

The Land-Grabbing Debacle: An Analysis of South Africa and Senegal

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Abstract

In Africa, land tenure and ownership are crucial to food production, family structure, individual and collective identity, and social and economic development. However, the black majorities in South Africa and in Senegal have long been deprived of land through the land-grabbing practices of colonial-era settlers and foreign interests, which have resulted in homelessness, insecure land tenure, and the undermining of personal and collective identities. Government land-redistribution efforts either remain stagnant or occur too slowly to help currently landless individuals. This has led to a new land-grabbing phenomenon where Africans reclaim land by illegally occupying, and building shacks on, state-owned land. Such land-grabbing has caused government conflicts with residents and has resulted in apartheid-style evacuations, which have left people homeless and functionally landless. In this context, the question of majority land-access has reemerged. South Africa's¹ and Senegal's² constitutions stipulate access to secure land tenure and, if adequately applied, could help reduce urbanization and boost economic activity and agricultural production. This article demonstrates how land is crucial to a country's economic development and to its efforts to reduce poverty among its citizens, and also addresses the urgency needed by both governments to resolve this persistent epidemic.

Land ownership in South Africa and Senegal has been skewed by historical practices that favored giving (or allowing white settlers to keep) land along racial lines or to the connected few. Efforts to redress these imbalances by those who wield political and/or economic power have been lackluster. Frustrations with these entities by those who have been historically and economically landless continue to persist leading to the *Land Grabbing Debacle*. The terms *land grabbing*, *land-grabbing debacle*, or *land-grabbing*

phenomenon initially described land that was grabbed from black Africans. In South Africa, land was grabbed by colonialists; in Senegal, it was grabbed by settlers or foreign interests. As a concept, the land-grabbing debacle has also been used to refer to the ways black Africans grab land back—either by illegally building and occupying informal housing on land or by erecting shacks where they can live with their families. The governments of both South Africa and Senegal have struggled with land issues and have failed to find solutions to benefit all of their citizens. Additionally, policies that favor land access for vulnerable and marginalized populations, specifically women and youth, are not adequately implemented or applied in either country. Considering these factors, both countries provide important examples of the land-grabbing debacle. Examining the cases of South Africa and Senegal, despite their different land-administration systems, provides a framework for demonstrating that secure land tenure strengthens ownership, enhances productivity, and secures livelihoods in these countries. Although there are similarities, there are also marked differences with each country's own historical past contributing to the land-grabbing debacle.

Further, the current reality of land grabs in both South Africa and Senegal, are exacerbated by several national and international factors. Globally, the recent rush for large-scale land acquisition can be traced to the food-price crisis of 2008, which led to a 70% to 75% increase in general food prices.³ As a result, states that lacked sufficient domestic production had trouble ensuring their food security, and some had to buy or lease land in other countries to do so. Increased biofuel production within developed and developing countries has also been a key land-grabbing incentive.⁴ Studies have shown that biofuel investors seek out poor countries that have substantial land resources and poorly-managed land ownership practices. According to the (South African) Commercial Farmers' Union, plans to transform large-scale private farms, which are mostly owned by the white minority, into small farms with communal tenure could prove to be economically disastrous—partly because white farmers are better equipped politically than their small-scale peasant farmer counterparts.⁵ Some politicians even believe that peasant farmers are less efficient and more likely to degrade the land, which could result in significant declines in output.⁶

Land Grabbing—A Brief History

South Africa's land tenure issue is deeply colored by the country's past territorial race segregation and by later reforms that arguably resulted in little change for most black South African citizens. In South Africa, the Native Land Act of 1913 was an important law that allowed for a systemic process of land dispossession by the state.⁷ This act, also known as the Black Land Act, was passed because of constant pressure exerted by white South Africans who wanted to prevent black South Africans from encroaching back onto their indigenous homeland. This law incorporated territorial segregation into legislation for the first time since the founding of the Union of South Africa in 1910. The provision in the act restricted black South Africans to buying, leasing, and selling land only in "scheduled areas," which the system at the time referred to as "reserves," and white South Africans were prohibited from owning land in those areas.⁸ Also at the time, Parliament stated that the purpose of the act was to ensure territorial segregation of the races.⁹ Yet, the scheduled areas amounted to only about 7.3 percent, approximately 21 million acres, of South Africa's total land mass. The area set aside for the white South African minority was ten times larger.¹⁰ This disparity marked the beginning of black South African's landlessness.

While it prohibited acquisition of land in land reserves, the passing of the law also enabled the white apartheid government to enforce mass relocations of black people into impoverished homelands and townships, where service delivery was either inadequate or non-existent. The law robbed black South Africans of their abilities to provide for themselves and forced them to relocate to urban areas in hopes of finding employment. It also marked the beginning of socioeconomic challenges, class differences, poverty, and inequality. It crippled most black South African families' agricultural production and led to their dependence on meager salaries. It created a culture of dependency and led to a pattern of unprecedented urban population explosion.¹¹ This law also led to the breakdown of family units and to the emergence of "street kids," a phenomenon previously unfamiliar in African cultures. Thus, social cohesion and *Ubuntu*,¹² a philosophical term that describes an African quality of valuing the humanity of others, were both severely undermined.

The discriminatory Native Land Act of 1913 was finally repealed when the Abolition of Racially Based Land Measures Act came into force on June 30, 1991.¹³ Despite the abolition of the Native Land Act of 1913, black South Africans' conditions at grassroots levels have barely changed. The majority have remained landless, which has caused many men to seek work in mines and many women to seek domestic work in urban areas.¹⁴

In Senegal, in contrast, government officials grabbed land from peasant or family farmers to sell to wealthy companies. Land tenure in Senegal excludes racial segregation and is dominated by two models: customary law and the policy of decentralization. Over the past forty-five years, Senegal's policy of decentralization, as applied to land administration, generally has not resulted in greater local control, more productive and sustainable land use, or increased family or individual land-tenure security.¹⁵ Customary law prevails in most rural areas, but a wide variety of approaches are applied. The rights of women and of youth to land, coupled with incentives to use it, are not always in place. In urban areas, ordinary people regularly engage in informal transactions.¹⁶ Where land rights are complicated, such as in the Senegal River Valley, state-led investments have replaced customary tenure with new systems, but the security of rights remains an issue.¹⁷

On July 26, 1932 a Land Decree was organized and implemented in Senegal, which established the registration of land. The purpose of the decree was to (1) assure owners what their land rights were and (2) define unassailable land titles. This decree repealed and replaced earlier manifestations including the 1900 and 1906 Land Decrees, both of which ineffectively secured land rights.¹⁸

The Senegalese Land Tenure Act of 1964 marked an on-paper turning point to bring legislation in line with practice.¹⁹ This act sought to harmonize past amendments that were made, using regulatory mechanisms, to the out-of-date 1932 Land Decree, which previously formed the basis of statutory land law.²⁰ The Land Tenure Act's principle function was to secure tenure by issuing land permits for permanent title deeds. Two different management models currently coexist: one founded on customary rules and another based on national legislation. In the Senegalese constitution, land ownership is split between state- and privately-owned land.²¹ In practice, local land security and community rights are

secured through customary norms. However, the government has an “investor-friendly policy to attract agribusiness investment.”²² When investment policy and customary tenure security conflict, customary law often loses.

Before independence in 1960, customary rights comprised 99 percent of land ownership in the country. The government did not focus much attention on the development of rural areas.

By 1964, land-tenure policy was implemented in Senegal with clear strategies and objectives.²³ According to this 1964 legislation, 95 percent of the land belonged to the national domain. The national domain differed fundamentally from customary law— it does not mark ownership by the state. Instead, it is a property field, and the assets belong to the state. Government land control was confirmed in 1976 through laws that focused on the expropriation of land for public utilities.²⁴ However, since then, both context and farming methods in the country have changed. The 1964 policy document contains now-obsolete terminology that requires urgent implementation of new land-reform legislation to meet the requirements of sustainable development. However, the extreme sensitivity of land issues continues to inhibit progress in this area.

The Phenomenon Continues: 21st Century Adjustments

In South Africa, land dispossession has produced negative consequences. For example, the government has assigned the least productive land to the majority population, and it has inequitably distributed land ownership largely for minority ethnic groups. Inequitable land distribution has dislocated the poor and has stripped them of their agricultural land-use abilities, which has hampered them economically and socially. It has subjected the majority of the poor to tenant status through labor tenancy. In previous research, Sauti has shown that “[s]harecroppers were, and are still, employed under slave-like conditions.”²⁵ Women and children, who are the most marginalized populations in the country, remain deprived. While the proposed land redistribution frameworks in South Africa²⁶ feature and enforce goals geared toward land reform that benefits the majority, such land reform evidently remains a challenge. Policies that favor land access

for vulnerable and marginalized populations are not adequately implemented or applied.

There was intense scrutiny in South Africa around the objectives and vision of land reform policy in 2012 and around the results of this policy in 2015. The discussion of land in the South African Bill of Rights²⁷ includes language about configuring land tenure “into a single and coherent four-tier approach, while improving existing customary and statutory tenures to mobilize economic development.”²⁸ While some measures have been put into place, the problems of land tenure remain complex. This holds especially true for poor and rural women in South Africa, whose rights to land and to basic housing have not fully materialized. Rural women and those in high-density urban areas still lack independent access to land tenure and can only obtain it through their male counterparts. To obtain land, women are required to produce a marriage certificate, despite the fact that this requirement violates their rights as stipulated in the South African Bill of Rights.²⁹

In South Africa, land-tenure reform is one of the three legs of the Land Reform Program (LRP).³⁰ Tenure reform focuses on two objectives: (1) addressing the state of land administration in the communal areas of the former homelands and in colored reserves and (2) strengthening the security of tenure of farm dwellers living on commercial land. The Extension of Security of Tenure Amendment Bill of 2013, which amended the Extension of Security Act of 1997, provides new definitions aimed at solidifying intended goals for land tenure in South Africa.

For Senegal, land disputes continued unabatedly after independence. And, the reality was, land grabbing had been facilitated by the government who enforced such practice in their policies. For example, in 2002, the Senegalese government encouraged development of a farm-related policy bill. The circulated draft included a chapter on land tenure, and it allowed President Abdoulaye Wade (2000-2012) to give away or sell arable land in the national domain at his discretion.³¹ In contemporary times, the idea of awarding such rights to a head of state would be rejected. In 2002, the government reviewed the law and decided to withdraw the chapter on land tenure. In 2004, the government proposed a bill that supported agro-silvo-pastoral development and modernization and that emphasized security and land transferability.

In 2008, the government set up an initiative to increase food security and investment in the agricultural sector.³² The government would provide subsidies and allocate land to those most able to cultivate it. In practice, as in South Africa, land was instead given to those who were influential and who then used the land for speculative purposes or loaned it off to foreign interests.³³ Research revealed that “19% of the land is arable, i.e. 3.8 million hectares, and only 2.5 million hectares are exploited.”³⁴ Large-scale transactions that have awarded Senegalese lands to native and foreign interests have occurred, and they already encompass more than 400,000 hectares, which is about 30 percent of the arable land in the country.³⁵

By 2010, a national commission produced a new land reform bill titled *Proposals for Land Reform and Management in Rural Areas*.³⁶ However, the bill, supposedly about land reform, actually addressed land privatization. It proposed incorporating urban areas, pioneer areas, and a section of rural areas into the state’s private sector. Senegal has both state private territories and state national land. At the time, the national domain’s privatization provision was inconceivable because of the fixed nature of the land, especially in rural areas. A new national land-reform commission was convened by 2012.³⁷

Deficiencies Today: Damaging Prevarication and Development

Today, land continues to be, arguably, the most contested social issue in South Africa. Private tenure, which is relatively secure, is the most prevalent type of land ownership, and its associated legislation and guarantees are well-implemented. Rural South Africans tend to use customary land law, which is less regulated. Because land ownership is divided along racial and gender lines, the majority of black South Africans are landless. Nevertheless, political leaders still find it difficult to implement robust policies to solve land matters within secure legal and institutional frameworks. The process of reclaiming land from white farmers seems to be a daunting task.

For example, when poor farmers and people in South Africa have illegally occupied and built on land, widespread apartheid-style evacuations have followed.³⁸ In the country, most vacant land

is owned by private individuals or by companies. In the past, members of the apartheid regime removed black South Africans from their own land, and some remain landless to this day. Currently, the democratic ANC government struggles with redistributions of land to rightful owners and has “proposed that land expropriation without compensation should be allowed where necessary and unavoidable.”³⁹ Some government officials say government owned lands are “frozen,” which means it is reserved by the government to secure loans from developed countries. In addition, land that was seized by British colonialists cannot be forcefully retrieved because of the government’s fear of consequences.⁴⁰ However, this set of circumstances, along with influence by and sanctions from the United States and the United Kingdom, has resulted in the implementation of structural adjustment policies and an increased, unprecedented inflation. While black South Africans have urged governments to implement vigorous policies to speed up the redistribution process, doing so seems to be a daunting task. One, as stipulated by South Africa’s constitutional law, this type of coercion would be considered a violation of white South African farmers’ rights. And two, land seizure in South Africa could result in the violation of the beneficiary’s human rights⁴¹ and two of the UN International Covenants.⁴² The United Nations established the Universal Declaration of Human Rights (adopted in 1948) which includes two covenants; the first; The International Covenant on Civil and Political Rights (ICCPR, 1966) and second; the International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966).⁴³ As a result, the ANC has been caught between the demands of the landless, the rightful landowners, and the current landowners.

Yet, South Africa is revising its expropriation law to give effect to the constitutional provision that allows “land to be dispossessed below the market value of subsidies received from the state by the land owner.”⁴⁴ The South African government has devised various policy frameworks related to land, which include the “willing buyer, willing seller” agreement. However, the government has been slow to implement these frameworks, which benefit some members of the middle class who have been mandated by the government to become farmers.⁴⁵ The consequences are that the poor and landless are still neglected, and many still live in shacks. Currently, there is some discussion, especially around the

Land Reform Document,⁴⁶ that “land reform is not just another social transfer where benefitting citizens receive government largesse. It is, and should be seen as, an autonomy-fostering service delivery.”⁴⁷

The ANC’s mandate was to overthrow the apartheid government through providing a “better life for all.” This right to a better life is enshrined in the South African constitution, but many argue it has failed to materialize. Failed, as the “better life,” per the constitution, was understood to include better access to land, particularly for those that had previously been marginalized. This would have meant the democratization and equitable land allocation and use across gender, race and class lines.⁴⁸

The Senegalese government’s land management policies have delegated authority to rural councils to administer and allocate land and natural resources. However, these commissions are weak because rural councils lack adequate authority. In addition, such commissions have paved the way for numerous forms of corruption and for abuses related to interpreting and enforcing the law. Consequently, there has been a consensus amongst the Senegalese populace that new land reform policies are needed. The dearth of such policies has resulted in a profusion of cultural, political, and economic arguments designed to justify land-grabbers’ behavior and to counter national legislation on the issue. Unless governments across the globe solve land crises, civil disobedience or a land-grabbing uproar could result.

In Senegal, the people most likely to grab land from the poor are wealthy politicians. To do so, wealthy politicians purchase land from the government by taking advantage of loopholes in the law and of the law’s interpretation and application. Although Senegal is one of the most stable democracies in West Africa, poverty in the country is widespread; and it is concentrated in non-developed areas with 75 percent of rural Senegalese live in poverty. In addition, over 70 percent of Senegal’s population engages in agricultural production. Despite numerous government efforts to control land tenure through formal law, customary law continues to prevail over land rights.⁴⁹ In recent years, the government has repeatedly introduced legislation to formalize, secure, and protect land rights. For example, the incumbent president of Senegal, Macky Sall, promised to develop the country’s agricultural sector and to reduce poverty⁵⁰ as a strategy to defeat his rival,

President Abdoulaye Wade, in 2012. Yet, it continues to be an unresolved issue.

However, efforts to resolve these issues have failed to date. If implementation frameworks are actualized with the vision of the poor and landless in mind, it could wipe out the land-grabbing phenomenon that continues to haunt South Africa. If these efforts fail, intellectual debates about land-grabbing and land redistribution will continue unabated throughout South Africa, Senegal, and the rest of Africa.

Marginalized Populations

In South Africa, women and youth remain marginalized because their access to land is not institutionally recognized or promoted. Providing appropriate land rights for these groups could increase both productivity and household income in some areas and could promote sustainable land management practices. In South Africa, for women to access land and to qualify for housing, they are expected to be married.⁵¹ Yet, women are the pillars of local economies and are responsible for providing food for their households and ensuring food security; that is, provide for a household they cannot have due to their limitations in accessing land.

Although the South African constitution addresses women's land tenure rights,⁵² many women remain uninformed. A secret that is not very well kept is "that South Africa has little respect for the plight of its marginalized women."⁵³ Many continue to live in poor conditions and do not own land. Fundamental steps need to be taken toward reducing poverty and inequality for marginalized women and for the poor in general. Although many forms of production were once family-based, agriculture is one commodity still dominated by women, while their husbands are employed in mines and rarely or never return home.⁵⁴

In Senegal, as elsewhere in Africa, family farms run by women form the core of the rural economy and thus make women more productive, which may help combat poverty and hunger.⁵⁵ An inventory of large-scale land acquisition, which proves the marginalization of women was caused by the Institute for Policy Analysis Research (IPAR), revealed that "land that could have been distributed to family farms, which could have equally benefited women, is sold to wealthy males or foreign investors."⁵⁶

For example, one private Spanish investor was awarded 80,000 hectares in the rural communities of Sarndaya, Tombrankoto, and Bandafassi Linka to build an animal park and a luxury hotel.⁵⁷ In addition, around Ross-Bethe, 40,000 hectares of land were awarded to a Nigerian billionaire who intended to use it as a sugarcane plantation.⁵⁸ Thus, from Bambino to Diokoul and Diass, the refrain is the same: “No to land-grabbing!” It is time for authorities to realize the harmful effects of the current status quo in land matters, which further marginalize women.

Conclusion

Land-grabbing in South Africa and in Senegal is a complex and sensitive issue. In South Africa, landless people have reclaimed land without permission, which has spurred apartheid-style evacuations. In Senegal, wealthy politicians and officials continue to take land from the poor and from small farmers, who have been forcefully removed from land their families have owned for centuries.

The central problem is that no explicit policy on land redistribution exists. In addition, laws that are enacted are not followed or are incompletely executed. In Senegal, land distribution policies change continually, and there was never an initial, clear land-management strategy. In South Africa, there is relatively little fighting over land that chiefs govern in rural areas, but many disputes occur over commercial land and other economic regions. While some land supposedly belongs to the government and to the private sector, the reality is that large tracts of land have been vacant for decades. To whom does this land belong, and why do the actual owners not occupy the terrain? In cases where government officials have attempted to purchase land from known owners, those owners have charged an exorbitant amount. The government, which is then forced to assign evacuations, has found itself ensconced between landless South Africans who demand land and white farmers who resist relinquishing land and who are presumably the legitimate beneficiaries. As a result, the slow pace in land reform has jeopardized the social fabric of South African families, and increases in female-headed households, street kids, prostitution, and related ills that result from landlessness have compounded the problem.

In Senegal, the solution is that the constitution must be upheld. Further, the rural poor should play an active role in discussions about land—particularly land that is rightfully theirs and on which they have lived for centuries. While large-scale development is needed, it must not come at the expense of poor, rural subsistence farmers. Land sales from poor Africans to foreigners from neighboring countries and to Europeans are illegal and should be prohibited. In fact, we suggest that no land should be sold to anyone permanently. Instead, land should be leased for a reasonable period. Where large-scale development is necessary, and land is acquired from small-scale farmers, they should be compensated adequately. Such acquisitions should also be conducted only with small-scale farmers' permission.

Government officials and citizens, as well as commercial farmers and peasants, should discuss the issues of land redistribution and management together—for the benefit of all. The land must be distributed equitably. No one should be allowed to occupy land grabbed from the poor, and certainly, no individual should be allowed to buy large tracts of land and displace those who live on it. Factually, international legal tools have no adequate mechanisms to regulate private property ownership, and this is a crisis. The solution is that South African and Senegalese leaders should fulfill their promises of securing land for the poor and of guarding against the greed and neglect of fellow Africans, and they must not parcel out the inheritance of their children to anyone who has money to buy the land. The constitutions of both countries stipulate that the rights of all citizens should be upheld.

If both South African and Senegalese governments would execute their laws and give land to citizens who were deprived of land because of colonialism, white settlers, and Structural Adjustment Programs (SAPs), it would halt landlessness and the land-grabbing debacle. Urgent action is therefore required from leaders in South Africa and in Senegal to bring an end to the land-tenure problem. Land issues must be resolved expeditiously and with the sensitivity they deserve in order to avoid further clashes and violent protests among citizens.

Notes

- ¹ Republic of South Africa, "Constitution of the Republic of South Africa, Act 108 of 1996," *Government Gazette* 378, no. 17678 (1996).
- ² Republic of Senegal, "Preamble," *Constitution of the Republic of Senegal*. Accessed July 21, 2017. <http://www.wipo.int/edocs/lexdocs/laws/en/sn/sn006en.pdf>.
- ³ Oxfam, "The Price Spike of 2007-08," *Oxfam Briefing Paper, Land and Power: The Growing Scandal Surrounding the New Wave of Investments in Land, Grow Food, Life, Planet*, September 22, 2011. Accessed September 7, 2016. <http://www.oxfam.org/grow>.
- ⁴ IPAR, *Alert Note on Large-Scale Land Transactions in Senegal* (2012). Accessed September 22, 2015. <http://www.ipar.sn>.
- ⁵ John Kkane- Berman, From Land to Farming, Bringing Land Reform Down to Earth, *Liberty Policy Bulletin of the IRR, No 2/2016/ (24 May 2016/Issue 25)*, South African Institute of Race Relations, pp 1- 21, *Liberty-2013-from-land-to-farming-bringing-land-reform-down-to-earth*. Accessed October 29, 2018.
- ⁶ *Ibid.*
- ⁷ The Republic of South Africa, *The Native Land Act of 1913 (No. 27 of 1913)* (Pretoria, South Africa: Government Gazette, 1913); M. Harvey Feinberg and André Horn, "South African Territorial Segregation: New Data of African Farm Purchases, 1913-1936," *The Journal of African History* 50, no. 1 (2009): 41-60.
- ⁸ M. Essy Letsoalo, *Land Reform in South Africa: A Black Perspective* (Johannesburg: Skotaville Press, 1987).
- ⁹ This explanation continues to be accepted by politicians and social scientists as a sufficient explanation for why the government instituted the act, and the act is regarded as the cornerstone of territorial segregation. Recently, however, some scholars have argued that "the act can be interpreted as an attempt to remedy the shortage of African labour on White farms, and to prevent Africans utilizing communal or private capital to repurchase European-owned land which had been acquired by conquest. See, H. Harold Wolpe, "Capitalism and Cheap Labour-Power in South Africa: From Segregation to Apartheid," *Economy and Society* 1 (1972): 1-15.
- ¹⁰ Ntabiseng Matabane, "Land Reform Can Transform Economy," *IOL, South Africa's Premier Online News*, October 6, 2014. Accessed October 9, 2015. <http://www.iol.co.za/business-report/opinion/land-reform-can-transform-economy-1760266/>.
- ¹¹ O. John Oucho, "Internals Displacement of Population in the SADX Region: An Overview" (seminar on International Displacement Community (SADC) Region, Botswana, Gaborone, August 2005), 24-26.
- ¹² This is a Xhosa term meaning "humanity to others." This is a phrase often emphasized by the late South African president Nelson Mandela and by Archbishop Desmond Tutu and is a philosophy that has historical and contemporary importance.

¹³ Republic of South Africa, *The Abolition of Racially Based Land Measures Act, 1991* (Act No. 108 of 1991).

¹⁴ Meghan Healy-Clancy, "Women and Apartheid, Political History, South Africa, Women's History, Online Publication date, June 2017, DOI: 10. 1093/acre-fore/9780190277734.013.184, africanhistory.oxfordre.com. Accessed: October 24, 2018.

¹⁵ USAID, "Country Profile: Senegal," (November 2010). Accessed July 20, 2017. <https://www.land-links.org/country-profile/senegal/>. In Senegal, the dominant land tenure policy was implemented in 1964 with strategies and clear objectives according to that context.

¹⁶ See Mark Schoonmaker, Freudenberger, Land Tenure, Local Institutions and Natural Resources in Senegal. Land Tenure Centre Madison (University of Wisconsin, March 1992). Accessed: October 7, 2015.

¹⁷ See Jeffrey White, Facing the Global Environmental Change: Environmental, Human, Human Energy, Food, Health and Water Security Concepts, Volume 4 of Hexagoan Serious on Human and Environmental Security and peace. Editors Hans Gûnter Brauch, Navnita Chadha Behera, Patricia Kemeri-Mbote, Johan Grin, 'Ursula Oswald Spring, Béchir Chourou, Czeslaw Mesjasz, Heinz Krummenacher, Springer Berlin Heidelberg, 2009. https://books.google.com/books?id=OdwnU8csNKAC&dq=Jeffrey+White,+A+case+in+the+Senegal+River+Valley&source=gbs_navlinks. Accessed: October 7, 2016.

¹⁸ Official Journal of Senegal, Governing the Land Ownership System, Law No. 2011-07 (March 30, 2011), <http://www.jo.gouv.sn/spip.php?article2689>.

¹⁹ This is the backbone regulatory document for land tenure regime in Senegal, a decree that dates back to 1932, Senegalese Parliament Legislates New Land Reform to Benefit the Urban Poor, Cities Alliance, Cities Without Slums, (May 21 200) <http://www.citiesalliance.org/node/2482>

²⁰ Mamadou Diagne, "Senegalese Parliament Legislates New Land Reforms to Benefit the Urban Poor," *Cities Alliance*, May 24, 2011. <http://www.citiesalliance.org/node/2482>.

²¹ The Senegalese 1964 National Domain Act, the Law on Administrative Reform (1972), the Civil Code, the Law on Decentralization (1996), the Agriculture, Forestry and Livestock Law (LOASP 2004), and the 2001 Constitution.

²² G. Luke Leighton, "Challenges Confronting South Africa, Land Reform," *Indian Ocean Research Programme* (Future Directions International, April 7, 2015). Accessed September 12, 2016. <http://www.futuredirections.org.au/publication/challenges-confronting-south-africa-land-reform/>.

²³ Peter C. Bloch, "Senegal: Senegal River Basin," in *Land Tenure Issues in River Basin Development in Sub-Saharan Africa, LTC Research Paper 90* (Madison, WI: University of Wisconsin Press, 1986), 29-38. In Senegal, the dominant land tenure policy was implemented in 1964 with strategies and clear objectives according to that context.

²⁴ A. Abdoulaye Mar Dièye, *Governance in Senegal—Article on Land in Senegal from Yesterday Today, Between Deficiencies and Tergiversations* (Senegal: Forum Civil Notebook, 2014).

²⁵ Gloria Sauti, Patriarchy and Poverty and the Effect it has had on Land Ownership and Housing of the Women: A Case Study in Badirile South Africa, *Africanus: Journal of Development Studies* (forthcoming).

²⁶ The Agricultural Land Policy Framework of July 2013, which is in line with the Green Paper on South African Land Policy of February 1, 1997. http://www.ruraldevelopment.gov.za/about-us/268-latest-news/498-agricultural-landing-policy-framework-july-2013#.W_Mrl-hKiUk

²⁷ *The Draft Land Tenure Security Bill of 2010* (South Africa: Minister of Rural Development and Land Reform). Accessed September 7, 2016. <http://www.ruraldevelopment.gov.za/phocadownload/Bills/landtenure%20securitybilldec2010.pdf>

²⁸ Ibid.

²⁹ Ibid., 6.

³⁰ Department of Land Affairs, “White Paper on South African Land Policy April 1997.” Accessed September 12, 2016. <http://www.ruraldevelopment.gov.za/phocadownload/White-Papers/whitepaperlandreform.pdf>

³¹ Crafs, Grain, ReCommon, “Who is Behind Senuile Senethanol?” (November 8, 2013), 2. Accessed: April 30, 2017. <https://www.grain.org/article/entries/4815-who-is-behind-senuile-senethanol>.

³² IRIN News, “Government Celebration of Farming Initiative ‘Premature’” (October 31, 2008). Accessed June 12, 2015. The GOANA initiative involved the compulsory contribution of 1,000 hectares of land. <http://www.irinnews.org/report/81241/senegal-government-celebration-farming-initiative-premature>.

³³ Edward Lahiff and L. Li Guo, Frank F. K. Byamugisha (Edit) “Directions in Development, Agricultural and Rural Development” (The World Bank, 2014), pp 27–51. Accessed March 10, 2017. <https://openknowledge.worldbank.org/bitstream/handle/10986/18030/9781464801884.pdf;sequence=1>

³⁴ Graham P. Chapman and M. Kathleen Baker, eds., *The Changing Geography of Africa and the Middle East* (USA: Taylor and Francis, 2003), 2-5.

³⁵ Ibid.

³⁶ Ibid.

³⁷ Forum Civil Notebook. A new national land reform commission was set up through the 2012-1419 decree of December 6 2012 Senegalese Parliament Legislates New Land Reform to Benefit the Poor (24 May 2011) <http://www.citiesalliance.org/node/2482> Accessed, June September 2018.

³⁸ Sam Moyo, Kevin Helliker, and T. Tendai Murisa, *Contested Terrain: Land Reform and Civil Society in Contemporary Zimbabwe* (Pietermaritzburg, South Africa: S&S Publishers, 2008), 6.

³⁹ See Subri Govender, “South Africa’s ANC Propose Land Redistribution” (July, 5, 2017). Accessed July 5, 2015. <http://www.dw.com/en/south-africas-anc-proposes-land-redistribution/a-39524194>.

⁴⁰ Robert Mugabe's abrupt land redistribution policies which resulted in land being taken from farmers, who occupied land that belonged to blacks Zimbabweans contributes to the slow redistribution of land in South Africa. See Hazel Ndebele, "Fresh Land Grabs: Government Keeps Trampling on Property Rights," *Zimbabwean Independent*, August 31, 2015.

⁴¹ *The Universal Declaration of Human Rights* (United Nations, December 10, 1948).

⁴² The International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social, and Cultural Rights (Article 49, March 23, 1976). Accessed March 5, 2014. <http://www.ohchr.org/Documents/ProfessionalInterest/ccpr.pdf>.

⁴³ Ibid.

⁴⁴ Edward Lahiff and L. Li Guo, "Land Redistribution in South Africa: A Critical Review" (working paper, World Bank Group, 2012). Accessed March 10, 2015. http://www.vumelana.org.za/e-library/wp-content/uploads/2015/03/2012_Land_Redistribution-inSouthAfrica- A-Critical-Review.pdf.

⁴⁵ Edward Lahiff, "Willing Buyer, Willing Seller: South Africa's Failed Experiment in Market Led Agrarian Reform," *Third World Quarterly* 28, no. 8 (2007): 1577–1597.

⁴⁶ Sabina Alkire, S. Adriana Conconi, and J. M. José Manuel Roche, *Multidimensional Poverty Index 2012: Brief Methodological Note and Results* (ANC Land Reform Policy Discussion Document, Land Policy Proposals, 2012), 3. Accessed July 5, 2016. http://www.anc.org.za/docs/pol/2012/landpolicyproposals_june2012v.pdf.

⁴⁷ Ibid.

⁴⁸ See "Land Policy Proposals," African National Congress, June 2-4, 2012. Accessed September 7, 2015. <http://www.sahistory.org.za/archive/land-reform-policy-discussion-document-june-2012>

⁴⁹ Ibid., 16

⁵⁰ The opposition candidate (Macky Sall) has lifted the veil on priority items on its agenda. 'Our priorities remain the rural world, women and youth. As far as the rural world is concerned, we are going to redistribute resources of 2,000 billion CFA francs over three years to boost the agricultural sector,' Sall said. See IPAR, "The World Bank, Help Women Farmers 'Get Equal,'" (IPAR brief, April 18, 2017). *Alert note on large-scale land transactions in Senegal* (2012). <http://www.worldbank.org/en/topic/agriculture/brief/women-farmers-getting-to-equal>

⁵¹ Leslie Gray and M. Micheal Kevane, "Diminished Access, Diverted Exclusion: Women and Land Tenure in sub-Saharan Africa," *African Studies Review* 42, no. 2 (1999): 15–39.

⁵² Catherine Boone, "Property and Constitutional Order: Land Tenure Reform and the Future of the African State," *African Affairs* 106, no. 425 (2007): 557–586.

⁵³ Moeti Koketse, "Marginalized Women South Africa's Secret Shame, Safe World for Women" (2012). Accessed September 17, 2015. <http://www>

asafeworldforwomen.org/638-africa/south-africa/2017-south-africas-secrets shame.html.

⁵⁴ T. Dunbar Moodie, "Migrancy and Male Sexuality on the South African Gold Mines," *Journal of Southern African Studies* 14, no. 2 (1988): 228–256.

⁵⁵ Fan Shenggen, "I Know It's Possible to Eliminate Hunger," *Food Think Tank* (2017). Accessed November 6, 2015. <https://foodtank.com/news/2017/01/shenggen-fan/>.

⁵⁶ The World Bank, "Help Women Farmers 'Get Equal'" (brief, April 18, 2017). Accessed May 2, 2017. <http://www.worldbank.org>.

⁵⁷ See "Land Access for Senegal's Small Producers Under Threat," *International Institute for Environment and Development Briefing*, January 2017. Accessed February 20, 2017. <http://pubs.iied.org/pdfs/17375IIED.pdf>.

⁵⁸ Senegalese smallholder farmers like Doudou Sow 'are furious. Over the last 10 years, he says, farmers have been squeezed out by an influx of private investors acquiring fertile arable land in the Senegal river where he has worked as a farmer for two decades.' Maxalb on Luglio. Fury over Senegal's Private Land Buyer., IRIN (Saint Louis, June 24, 2014). Accessed April 22, 2015. <http://www.africa-express.info/2014/06/23/fury-senegals-private-land-buyer/>.

