming land by cattle or goats.

Although it was apparent from our discussions that the Bororos make gifts to the administrative authorities and the judges with their cattle, the legal jurisdiction generally favours them because farmers tend to encroach rampantly into demarcated grazing land. Legally, grazers have a more favourable case, yet they persist in using their cattle as 'gifts' in the belief that it influences verdicts in their favour. The Bororos typically use intermediaries to follow-up their affairs, a practice that ends up costing them much more.

Table 5: Migration and dominant modes of land ownership

Variables	Vekovi	Ekona
<i>Migration</i>		
Net direction of migration	More departures than arrivals	More arrivals than departures
Destination of emigrants	Ber, Kwanso, Fumbot, and big towns	Muyuka, Buea, Limbe, and big towns
Reasons for out-migration	Agricultural and non-agricultural work	Agricultural and non-agricultural work
Sources of immigrants	Oku and Kwanso	Bamenda (mainly Ngie), Kumba, Douala, and the Federal Republic of Nigeria
Reasons for immigration	Agricultural work	Agricultural and non-agricultural work
<i>Land ownership</i>		
Dominant mode of access to land	Communal (lease)	Rent, squatting
Dominant contractual arrangements	Lease, share-cropping	Rents, share-cropping
Gender preference in land inheritance	Male	Neutral
Use-rights to land	Gender neutral	Gender neutral
Main conflict in the village	Farmer–grazer	Farmer–farmer and indigenous people–state

Source: Field work survey by the author.

While there appears to be some wisdom in re-demarcating land between grazing and farming, until this is done, the farmers' position remains relatively weaker from the legal standpoint. The rent-seeking attitude of the administrative and judicial authorities perpetuates the incentives – as the Bororos remain ignorant that their position is generally more favourable – and reflects the present legal disposition. Episodes were, however, reported where some Bororos with a view to frightening farmers, intentionally lead their cattle to destroy crops as they believed their relationship with administrators and judges was cordial. The administrative stakeholders in this context tend to complicate the possibility of negotiating lasting solutions to the farmer–grazer problem because by so doing avenues of rent-seeking will be narrowed. The rent-seeking behaviour of administrative authorities indicates that the farmer–grazer conflict will remain a binding constraint in the accumulation of or returns on primary assets for some time. The social cost of this behaviour can be substantial; it not only involves mutual distrust but also includes the opportunity costs of both time and financial resources used by farmers and grazers to follow-up court cases.

5.2 Land ownership and the market in Ekona

As a rural community, land is the most important resource in Ekona – it shapes relationships and is the most important determinant of the welfare status of households – and people acquire land through various types of arrangements. Prior to noticeable immigration into Ekona, land was accessed apparently freely by the natives. Subsequently, immigrants informally began to beg, rent or buy land from the indigenous people (the Bakweris) (Table 5). Although land laws exist the *de facto* situation is that of informal land arrangements. Some people may be aware of the land laws, but most

are not. Some immigrants who acquired land from indigenous people decades ago do sell the land to other people. The sanctioning of these sales is mostly between the two parties concerned. However, in the event of disputes, these are settled by the village council upon the payment of fees or through the law courts.

The dynamics of land ownership in Ekona today are driven by the influence of the Cameroon Development Corporation (CDC). As an agro-industrial corporation, created by the then colonial 'masters' to produce crops (rubber, palm oil, bananas, tea, etc.) for the metropolis, a lot of labour was needed, which the native population, the Bakweris, could not provide. Labour was therefore imported from other parts of the country. Before the CDC was created in 1947, there was excess land, compared to the needs of the people, and land awareness/speculation was minimal.

Because of the low wages paid to immigrant workers most of them resorted to farming after official work, to supplement their incomes. While they worked at the CDC plantations, their wives and children worked on the farms acquired through various arrangements with the natives, for then relatively little payments. With the growing population, the second generation of now-educated natives came to realize that the contractual land engagements arrived at between the non-natives and their parents needed review. With this emergence of land awareness, land became an issue and numerous moves are being engaged to contest earlier arrangements. The CDC is therefore at the heart of introducing the issue of land awareness in Ekona and the southwest province in general.

Some of the settlers who have been in Ekona for many decades started claiming the status of natives on land matters, but this claim was viewed with suspicion. As the natives observed that the non-natives were actively participating in development activities in their villages of origin they brought the bodies of deceased relatives to Ekona to bury them,⁹ and the issue of illegal occupation of their land was brought to the fore.

Pressure groups, notably the Bakweri Elite Association are insisting on the need to renegotiate the contractual arrangements reached between non-natives and their parents. Moreover, the early contractual engagements had no legal support as no titles were drawn and therefore ownership of such land by non-natives is legally contestable, especially if not yet developed beyond field cropping. With population growth and increasing commoditization of land, this issue is becoming more precarious – an atmosphere which, because of a feeling of insecurity, does not favour productivity-enhancing investments on the land.

Many landlords practice sharecropping. Tenants cultivate the land, sometimes with assistance in the form of inputs from the landlord, who then assess the harvest and modalities of their shares are then determined. The land market is more developed in Ekona than in Vekovi due to the more cosmopolitan character of Ekona. The dominant contractual understanding is that fixed annual money rents are charged per plot (Table 5). Some people have simply colonized land that the CDC has left fallow, claim temporary ownership to the land they are farming and transfer portions of this land illegally to other squatters against payment. The situation of these squatters is the most

⁹ In Cameroon, corpses are usually buried in their place of origin (tribe). Non-natives do not commonly use public cemeteries.

precarious because from time to time, the CDC sends its workers out to destroy field crops on such land.

Although a negligible number of people in Ekona have registered the land where they have built residencies, no farmland appears to have been registered. The law does not, therefore, recognize most land engagements in Ekona. It is evident from this uncertain tenure system that productivity-augmenting investments in land would be limited, and so too will returns on land and the welfare of their occupants. This observation is in line with the argument made by Hunt (2005) that in a situation where the law courts base their judgements mainly on the legal provisions of the land laws in handling dispute situations, while the citizens transact for the most part informally as in our case study villages, adjudication based solely on enacted land laws often seems to hamper rather than enhance land-tenure security.

The question of land awareness as echoed through the voice mandated to the Bakweri Land Claims Committee (BLCC) by the Elite Association has been resuscitated and advanced to include land exploited by the CDC. This dimension was brought to the fore after the privatization of CDC was announced in the mid-1990s as one of the structural adjustment requirements of the Bretton Woods institutions. The bone of contention now is that CDC has only use-rights over the land that it has been exploiting for decades and that the government violated the indigenous land rights of the Bakweri people by seeking to sell plantations on those lands without involving the landlords.¹⁰

The dispute, as articulated by the BLCC, is centred on the payment of rents or royalties into a 'Bakweri Development Fund', or rents calculated and set aside as the Bakweri share capital of the various components of CDC to be privatized and their ensuing dividends directed to the same fund. The government, on the other hand, argues that after selling off the various components to prospective buyers, a government controlled 'residual CDC' will remain to manage CDC lands. Arrangements for the privatization of CDC that fail to vest control over CDC occupied land on the natives is vehemently contested by the BLCC.¹¹ Discussions on these issues are delaying the privatization process, and potential buyers are reticent over the controversy.

6 Concluding remarks

Through a framework of land-tenure conflict management in an era of globalization, the paper illustrated the opposing influences of land-tenure institutions in determining access to and returns on primary assets in two villages in Cameroon: Vekovi and Ekona. Conflict situations are common in these rural areas, in part because of the pressure exerted on the land and the land-tenure arrangements that influence rural activities and asset accumulation. Moreover, the lives of the rural people, like that of every other citizen, are conditioned by the institutions that mediate and enforce laws and regulations to govern their harmonious existence.

¹⁰ The land exploited by the CDC was expropriated from the natives by the colonial masters without compensation and handed over to the government of Cameroon upon independence.

¹¹ The BLCC has created a branch in the United States and its website documents the issues at stake. It has also petitioned the United Nations and the African Human Rights Commission.

As an asset, social capital appears to matter more for women than for men, and more in Vekovi than Ekona. Farmland as a communal property still exists in Vekovi, but is rare in Ekona. As the issue of land awareness comes to the fore, conflicts develop: farmer–grazer conflicts in Vekovi and farmer–farmer and indigenous people–state conflicts in Ekona. Public officials continue to take advantage of the ignorance of the local populations to perpetuate rent-seeking behaviour – an outcome that limits the possibility of negotiating lasting solutions to land related conflicts in the case study villages. The social cost of this behaviour is enormous as it includes the opportunity costs of both time and financial resources used by the parties in conflict to follow-up legal procedures. The traditional land-tenure system in the case study villages, in general, operates in opposition to the national land laws, especially during conflict adjudication in a rent-seeking environment. This creates a sense of insecurity that restricts productivity-enhancing investments on land. The traditional land system, especially in Vekovi (a more homogenous society with stronger traditional beliefs), sees land inheritance only through males; females have mostly use-rights.

Land markets are more buoyant in Ekona, being relatively more cosmopolitan and with established farm-to-market roads, unlike Vekovi that registers net out-migration. Vekovi, however, has a more homogenous community in terms of ethnicity and tradition and is more dynamic in synchronising group effort. Changes in relative prices between traditional cash crops and food cash crops tend to modify the division of labour by gender in the case study villages, but more so in Vekovi than Ekona.

Both formal and informal land-tenure institutions are being modified dynamically by internal and external forces that sanction access to land and related assets. If administrators were to become more sensitive to the plight of the rural masses and thus transparent and objective in their arbitration, asset endowments of the rural masses as well as the returns on them would face less uncertainty.

Population pressure on the land calls for commitment from both administrative and traditional authorities to support a monographic study of Vekovi, which will inform on the re-demarcation of grazing land with a view to addressing the farmer–grazer problem permanently. Grazers need to be encouraged and supported to practice mixed farming and to become more sedentary for the same purpose. To eradicate, or at least, reduce farmer–farmer conflicts in Ekona there is need to increasingly factor both formal and informal interpretations of land-tenure arrangements into the process of ruling on land matters.

To encourage investments on land it is essential to increase the security of farming families. However, as in other studies (Hunt, 2005), our survey indicates that although security of tenure is essential to galvanize land related investments, the linkage between security of tenure and enacted private ownership does not appear to be systematic across villages. In the same light, Migot-Adholla et al. (1991) found that, in some regions in Africa agricultural investment and hence productivity did not vary under individual land rights regimes. They also confirm the view that African indigenous land rights systems have spontaneously evolved from systems of communal control towards individual rights in response to increases in commercialization and population pressure independent of policy.¹² In addition, Migot-Adholla et al.’s cross-sectional data on the

¹² This gradual progress towards private ownership, which often occurs regardless of legislation, lends support to the evolutionary theory of land-tenure systems (see Platteau, 1996).

incidence of land improvement and yields provide little support for the view that limitations under indigenous conventions on the right to transfer land constrain productivity-enhancing investments.

The policy implication emanating from this paper points to the observation that a given set of land reforms or administration may not be appropriate to all regions even in the same country at a point in time, because of apparent dynamic socio-cultural and economic regional differences. Prescribing an umbrella set of land reforms as some have propagated is, therefore, unwarranted.

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