Land Sales and the Transformation of Social Relations and Landscape in Peri-Urban Mali

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Abstract

Small-scale land acquisitions are transforming long-standing human-land relations in West Africa. In particular, high rates of urban population growth lead to the transfer of land from non-market customary tenure systems to market-based, formal land tenure regimes on the edges of cities. The literature suggests that the conversion process from inalienable land to private property is highly contested, locally specific, and historically contingent. However, little is known about how this process affects a community. In the Kati cercle on Bamako's peri-urban eastern edge with exponential growth in land registration, this village case study examines: (1) how residents secure livelihoods, and (2) how the advent of a land market affects livelihood strategies. Interviews conducted in 2011 in the village of Soro complement data collected in 1996 and 1987. The longitudinal data show increases in population as well as indicators of relatively stable livelihood strategies. Since 2001 only men in the chieftancy lineage and families close to it have sold land, and that land was of least value to them using the subsistence logic of grain production. Those authorizing land sales at the local level are also the immediate beneficiaries. Land privatization reduces access to resources for those with secondary land rights recognized through social relations in a customary tenure system. This study concludes that public policy in areas undergoing land conversion--especially peri-urban areas--should consider the impact of social differentiation in communities and how new land values will change land use and access.

Key words: Land sales; land tenure; privatization; agrarian change; decentralization; Mali
1. Introduction

Rural Africa’s large-scale land acquisitions make headlines (Baldauf, 2011; Daily Nation, 2009; Donnelly, 2009; MacFarquhar, 2010; Smith, 2009; Vidal, 2010). Characterized as land grabs or foreign direct investments depending on the perspective, large-scale land deals in African countries transfer thousands of hectares of land to foreign entities, either governments or private corporations (Cotula et al., 2009). More common, but less-publicized, small-scale land acquisitions are transforming long-standing human-land relations (Cotula, 2012; Hillhorst et al., 2011). High rates of urban population growth fuel demand for land on the edges of cities where people are willing to pay for land. Land sales result. Most of the resulting land sales mark the transfer of land out of non-market customary land tenure systems where social relations determined access to land. The conversion process from customary tenure to private property and state regimes is highly contested, locally specific, and historically contingent (Amanor and Ubink, 2008; Lund, 2006; Moyo, 2008; Sikor and Lund, 2009; Toulmin, 2008). The consequences of both the conversion process and its contested nature for social relations and the use of land itself in peri-urban communities are not well known.

While land conversions occur across Africa and other regions of the Global South, the unprecedented urban expansion of West African cities is creating a particularly dynamic land market bonanza in peri-urban zones.¹ This paper focuses on Bamako, Mali, with a population of 1.8 million (République du Mali, 2009) that grew 4.8% annually in the decade 1999-2009, one of the fastest rates of urban growth in the world (United Nations, 2009). This rapid growth came after 23 years of dictatorship that ended in 1991 and the subsequent implementation of policies to decentralize political administration.
Based on fieldwork in January-February 2011 and the author’s previous field studies in 1996 and 1987, this study examines the impact of the burgeoning land market on the case study village of Soro in peri-urban Bamako (Figure 1). The village population was 779, with 39 farm households. The author interviewed representatives of each household. These interviews provided information on demographic change, household dynamics, and production. They also served as a starting point for new questions, especially regarding land sales, that the author investigated through interviews of women, household heads, junior men, and school teachers (in both the study village and the neighboring village of Munzun).

Participant observation in the case study village—its settlement core, three spatially separate hamlets, market gardens, fallow fields, savanna forest and pasture, plus neighboring villages—provided additional information.

Specifically, this study investigates how peasant farmers hitherto engaged in subsistence agriculture, as well as market gardening, shea butter processing, firewood collecting, and livestock raising forms of commodity production respond to a new land market. The research seeks to explain (1) how villagers secure livelihoods, and (2) how the advent of a land market affects livelihood strategies. The location of the case study village in the southeastern portion of the cercle of Kati adjacent to the District of Bamako is particularly well-suited to examining agrarian change where farmers have access to land through lineage rights but in the last decade began to sell land. Unlike the informal, oral, customary land tenure system, the new urban-based purchasers of the land seek formal registration of their landholdings. Moussa Djiré (2007) found in the Kati Land Registry that only four titles were registered by 1947, and that even by 1988 the total was still fewer than 200 titles. Exponential growth occurred from 1996 to 2005, with over 5,800 new titles registered during a
two-year period, 2003-2005. In this setting, how do farmers gain access to land through the customary land tenure system? How do they secure their livelihoods? When land sales begin, what are the consequences?

[FIGURE 1 ABOUT HERE]

2. Contested legitimacy of access to peri-urban land in West Africa

Uncertainty, rapid change, and dispute mark claims to land in peri-urban spaces throughout West Africa. New land markets on the peripheries of the region’s cities have created large areas where the co-existence of customary and state-derived land tenure systems causes ambiguity in land policy (Arko-Adjei et al., 2010; Dauvergne, 2010; Gough and Yankson, 2000; Mabogunje, 1992). Christian Lund (2007: 673) refers to the institutions that play ambiguous public authority roles in Africa as “twilight institutions”: “They defy clear-cut distinction.” The lack of clarity stems from ongoing struggles for land control. On the one hand, customary land authorities derive their legitimacy for land decisions in non-market values framed with reference to historical cultural practice. On the other hand, state authorities claim legitimacy through legal systems initially imposed by colonial states and modified since independence.

With reference to Southeast Asia but relevant to West Africa, Hall et al. (2011) argue that these competing institutions must be understood through their differentiated powers of exclusion. Various powers shape claims to land including first-comer status, lineage, payment, and documentation. Ultimately, all land use and tenure inherently create both security and insecurity for different groups and individuals since where land is scarce some inevitably lose access. In this way, the
land pressures of peri-urban zones reflect deep historical social, economic, and political struggles.

In customary African land tenure systems, certain social actors derive their powers to exclude others from land based on a broadly accepted notion of land as the heritage of ancestors. In this view, land is inalienable. Those believed to have first cleared land and their descendants thus have legitimacy in allocating land to others who come later (Toulmin, 2008). In a primarily subsistence-oriented farming system, the principle of assuring food for the community influences decisions about allocating land to newcomers (Mabogunje, 1992). Claude Meillassoux (1981) showed that the lineage heads in West African subsistence farming systems who have access to land through their social relations to the perceived first-to-clear land are motivated by the twin goals of food production for household livelihood security and the reproduction of descendants. A lineage head holds land, is responsible for the reproduction of the group, and is “the guardian of his tenure heritage.” (Verdier and Rochegude, 1986:12). Where land is not a commodity, its non-market values define cultural identity through social relations (Amanor and Ubink, 2008). When and where land sales occur marks a fundamental agrarian change that breaks cultural ties to the land and undermines the subsistence goals and ethic outlined by Meillassoux (1981).

The legitimacy of an individual to sell land considered inalienable raises the potential for conflict. Facing offers to buy land on urban fringes, customary authorities find themselves with new possibilities and responsibilities to interpret the authority to transfer land. By assuming the power to sell land certain farmers assert their authority over social custom (Sikor and Lund, 2009). “Custom” endures only if continually reenacted (Amanor and Ubink, 2008). In peri-urban areas with heavy
pressure from in-migration, customary claims can be highly negotiable or even invented. Descendants of lineages long established on lands, even if recognized by community members as not being the first, may be able to assert an acquired status as “chiefs” who have authority over land (Chimhowu and Woodhouse, 2006; Lund, 2006; Sikor and Lund, 2009). Past good deeds to the community may also contribute to such a negotiated, acquired status.

A contributing factor to the contested legitimacy to authorize land use in peri-urban areas stems from assertions of state power. Colonial policies created a dichotomy with rural customary, communal land tenure systems distinct from urban citizens’ titled land (Peters, 2004). Competing claims to legitimacy stem from the rural population having designated “customary rights” to land that have a weaker status in state legal systems than the formal land rights of those with deeds or titles, hence calls of “ever greater urgency” (Toulmin, 2008:10) to secure land rights around cities. As part of a wave of decentralization in West Africa, the creation of local, elected councils adds a further “dual legitimacy” to controlling land (Marie and Idelman, 2010). In order for colonial and post-colonial states to authorize formal land rights, they had to expropriate land from customary authorities. Urban growth with concomitant increased land market values has led to state authorities declaring areas in peri-urban zones as formal sector lands where either the state itself or private land holders must have their land rights registered with state authorities. New local institutions such as these elected councils created through decentralization reforms can lead to new forms of domination and exclusion (Poteete and Ribot, 2010). Urban-based residents with the means to invest in land markets applaud moves to register land because with a deed to land they know that they will have increased authority over land purchases and the power to exclude others.
Neoliberal economic reforms have supported policies to formalize land rights. If farmers had legally secure access to land, contend advocates of formal land rights, then they could benefit from bank loans, invest more in agriculture, and have greater incentive for sound natural resource management. Hernando de Soto’s influential *The Mystery of Capital* (2000) promotes the idea that “dead” capital becomes “living” by formalizing *de facto* land use in rural areas where peasant agriculture is the dominant form. In the hands of smallholder farmers, state-sanctioned documents attesting to the right to a specific land parcel would thus empower the rural poor by providing them the ability to use their land as collateral for loans (Bassett, 1993; Benjaminsen et al., 2009; Toulmin, 2008). Land registry appeals especially to farmers where demand for land is high such as on the edge of cities and where agriculture is largely commercial (Bassett, 1993).

Customary tenure regimes, state land laws, and market demand influence how various social actors gain access to peri-urban land. In contemporary West African peri-urban zones, taking possession of land leads to new territorial divisions which reflect the power to exclude different social classes. Nancy Peluso and Christian Lund (2011) argue that the market “produces” land on urban peripheries where demand is high. The sale of peri-urban land for a second home or assembly factory on what was inalienable land amounts to “producing” land for those with the means to purchase. Regulation, violence, and the market become powers to exclude others from privatized land (Hall et al., 2011). In this way land sales create new territories with new boundaries, new rules, and new authorities claiming new legitimacy to control access (Chaléard and Mesclier, 2010). The rapidly changing rules of access to these territories and land-use on them suggest a profound transformation of society.
3. Decentralization and formalization of land rights in Mali

The rapid growth of Bamako and other cities in the 1990s coincided with decentralization to create land markets on urban peripheries (Bertrand, 1998; Bourdarias, 1999; Djiré and Dicko, 2007). When student-led protests and a military coup ultimately led to the end of the regime of Moussa Traoré in March 1991, decentralization provided opportunities to create a more democratic society; it also responded to the economic and political reforms sought by international donors and functioned as a devolutionary tool for making peace in the north rocked by an autonomy-seeking rebellion.

In August 1991, Malian political organizations, peasant and student groups, and labor unions drafted a constitution that made a new legal framework for addressing land rights. The constitution guaranteed citizens the right to own property (USAID, 2010). Subsequent laws recognized use-rights on land in customary tenure systems (Benjaminsen and Sjaastad, 2003; Djiré, 2007). By 1996, new laws defined largely existing territorial divisions at the level of région (the national territory is divided into 8 régions plus the District of Bamako) and cercle (an administrative subdivision of the région) plus 703 municipalities (communes). Clusters of 10–40 spatially separate villages comprised a municipality with an elected council and mayor. The three territorial divisions gained legal power for land administration, land-use planning, and development of agriculture, forestry, and pastoral production (USAID, 2010). In keeping with the devolution of authority over land, the new decentralization laws ended the state’s monopoly ownership of rural land that legally dispossessed peasants of land (Djiré, 2007).
The decentralization policy that emerged represents what Julien Félix (1996) identifies as the convergence of the diverse interests of three influential groups of political actors: 1) a new urban political class seeking a democratic state governed by the rule of law, 2) the World Bank and International Monetary Fund using Structural Adjustment Programs to promote a free market and minimize the power of the state, and 3) aid organizations prepared to foster local development capacity to manage land resources. Each defined “sustainable development” in ways reflecting its interests.

The urban elite wanted more freedoms to create political parties, protections for a free press, and decentralization, while the rural majority saw the downfall of the dictatorship as a chance for less government interference in daily life (Marie and Idelman, 2010). These contrasting interests reflect the heritage of unequal voices in governance and different interpretations of land rights. From the perspectives of the Bretton Woods institutions and aid organizations, securing land ownership aims to expand free markets and create opportunities for the poor. Amanor (2008) questions this assumption. When decentralization is primarily concerned with land ownership, not the distribution of land to socially differentiated groups, land shortages occur. Without attention to the uneven access to land, securing land ownership risks exacerbating the rural-urban divide and inequality among rural groups. The promise of sustainable development from decentralization and secure land rights runs the risk of constructing a “customary” authority that privileges certain groups while excluding others.

In this changing context for land rights in Mali, the next section provides data from a longitudinal study of the peri-urban village of Soro to examine how production, social relations, and land sales intersect. It situates the case study village in terms of
its approach to authorizing land access, household population and farm characteristics, and livelihood strategies. The following section will examine how land sales enter into the existing dynamic social and production systems.

4. Village case study

4.1. Village authority and legitimacy to occupy land

The village chief, or dugutigi (dugu ‘land, village’ + tigi ‘responsible for’) in the Bamana language of the case study village, is the starting point for access to the village community. The chief’s authority resides in his ascribed status as the eldest male direct descendant of the first to clear land. According to oral tradition, those who first cleared land had to ask for divine sanction. Bamana land tenure centers on one’s relationship to those who first cleared land to farm. In this patrilineal gerontocracy, the chief consults with the heads of lineages long established on village land to allocate land to newcomers. Moreover, the chief is responsible for making land available to those who request it. Until recently, the question of selling land did not arise because land was plentiful and considered inalienable. From the oath taken at the time of becoming a chief, the dugutigi promises to mediate disputes including those related to land and natural resources. His authority to give the right to clear land for crops is legitimized by his birthright.

The founding lineage in the case study village of Soro is Kulubali (Coulibaly), ethnic Bamana originally from Segu, to the northeast. Five kilometers to the east, Munzun village is a fraternal village founded by brothers at approximately the same time. The Kulubali lineages of the two villages are so close, recognizing a common ancestor in the father of the two founding brothers, that the lands of the two villages are considered the same with regard to any dispute with another village. However,
access to land by household heads within the villages is administered separately by the *dugutigi* of each village. Only the Kulubalis of Soro and Munzun are considered *yërëwolo*, direct line descendants of the founding *dugutigis* and therefore eligible to become a chief.

The other Bamana lineages in the village today are Sako, Dumbia, and Samakè, plus Fanè a *numu*, iron-working lineage that is *nyamakala*, an endogamous professional caste. The long-established Bamana lineages have the strongest ties to the land. The most recent arrivals, several ethnic Fulani and Bozo families, have the weakest ties.

Village land claims extend in a radius of around 2-10 kilometers from the center. In the past this was only rarely contested and thus ill-defined. The general model of African village land-use prevails with concentric circles around the central settlement beginning with annually cropped and fertilized fields and gardens, followed by grain fields whose fertility is maintained by fallowing, and most distant the open-ended savanna forest used for hunting and collecting (Gautier et al., 2011, Morgan, 1973, Pélissier, 1995). The housing and cultivated areas are attributed to lineages and well defined; farther from the center where land is rarely cultivated or deemed unsuitable due to lack of fertility, shallow soil or steep slope, little attention has been paid to access rights until recently and the savanna forest has been open for collecting and grazing. These farthest and least intensively used areas have come under new interest from urban-based investors.

4.2. Population and household farm organization

In 24 years (1987-2011), the case study village population increased from 425 to 779 (83%). The annual rate of growth jumped from the period 1987-1996 when it
was 2.0% to 3.7% for 1996-2011. According to national census data, the commune where the village is located grew at a 6.8% annual rate between 1998 and 2008, a steep increase due to in-migration in peri-urban areas bordering the District of Bamako (République du Mali, 2009). The population of the village is spread out with 56% clustered in the central village around a mosque, and the rest in three main hamlets Mamaribugu, Satnobugu, and Fulabugu (Figure 2).

Agricultural production is at the level of households and their subdivisions. For the purposes of this study, a household is defined as a production unit, with active members contributing their labor to a common “farm” and also including resident relatives not doing fieldwork. In most cases, the household was also a consumption unit where members eat out of the same granary, and a common residential unit where members reside together in a compound (du, -w for plural). The head of a household farm (dutigi), like the village chief, is generally determined by patrilineal succession (fabonda ‘father’s family’). Splits frequently and inevitably occur as households grow over time, with offshoots centered on married brothers or sons of the household head. Table 1 shows that in 2011, the village population was made up of 39 households, up from 22 in 1987, and 9 non-lineage, non-farming residents. Most of the increase occurred when large households split, one before 1996 and another in 2002.

The majority of the village population (91%) lived in complex households (Table 1). A complex household contains at least one married brother or son of the household head plus wives and children. In 1987, only 71% of the village population lived in complex households. This increase in the proportion of the population living
in complex households is especially notable since it comes after the largest household broke-up in the intervening years. Those not living in a complex household were nuclear families, split-off lineage segments, and multiple-generation families with only one married male.

Most households (84%) grew during the 15-year period. For those that lost members, the stage in the household cycle was the key factor, especially where a household had a large proportion of young girls in 1996 who subsequently married and left the household. The marriage and departure to the village of their husband for girls listed in the 1996 census represents 16% of the total village population. During the same period, 82 women married Soro men and came to live in the village. These new residents represent 16% of the 1996 village population and thus balance the departure of Soro-born girls. Of these, 27% came to the village as second wives of Soro men.

Nearly a quarter of the households (23%) employed non-lineage workers. These included cattle herders, seasonal farm workers, daily farm workers, long-term (more than a year) resident workers, and Qur’anic school children doing fieldwork. Labor arrangements included cash payments and access to land to farm. Larger and wealthier households were more likely to hire workers.

In summary, the population grew over the last quarter century, more households formed, and the average size of households increased. Marriage played a role in inter-household exchanges of individuals, ultimately balancing in and out movements. The population data suggest that the subsistence goal and ethic as outlined by Meillassoux continue as the dominant influences on cultural ties to the land.
4.3. Securing household livelihoods: Agriculture, wealth, food security and remittances

The orientation of household production continued to be centered on fields worked by household labor (*forobaforow*). In 2010, all village households grew sorghum (*Sorghum bicolor*), varieties *keninge* and *nkente*, the staple grain in the diet. Other important crops were cowpea, maize, groundnut, millet, maize, and Bambara groundnut.

The proportion of households with a working plow and oxen team rose to 64% (Table 2). Those missing an ox or two, or without a working plow, borrowed from a relative. One farmer reported renting oxen for 40,000 CFA francs (62€) per ox. A common practice in 1987, hand tilling with a short-handled hoe to sow sorghum-millet-cowpea in mounds was less common due to the increased use of plows.

[TABLE 2 ABOUT HERE]

From 1996 to 2011, the average size of households with own-account enterprises—individual income-earning activities within the household benefiting members of the household other than the head—remained about the same (Table 2). They were still more than twice as big as those without own-account enterprises. Little change also occurred in the average size of households that had a working plow and two oxen as well as more than 10 cattle. Cattle were primarily an investment while oxen and plows are used directly in crop production. As in 1996, households with cattle, oxen, and plow had more than twice as many people and represented 38% of all village households.

One of the biggest changes in wealth in the last 15 years occurred in ownership of motorized transportation. Uncommon and a sign of personal wealth 24 years ago, motorbike ownership dramatically increased. Table 2 shows that in 1996
at least one individual in only 27% of the households owned a motorbike (mostly French Motobecane Mobylette or Peugeot mopeds). In 2011, farmers in 72% of the households owned at least one motorbike, and the majority were more powerful Chinese-made motorcycles and scooters. The average size of households with a motorbike decreased from 40 to 22 as motorized transportation became accessible to a greater number of villagers. In addition to this growth in motorcycles, four villagers each from large Kulubali founding lineage households owned cars.

The 2010 harvest provided greater food security than the harvests in the previous study years of 1995 and 1986. Heavy rainfall was a factor. In fact for 2010, many farmers spoke of crop losses due to rainfall, but on the whole farmers described the harvest as good. Following the 2009 harvest, only one household purchased grain for more than 6 months. More than half (62%) of the households made no grain purchases in 2009-2010. Due to the crop damage by rain in 2010, only 25% reported that they were unlikely to purchase grain before the next harvest in 2011.

Those buying cereals used remittance money from off-farm relatives and income earned from the sale of livestock or fresh produce. Half of the households reported receiving money from off-farm relatives. Internal migration was most common with 71% of the households reporting someone leaving to work or go to school inside Malian borders, mostly to Bamako. In 30% of the households someone had left for an international destination, including both African and European countries.

Like the land access and population data, the livelihood data provide evidence of a community where grain production on land obtained through a customary tenure system supports most of the subsistence food needs of the residents. The cropping
system remained stable. Larger households, due to the economies of scale that they provided, continued to support own-account market gardening, shea butter, and firewood commodity production. Migration played a role supporting individuals and households through remittances. Ownership of cars by several individuals and the growth in motorcycle ownership were indicators of increases in wealth for some.

5. Land sales

Land sales constituted a sensitive topic due to the conversion of ancestral land to a commodity purchased by outsiders, and because only some villagers benefited. They are the source of regular disputes reported in Mali’s press (e.g. Haidara, 2012; Koné, 2012). In the fieldwork, some aspects could be discussed easily in public. Others were best discussed in private. Different people had different things to say, but only revealed them if they knew that they were speaking confidentially. One villager spoke in the privacy of his house of another villager who had been to prison for trying to sell the land of a neighboring village. Another told of an incident where two Bamako residents came out to inspect land they had purchased only to find that they had each purchased the same parcel. Discretion in land discussions was necessary, but it was evident that the effect of land sales was pervasive.

5.1 Land registration process

In the initial phase of a land transaction that leads from customary use rights to ownership, two parties agree to a sale, sign a certificate that has two witnesses, and submit this letter to the local commune administration office. Following this registration of land, a provisional title can be issued once the office of the Préfet
(head of the cercle) assures that no rival claims are made to the land and that the plot has been surveyed (cf. Benjaminsen and Sjaastad, 2003; Djiré, 2007). A public land hearing ( commodo and incommodo hearing) is set up so that objections to the sale can be voiced. The hearing date is advertised in a national newspaper, L’Essor (Figure 3) and on the radio. If approved, the customary authorities relinquish rights to the land. The Préfet grants a five-year concession with the condition that improvements are made to the land for its intended use. After the five years and completion of the improvements, the landowner can apply for a freehold title. Inspection, detailed survey, and fees then complete the process of transforming customary use rights to permanent title of private property.

[FIGURE 3 ABOUT HERE]

In the case study village, two routes to privatized land have emerged since the 1990s. They illustrate a land market that recently grew where previously social relations determined land access. Both routes lead to the titling of non-titled land. The first route—so far taken by only two persons—is where a villager or relative of a village resident obtains a title. The second approach is where outsiders—persons with no social ties to the residents of the village—obtain a title. The entire titling process takes years so during the fieldwork period only parts of the process could be observed.

5.2 Land in center of village titled by relatives of villagers

In the first route, relatives of villagers in established lineages once but no longer resident obtained a title. Although legally open to them, current village residents themselves indicated that they were not seeking titles because the land was inherently theirs through customary rights and the titling process was too
expensive. For village relatives, or ex-villagers who could have had a claim to the land through the customary land access system if they had remained resident, the land is ancestral. For this reason, according to village leaders, they do not “buy” land. The two village sons with land titles left the village in their youth and earned incomes outside the village—one in Bamako, the other in Dubai. Neither had an adult history of working his family’s land for subsistence grain production. However, each supported his respective family with money and food purchases, and made contributions that benefited the wider village community (e.g. mosque reconstruction, tax payment, improvement of wells).

Contradictory information from interviews of the titleholders, representatives of the founding lineages, and other villagers leaves open who paid whom what. What is clear and significant for village land is that two large parcels of rich soil in the village center are now legally held (titled) and can be sold. One 35 hectare property was fenced, contained a cinder block house behind a large gate, and had mature eucalyptus trees along the borders, deep wells, and a citrus and mango orchard (Figure 4). The other 40 hectare property also had a house behind a gate with eucalyptus on the border. Neither land owner was living on his property in 2011 as a permanent resident. Prized by local farmers for grain production, grazing, and its mature oil-producing shea (Vitellaria paradoxa) trees, this lowland (fala) as private, demarcated land had become off-limits for communal livestock herding and firewood collecting.

[FIGURE 4 about here]

5.3 Peripheral village land sold to outsiders
In the second route, village outsiders obtained formal title to land by purchasing it. The first land sales took place during the previous village chief’s period of service, probably in 2001. The land sold to outsiders has been deemed by villagers of low priority for farming. Large areas on the village periphery were commonly referred to as “the chief’s land,” not designated to a particular branch of the founding lineage. The boundaries of that land were not well defined, especially in areas far from the village center because of the relatively low use-value of the land for household subsistence grain production. Although far from the village center and less valuable for grain, land to the north borders the Bamako-Segu highway. Its proximity to Bamako and potential for access to the electric grid made its value to Bamako land buyers greater. In addition to the distant, shallow soil land near the highway, villagers sold also land on topographically higher areas (tintin) with rocky lateritic soils. Villagers preferred deeper lowland soils (fala) for crops and the highly valued shea trees.

In early 2011, one hectare of land sold for 100,000 – 250,000 CFA francs (154-386 €). The lowest value land was far from main roads and contained shallow soil with low potential for crops (Figure 2). The 250,000 CFA per hectare land was adjacent to the highway—convenient for Bamako residents visiting their cattle or chickens on weekends and of least value in the subsistence grain mindset of villagers. One villager estimated that around 500 hectares of the peripheral land had been sold by one of the family heads in the founding lineage. In a separate conversation, one of the teachers volunteered that over 50 million CFA worth of land had been sold, thus corroborating the 500 hectares estimate. At 100,000 CFA francs (154€) per hectare, 500 hectares were worth 50 million CFA francs (76,923€) while at 250,000 CFA francs (385€) they were worth 125 million (192,308€).
5.4 Who sells land

Of the 39 households in 2011, the delineation between those who had clear rights to sell their land and those who did not was a continuum where the extremes—direct descendants of founders who could sell and newcomers who could not sell—were generally recognized even if the act of selling land itself was not universally accepted. The founding Kulubali lineage households, 18% of the total, could and were selling land. The older heads of households who were most closely related to the chief asserted the strongest claims. Historically, after the Kulubalis arrived from Segu, the Sakos came from Banamba and then the Dumbias from Nioro (all areas to the north). By virtue of their long loyalty to the Kulubalis in Soro, they had earned the right to sell land, an additional 36% of the total households. The residents of these three lineages comprised 54% of the village population.

The next three lineages with the longest histories in the village were Jalo (Diallo), Fanè, and Samakè with 31% of the households. Jalo and Fanè had not sold land. That Jalo is of Fulani ethnic origin (even though family members spoke only Bamana and the wives of married men had Bamana names) and Fanè of nyamakala origin, weakened their claims to land. Although intermarried, respected, and socially integrated with land use rights not contested, the relationship to the founding lineage was such that land allocation had been interpreted as only for use, not sale. In this sense, their status was like that of women in Kulubali households. Members of the Samakè family, the senior male of which was the village imam, traced their arrival in Soro to the 1940s. Their authority to sell land was not clear. One junior Samakè household head said that they could sell but chose not to; others said no or gave responses that left the question open.
Another Samakè, more distantly related to the imam, but a close personal friend of a big land seller from the chieftancy lineage was actively preparing to sell land. He had measured his 20 hectares and cut a shea tree during the fieldwork period. Except in special circumstances the cutting of shea is a widely recognized prohibition in rural Mali as well as illegal under forestry law. Open cutting of shea occurred during the study period, and stumps of recently cut shea were scattered over the village land (Figure 4). As another Samakè obliquely explained in an interview, today there are fewer trees and less wood than ten years ago. Paradoxically, cutting trees, especially the most valuable, is an assertion of individual ownership (Gautier et al., 2011). Shea trees risk being a casualty of the transformation of usufruct rights into freehold tenure.

The remaining 6 (15%) households were headed by recent immigrants of Fulani and Bozo ethnic origins. Nobody, including the members of these households, imagined that they had a claim to rights to sell the land they were farming.

Not everyone occupying lineage land could sell it. Women and newcomers could not sell land. Women’s access to land was through their marriage to a man in the village. Newcomers’ access to land was through the approval of the village chief. Not surprisingly the villagers who expressed their disapproval of the land sales were those who did not have the right to sell. They were in lineages that are casted (nyamakala), late-comers, non-Bamana, or they were women. One said that the sales were dividing the village since some had the authority to sell land, but not all, such as he. Another simply shook his head and said, “Land sales are bad.” Two Kulubali men in the chieftancy lineage, but who had migrated to Bamako since the 1980s and married without the dowry paid by their older brother (the biggest land seller in the village), explained that they could not sell land and thought land sales
were bad for the community. In explaining their anti-land sales rhetoric, they stated that their father, respected by the community for his moral authority and deceased before the first land sales, would not approve of selling village land.

Villagers sold land to residents of Bamako with salaries from the government or regular income from private businesses. Asked about concerns for the long-term loss of land to buyers from outside the community, villagers responded that they only sold land that was not good for farming. One older Sako woman even chuckled about selling land to Bamako residents who thought they could grow rice and millet on land not apt for cultivation. Her view was that the city residents really did not know the land the way villagers did, so now it was their turn to take advantage of their knowledge and land.

In summary, land sellers were men in the founding lineage and lineages closely associated with the founding lineage. No one seemed comfortable with land sales, even those making sales spoke of it with unease or defensiveness. Land sales were contested, even within the founding lineage.

5.5 Assuming authority to sell land

For a legitimate land sale in the eyes of the state, the buyer and seller must have two witnesses sign an agreement; then they must take the written agreement to the commune where it is signed and stamped. In the case study village, a member of the village council explained that the buyer must obtain the signatures of all members of the village council including the village chief’s stamp of approval. The Soro village council was comprised of 6 members (including the chief), each a household head and male, of which 4 were Kulubalis, one a Dumbia, and one a Samakè. The two
members who were not from Kulubali households were the only literate council members.

Social norms pressured the chieftancy to play its titular role for the community, the widely accepted meaning of the dugutigi’s oath. Land sales presented a new situation. Asked about the changes land sales were bringing to the village, the elderly chief nodded with a shy smile but had little to say. This chief did not have the forceful personality of his two predecessors. Neither he nor others referred to blocking a land sale by his refusal to authorize. Inside the village council debate was theoretically possible. However, differences in social standing and personal histories appeared to limit the balance in opposing views. The founding lineage retained customary authority.

Of the four Kulubalis on the council, one dominated in his personal authority earned over a lifetime of building networks through personal acumen, international work experience, and inherited association (his father’s reputation). Driving north and east of the village center and past Satnobugu in his car, this de facto village power broker commented that the private land markers, fences, eucalyptus, and occasional buildings were all on Soro land, now sold. He said that those purchasing were from Bamako and had to ask permission from the Soro dugutigi and the Sous-Préfet in Baginda or the Préfet in Kati. His reference to the de jure permissions for selling land—customary chief and state authorities—recognized the process necessary to realize a land sale. Asked about the chief’s power in land sales, he was dismissive of the individual (seeing him as weak) but respectful of the office.

As he saw the fluid land situation, if he did not profit from land sales, or allow hunting by urban weekend hunters, the city land buyers would simply go to a neighboring village. His rationale, even if recognizing the loss of land as a loss of
heritage and resources, rested on the principle that there were so many buyers that land sales were inevitable. The village, and he in particular, might as well take advantage of it. From his actions and behavior, he was a man bridging the rapid transition from a world governed by the subsistence ethic and goals that gave him a claim to land to the ill-defined *nouveau régime* with its possibilities to sell at whatever price someone would give him.

In addition to the stories of double-selling the same parcel and selling the land of an adjacent village, the sale of land by some founding lineage men has widened divisions in the village. Sellers and non-sellers get along on a daily basis, but new patronage relations show. Flush with cash, some sellers from the founding lineage conspicuously showed their new wealth by giving gifts of cloth or offering rides in their cars to friends. Several junior village men from the founding lineage actively sought buyers. At times giddy with their new power and wealth potential, they also could be hesitant with a nagging embarrassment that the land sales represented a rupture in the social relations upon which the community subsistence ethic was built.

5.6 Making a sale

Married Kulubali men who were not household heads from three separate households were actively seeking buyers. They were excited about the new land sales and saw in them a future without the hard work of growing sorghum. They drove their cars or motorcycles to Kobalabugu (10 kilometres) and Baginda (17 kilometres) to arrange land sales. These village land sellers (acting like real estate brokers or *coxeurs*) found a niche in the land market linking customary authorities in “the bush” with urban buyers seeking property.
In one case, a founding lineage man showed me a first-step sale contract that he was carrying for his cousin, also a land seller. In French—a language the seller could not speak, read, or write—the contract stated that a Mr. X of the village was selling 2 hectares to a Mr. Y (not from the village). The typed statement included the rubber stamp of approval of the customary village chief. The next step would be discussion of the sale price. When determined by Mr. X and Mr. Y, the price would be added to the written contract and then signed by both seller and buyer with witnesses before being filed with the commune.

The chief’s initial approval of this sale was without knowledge of the price and only vaguely of the site. In this case the land sale was in the name of a grand nephew of the chief who did not live in the same household as the chief. Like the chief, the seller was, though, a direct male descendant of the village founder. Unlike the chief, the approximately 45-year old seller and his cousin were actively seeking buyers from Bamako through contacts along the main highway and in the commune seat.

6. Discussion: Securing Livelihoods at the Advent of a Land Market

Village residents in this case study secured their livelihoods through subsistence production and cash-earning strategies identified in previous studies in 1987 and 1996. A higher percentage of households made no grain purchases during the study year than in previous study years, an indicator of the capacity for food self-sufficiency even if aided by more favorable rainfall. Livestock sales continued to play income-earning and investment roles at both household and individual levels. Shea butter and firewood production were still the highest sources of income for women. For men, market gardening still generated the most income from on-farm agricultural
production. Earnings off-farm from domestic and international migration contributed to village livelihood strategies that could support rural households.

The empirical evidence of demographic, household, and livelihood data suggest that the subsistence ethic remained intact in 2011. Average household size in the case study was high and had increased since 1996 and 1987. This runs counter to the historic pattern of individualization of farming households in West Africa. The growth of market gardening on Bamako’s urban periphery since the 1970s, like migration represents an articulation of Bamana farming systems with new market conditions (Wooten, 2005, 2009). The patrilineal gerontocracy provides the base for market gardening and in a complementary manner the market gardens provide—where time and space are made available by household heads—an incentive through their revenue potential for juniors to stay on-farm. Market gardening reinforces this farming system where junior men work the subsistence grain fields on the land of their lineage under the authority of the senior men. Thus, with sufficient arable land for grain, market garden crops, and livestock, plus access to urban markets, household size grew.

In this way farmers in this subsistence-oriented agricultural system have shown remarkable flexibility as they negotiate new markets. Pauline Peters (2004, 2009) argues that this adaptability of customary tenure has a limit. Land and labor increasingly have become commodities as a result of Structural Adjustment and market liberalization. In turn, decentralization increases social inequality since certain groups have privileged access to power and resources, including land. The flexibility and negotiability that characterize customary tenure may be adaptable to a limited range of changing conditions but external factors are changing the dynamics.
In the case study village, the biggest change in livelihood strategies was the initiation of land sales. Some villagers could assure their livelihoods in a hitherto unimaginable manner: selling land. While the effect of land sales on production has not yet made a significant impact on household food security, if the village continues to sell land, production of field crops for subsistence, shea butter, market garden crops, firewood, and livestock may be jeopardized. The increased size and number of households, the ability to feed the population, assure marriages, make natural resources accessible for income generation, and provide needy immigrant families with productive land all suggest success as measured by Bamana subsistence ethic values.

Underpinning this success has been reliance on a seemingly inexhaustible land base. Extensive rather than intensive cropping methods remained possible with fertile land and available household labor. Young male workers largely stayed on-farm because they could earn an income with market gardening and their wives could do the same with shea butter processing and firewood production. Household and individual earnings could be invested in livestock. By selling land, the village has greatly narrowed its capacity to assure livelihoods. Soil fertility for subsistence grain depends on fallowing. With more of the finite village land in private hands, farmers have less flexibility in cultivating high fertility land. Livestock already cannot graze on fenced land in the north and central areas of the village space. The fences prevent collecting firewood as well as medicinal plants. New deeper wells sunk on privatized lands threaten to lower the water table that makes market gardening throughout the year possible.

Land sales remove part of the farming system that is more important to some villagers than to others. The field data show that the village is mostly selling land that
has a low priority for crop cultivation, has not been cropped in recent memory, or simply cannot be cropped because the soil is too shallow and rocky. Land sellers—men in the chieftancy lineage and those closest to it—use this discourse to justify and diminish the obvious loss of land which villagers know is a livelihood resource. In contrast, those with secondary access to land feel the squeeze of land sales because this more marginal land is especially important to them for pasture, wood collection, and other economic activities.

Land sales are contributing to a decline in badenya, the cooperative spirit of Bamana/Mande values, a sentiment widely heard in interviews. Badenya’s centripetal social forces are losing ground to fadénya’s centrifugal forces. “There is too much egoism,” said an opponent of land sales. Household size was not a determining factor in who could sell land. When the subsistence ethic and goals prevail, it has contributed to livelihood security. The long-established Bamana lineage landholders gain the most, at least in short-term revenue. Land transactions are possible because of the customary power at the village level. Historic landholders are the lineages that first cleared the land (yèrèwolo) and those with long-term relations to the founding families. In contrast, women, like the unmarried brothers and sons of the household heads of established lineages and newer arrivals (“outsiders” or allochtones), are excluded from sales by those selectively using their privileges from the old social order.

The new decentralized “democratic” power does not change the de facto control over land. However, the imposition of a supra-village level, the new commune, raises questions about who has the legitimate authority over rural land: the elected conseil de commune or the customary village leaders. The village level is where land - lineage relations express themselves, but the village is not an
administrative unit in the new decentralized government (Kassibo, 1997). The new, elected local authorities can promote public policy with democratic values of equity and justice but at the possible expense of a long-standing rural production system (Benjaminsen and Ba, 2009). Lineage labor and land underwrote market and commodity expansion in West Africa (Meillassoux, 1981). Now with its powers not entirely clear, the conseil de commune could usurp customary village authority in such a way that the social structure that supported production is disrupted; it could also fail to grasp its potential new responsibility to play a role in developing new, sustainable land use policy and management. In the meantime, while a decentralization-democratization debate continues at the national level, in the scramble for land authority at the local level the customary chief (dugutigi) signs off on land sales.

7. Conclusion

The advent of land sales in the case study village is revolutionary. It confronts the human-nature relationship hitherto intrinsic to Bamana society in a way not previously experienced. As is common in African societies, land relations are socially embedded. In the peri-urban case study village, land values increased due to rapid urban expansion. At the same time, national decentralization and democratization efforts put pressure on the customary, hierarchical social order that determined access to agricultural land and labor. Land sales provided immediate income to some but not all villagers. The study found no evidence that land sales have so far disrupted agricultural production, but concludes that continued sales of land will inevitably squeeze the land base of the bush-fallow system and jeopardize the secondary land rights of women and newcomers, as well as all who use the
interstitial village lands for collecting, hunting, and herding. Land sales to salaried urban-based speculators, weekend farmers, and seekers of retirement homes remove land permanently from farming systems based in Bamana social relations. For this reason they do not represent a form of market engagement that can be negotiated with non-market social relations as cash-cropping fresh produce and labor migration did.

Paul Pélissier (1995) argues that land sales in peri-urban areas of Africa impede local food self-sufficiency, and Bréhima Béridogo (2003) does the same for Mali. Land sales create conflict since land is removed from lineage control and with it the social relations formed with the goals of assuring production for subsistence and reproduction of the next generation. Unless income from land sales is invested in transforming the economy in such a way that minimizes social divisions (for which there is little evidence today), profit-maximization logic seems destined to radically change the village in the next generation.

In the increasing market orientation of the eastern Bamako urban periphery, various forms of land transfers are taking place that link local with national and global change. Networks of rural farmers’ markets increase contact between rural producers seeking jobs and outlets for their produce, and urban elites investing in land (Raton, 2010). A rock quarry owned by an Abidjan-based subsidiary of Switzerland’s largest construction company opened in 2010 just 8 kilometers from Soro (Figure 1) to supply construction materials to Bamako (Fofana, 2010). Numerous articles in the Bamako press report diverse conflicts over land sales, interpretations of customary rights and legal codes in this peri-urban zone. As in other parts of Africa, hybrid land transfers and improvised solutions are common (Chauveau et al., 2006; Lund, 2006). The decentralized, elected bodies that
negotiate them may have the potential to foster new democratic policies, but a strong counter-current of inequalities favors the more powerful becoming distant from the poor.

The formation of rural municipalities (*communes*) re-conceptualizes village space from a network of lineage land into territories for economic development linking profit-maximizing villagers to trading and investment networks beyond the village (Gautier et al., 2011; Hautdidier et al., 2004). Market logic replaces decision-making where social relations were paramount. It stems in part from the *terroir* approach to development: “…a mode of governance that facilitates the control of people and resources within its boundaries,” and is essentially a development technology designed to implement market-based development (Bassett et al. 2007: 104). It originates from outside the village community and only a select few villagers tend to be involved in its implementation. As a result, customary village leaders seek to negotiate on the behalf of others leading to the ambiguous, twilight institutions that characterize land struggles in peri-urban West Africa.

In theory, newly elected authorities can represent the diverse livelihood interests of local villagers and become a bridge between the national level state interests and local interests. Marie and Idelman (2010) suggest that the new elected officials in territorial units may have the best opportunity to navigate the articulation between the ascribed authority of lineage heads and village chiefs on the one hand and on the other the popular mandate through the ballot box of elected officials. However, the challenges for innovative, balanced, workable policy are great. Following the March 2012 *coup d’état* in Mali, the national political struggles and accusations of widespread corruption make the creation of new policies to uplift the poor unlikely to occur in the near future. At the village level, the livelihoods of those...
most dependent on natural resources—pastoralists, wood and shea collectors who are mostly women, and those seeking land through non-market transfers—are likely to become more precarious.
Captions for figures and tables

Figure 1. Research area. East of Bamako and south of the highway linking the capital with the nation’s second largest city, Segu, the case study village of Soro is in the peri-urban zone. (Map by Chris Becker)

Figure 2. Sold land in and around the village of Soro. Most of the land sold by residents of Soro and adjacent villages such as Munzun abuts the highway to the north. Bamako residents purchased plots within this "Area of Sold Land" and have erected fences and planted eucalyptus trees along the edge of their properties. On their newly acquired land, they built chicken coops, livestock sheds, orchards, and second homes. Two smaller, non-contiguous areas of sold land are within 2 kilometers of central Soro and its three hamlets, Mamaribugu, Satnobugu, and Fulabugu. These include slightly higher in elevation, lateritic lands deemed of less agricultural value to villagers. Data used to make this map come from extensive walking in the area and reviewing images on Google Earth. The map depicts general areas of sold land and is not intended to show precise property or village boundaries. (Map by Chris Becker)

Figure 3. Contrasting village landscapes. Above, a farmer inspects a shea (Vitellaria paradoxa, syn. Butyrospermum paradoxum) tree for bee hive placement on land his family has cultivated for at least 70 years through customary tenure access. Below, just one kilometer to the northwest, shea stumps, young citrus trees, and a barbed wire fence and eucalyptus tree border mark a 35 hectare parcel for which a Bamako-resident ex-villager has obtained a land title. (Photos by author, February 2011)

Figure 4. Public notice in Bamako newspaper, L’Essor. In the right column of this portion of the Public Notices of the Bamako newspaper L’Essor, p. 11, 29 March 2011, the préfet of the cercle of Kati informs the residents of Munzun (village 5 kms east of Soro) that a Mr. N’Faly Dembélé has applied to privatize two parcels of land totaling just over 2 hectares. The applicant lives in Bamako and works in financial services. He wants to grow fruit trees, raise animals and crops, and build a house on the land. A public hearing was scheduled for two days later, 31 March, to which neighboring communities, especially those that might be entitled to use rights on the land, were invited to send their representatives.

Table 1. Population of household farm units, Soro, Mali

<table>
<thead>
<tr>
<th>Household type</th>
<th>Number Units</th>
<th>Average size</th>
<th>Total persons</th>
<th>% of total village population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paternal <em>du</em></td>
<td>13</td>
<td>15</td>
<td>199</td>
<td>26</td>
</tr>
<tr>
<td>Fraternal <em>du</em></td>
<td>18</td>
<td>28</td>
<td>508</td>
<td>65</td>
</tr>
</tbody>
</table>
Table 2. Change in Household Characteristics, 1987, 1996, 2011, Soro, Mali

<table>
<thead>
<tr>
<th></th>
<th>1987</th>
<th>1996 (change)</th>
<th>2011 (change)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total residents in village</td>
<td>425</td>
<td>501 (+18%)</td>
<td>779 (+55%)</td>
</tr>
<tr>
<td>Number households</td>
<td>22</td>
<td>26 (+18%)</td>
<td>39 (+50%)</td>
</tr>
<tr>
<td>Village population in 5 largest households</td>
<td>53%</td>
<td>51% (-2)</td>
<td>39% (-12)</td>
</tr>
<tr>
<td>Households with plow and oxen team</td>
<td>45%</td>
<td>54% (+9)</td>
<td>64% (+10)</td>
</tr>
<tr>
<td>Households with motorbikes</td>
<td>23%</td>
<td>27% (+4)</td>
<td>69% (+42)</td>
</tr>
<tr>
<td>Households with more than 10 cattle</td>
<td>41%</td>
<td>38% (-3)</td>
<td>38% (no change)</td>
</tr>
<tr>
<td>Average size of households with own-account enterprises (non-household head income-earners)</td>
<td>no data</td>
<td>21</td>
<td>24 (+3)</td>
</tr>
<tr>
<td>Households with own-account enterprises as a % total village households</td>
<td>no data</td>
<td>88%</td>
<td>69% (-19%)</td>
</tr>
</tbody>
</table>

Source: Field data, January-February 2011
References


Daily Nation (Nairobi) “South Koreans acquire huge farmland in Tanzania.”), 24 September 2009.


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Endnotes

1 “Peri-urban” refers to a transitional zone between rural and urban areas where at one end of a continuum agricultural villages, such as in this case study, have many ties to a city, and areas entirely absorbed within a city are at the other extreme (Simon et al., 2004).

2 The United Nations Development Programme (UNDP) adopted this approach as a mechanism to alleviate rural poverty (Deininger and Byerlee, 2011; Sanchez et al., 2007).

3 Cheaper than the French and Japanese competitors, the Chinese motorcycles became popular in the late 1990s (Motomag, 2010).

4 Since 1987, several villagers have accompanied guests from Bamako to show them where to find francolins (Francolinus bicalcaratus), as well as small mammals, on village land in exchange for shotgun shells and other gifts.

5 The French term coxeur describes an informal sector deal-maker, including hustlers at inter-city bus or taxi depots who “help” travelers find transportation, as well as informal sector real estate agents (Keita, 2010).