

**The Politics of Contemporary (Trans)national Commercial Land Deals:
Competing Views, Strategies and Alternatives¹**

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The phrase 'global land grab' has become a catch-all framework to describe and analyze the current explosion of (trans)national commercial land transactions revolving around the production and sale of food and biofuels. Initially deployed and popularised especially by activist groups deeply concerned and opposed to such transactions from an environmental-agrarian justice perspective, the significance of the phrase has quickly moved beyond its original moorings, as it gets absorbed into mainstream development currents. Increasingly, the original stress on how many commercial land transactions are dispossessing rural communities and undermining fragile and diverse ecosystems, has shifted to an emphasis on the economic opportunities opened up by such land deals. While acknowledging the risks, this latter usage now minimizes them by outlining ways to avoid possible negative impacts, for instance, through such notionally 'pro-poor' land measures as the promotion of secure land tenure and efficient land governance. Taking off from the basic proposition that the very logic of corporate-driven food-biofuel production and consumption is exclusionary and unsustainable, this paper attempts to go beyond the confines of the mainstream development

¹ Paper prepared for the Agrarian Studies Colloquium Series, Yale University, 30 October 2009. NOTE: This paper is at its preliminary stages of construction. Earlier forms of this paper can be traced to a number of 'bullet point presentations' in several seminars, including those at New York University, Cornell University, University of Utrecht, and in several informal discussions among colleagues and comrades especially at the Amsterdam-based Transnational Institute (TNI). We thank the seminar participants for their comments. Its origin is political in character: from discussions among fellow activists in (trans)national agrarian movements and their allies in trying to understand the changing socio-political terrain in contemporary land issues and in search for better and more useful frameworks for political actions and for urgent and relevant research initiatives. From there, we drafted this paper, trying to connect research needs from the academia, development policy world, and agrarian political activist circles. This paper also builds on a forthcoming paper of ours, Borras and Franco (2010). We welcome comments and suggestions.

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framework, to link up with an alternative one, specifically 'food sovereignty'. The bulk of our discussion revolves around the political dynamics of changes in and struggles over land use and land property relations in the context of contemporary (trans)national mega land deals. We argue that these dynamics are further exposing the inappropriateness of the aggressively promoted 'toolkit' of 'land governance'. We then consider the possibilities of an alternative perspective, which for lack of a better term, we call here 'land sovereignty', as a potentially more inclusive and relevant conceptual, political and methodological framework.

1. Introduction

A convergence of food, energy, financial and environmental crises in recent years has been driving a dramatic revaluation by powerful transnational and national economic actors, of land globally, but especially of land located in the global South. In some countries (often in the global North), there is the growing idea that lands outside their own borders can be tapped to provide food security in the own home-front. Distant lands are increasingly perceived as being able to generate biofuel to sustain the home-front transport sector. As a result, we are seeing a dramatic rise in the volume of cross-border, TNC-driven and in some cases, foreign government-driven, large-scale land deals being transacted worldwide. In the crucible of multiple global crises, the 'new' asset up for grabs is seemingly once again land.

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rural communities and undermining fragile and diverse ecosystems, has shifted to an emphasis on the economic opportunities opened up by such land deals. While acknowledging the risks, this latter usage now minimizes them by outlining ways to avoid possible negative impacts, for instance, through such notionally ‘pro-poor’ land measures as the promotion of secure land tenure and efficient land governance. Taking off from the basic proposition that the very logic of corporate-driven food-biofuel production and consumption is exclusionary and unsustainable, this paper attempts to go beyond the confines of the mainstream development framework, to link up with an alternative one, specifically ‘food sovereignty’.

The bulk of our discussion in this paper revolves around the political dynamics of changes in and struggles over land use and land property relations in the context of contemporary (trans)national mega land deals. We argue that these dynamics are further exposing the inappropriateness of the ‘toolkit’ of ‘land governance’ being promoted by the World Bank. We then consider the possibilities of an alternative perspective, which for lack of a better term, we call here ‘land sovereignty’, as a potentially more inclusive and relevant conceptual, political and methodological framework. The discussion is organised as follows: Section 2 examines the contending views and strategies on land issues and struggles; Section 3 examines the politics of land use change; Section 4 analyzes the politics of land property relations change; and Section 5 offers some concluding discussion.

2. Competing Views and Strategies on Contemporary Land Issues

Perhaps the earliest reports and analyses of a dramatic rise in (trans)national commercial land deals came from within the radical environmental-agrarian activist community. Although several groups had long been working to document cases of land grabbing all over the world and bring them to public attention (inter)nationally (e.g., the Foodfirst Information and

Action Network), a report put out in 2008 by the NGO GRAIN was perhaps the first to declare a global trend in land grabbing linked especially to ramped-up biofuel promotion and expansion and the food crisis. Soon after, other civil society groups came up with additional accounts, further enriching the earlier reports. Then in April 2009, the International Food Policy Research Institute (IFPRI), member of the CGIAR, claimed that since 2006, 15-20 million hectares of land in developing countries had been sold or leased, or were currently under negotiation for sale or lease to foreign entities. Their report also identified major land deals, most of which were in Africa.³ The following June, the International Institute for Environment and Development (IIED) released a report on land grab. Focusing on transnational land deals in Africa, the report revealed that around 2.4 million hectares of land had already been formally allocated to TNCs or foreign governments (Cotula, et al. 2009).

Since then, much more ink has been, and continues to be, spilled in the media and in policy circles, calling attention to the flurry of activity and projected future activity around land globally. Scanning the literature, it might be tempting to conclude that there is a wide or basic consensus in criticizing the currently unfolding ‘global land grab’ – or (trans)national commercial land transactions and deals,⁴ as we refer it in this paper. Yet, not all those raising concern about these land deals share the same analysis of the issue. Different state and non-state groups view the issue differently, ranging from ‘outrage and outright opposition’ to ‘celebration with caution or in defense of’, with many gradations in between these two poles. Beyond widespread recognition that the phenomenon of mega land deals exists and is intensifying, there have emerged competing views on how to react to it. The differences are

³ IFPRI (2009), as reported by Reuters, 30 April 2009.

⁴ We think that the term ‘(trans)national commercial land transactions or deals’ is more appropriate because it pertains to both transnational and domestic deals, underscores the commercial nature of the transactions regardless of scale.

based on diverse social class standpoints and/or ideological and political viewpoints, with implications for policy advocacy and action. For this reason, a closer look is warranted.

Opportunity or Threat?

The production and trade of biofuels is one of the key factors behind current (trans)national commercial land transactions, and so how a group positions on the question of energy can tell us something about the kind of development model it wants (or does not want) and its view on the global land rush. It is especially critical to consider the organized ranks of the world's farming community, since they are likely to be directly linked to and/or most affected by biofuel production and trade. At present, the two most important world organizations of farmers are Via Campesina and the International Federation of Agricultural Producers (IFAP). IFAP is an organization of commercially oriented small, medium and rich farmers; Via Campesina is an international movement of poor peasants and small farmers in developing and industrialized world. They represent the two main polar positions on biofuels.

For IFAP:

The production of food and feed remains paramount for the farmers of IFAP; however, biofuels represent a new market opportunity, help diversity risk and promote rural development. Biofuels are the best option currently available to bring down greenhouse gas emissions from the transport sector and thus to help mitigate climate change... Recently, biofuels have been blamed for soaring prices. There are many factors behind the rise in food prices, including supply shortages due to poor weather conditions, and changes in eating habits which are generating strong demand. The proportion of agricultural land given over to producing biofuels in the world is very small: 1 percent in Brazil, 1 percent in Europe, 4 percent in the United States of America, and so biofuel production is a marginal factor in the rise of food prices... The misconceptions about biofuels are important to overcome for a farming community that has long suffered from low incomes. Bioenergy represents a good opportunity to boost rural economies and reduce poverty, provided this production complies with sustainability criteria. Sustainable biofuel production by family farmers is not a threat to food production. It is

an opportunity to achieve profitability and to revive rural communities... Further research and development are needed in order to avoid competition between food and fuel uses of certain crops and also to get the right signals regarding the development of biofuel production worldwide. Therefore, bridging the knowledge gap on biofuels through information dissemination and capacity building programmes to support farmers in developing ownership of the value chain are of utmost importance.

For Via Campesina (2008):

The current massive wave of investment in energy production based on cultivating and industrial processing of... corn, soy, palm oil, sugar cane, canola, etc, will neither solve the climate crisis nor the energy crisis. It will also bring disastrous social and environmental consequences. It creates a new and very serious threat to food production by small farmers and to the attainment of food sovereignty for the world population.

It is claimed that agrofuels will help fight climate change. In reality, the opposite is true... If we take into account the whole cycle of production, transformation, distribution of agrofuels, they do not produce less greenhouse gases than fossil fuels, except in some cases... Meanwhile, the social and ecological impacts of agrofuel development will be devastating... They drive family farmers, men and women, off their land. It is estimated that five million farmers have been expelled from their land to create space for monocultures in Indonesia, five million in Brazil, four million in Colombia... While TNCs and investment funds increase their profits, a large part of the world population does not have enough money to buy food. Agrofuels are estimated to be responsible for 30% of the current [2008] food price crisis.

Comparing the two groups' perspectives, in very broad strokes, where one sees an opportunity, the other sees a threat. Yet within these large groups one can still find a significant divergence of opinion. And perhaps even more importantly, one often finds the views of ordinary rural village folks affected by recent mega development projects diverging from those espoused by the organized ranks of rural-oriented civil society: it is not uncommon to see radical national and international civil society groups positioning stridently against large-scale food and biofuels projects, but ordinary villagers expressing both interest and concern about the livelihoods that such projects may bring or destroy.

A 'Code of Conduct' in Global Land Grab?

IFPRI has recommended a 'code of conduct' that can govern investors, foreign governments and national governments. For IFPRI, 'Free, prior and informed consent is the standard to be upheld' in deal-making, with 'particular efforts towards fair treatment of land users who have traditional access to land but do not own it'.⁵ Meanwhile, many international financial and development institutions, especially the World Bank, who have generally celebrated and/or defended the current (trans)national commercial land deals, have also backed the call for a code of conduct with their own ideas on how it could work. The view offered by Klaus Deininger (2009), World Bank's senior economist and today's leading land policy expert at the Bank, is illustrative. More generally, the idea for a 'code of conduct' in mega land deal-making seems to be part of an emerging common position among some important international institutions engaged in the current land issue that there are opportunities in the current (trans)national commercial land deals, and that some mechanisms can be set in place, among others, to keep the transactions clean and to make sure that land users are not short-changed. We can summarize the argument in favour of a code of conduct as follows: (a) there are vast opportunities in the recent re-valuation of land; (b) but although there are risks associated with this, these can be avoided, by (c) making land property rights clear and secure which generally means individual private property rights, (d) and by carrying out commercial land deals through decentralized and community-based approaches because national governments are inherently corrupt; (e) where national governments cannot be bypassed, mechanisms for transparency should be put in place, including a 'code of conduct' agreed upon by TNCs and foreign and national governments on how to carry out the commercial land deals 'appropriately'. The overarching guide for such mechanisms is the so-

⁵ IFPRI (2009), as reported by Reuters, 30 April 2009.

called ‘land governance’ framework, defined as the institution and processes through which the use, control and allocation of land is managed in the most economically efficient way.

It is crucial to note that the recent (trans)national commercial land deals come after more than a decade of concerted efforts among international financial and development institutions to push for the liberalization of land property rights, through policies ranging from the formalization/privatization of land property rights to the removal of land-size ceiling laws and rental/sales restrictions. These policies aim to transform land as collateral in order to attract investments. It can be interpreted from the position of Deininger, and to some extent others, that what they mean by ‘land tenure security’ or the oft-repeated and mysterious phrase ‘clearer property rights and land demarcation’ (understood as individual private property rights or state-sanctioned land allocation to investors) – a key to reacting appropriately to the global land rush – may indeed be security of investors and banks (rather than the security of peasants and other rural inhabitants). How and to what extent various bilateral and multilateral agency’s land policies have (in)directly facilitated or inspired some of the (trans)national commercial land deals, or indeed dispossession and/or displacement in the countryside in many countries today, needs to be investigated empirically.

Stepping back to look at the broader picture, we see that the two polar positions on the (trans)national commercial land deals are built upon each camp’s notion of development. The opposition camp’s starting point is that the current development model, especially the logic and pattern of production and consumption in the world, is flawed. In their view, the global land rush is partly an attempt to rescue a system that is in deep crisis. The celebratory-though-cautious camp’s starting point is that there is no basic problem with the current development model, and the global land deals are just one more evidence to demonstrate that

the system operates, and operates well. The differences in the starting points between these two positions have implications in the policy demands and political actions. While radical groups demand to stop further formalization and privatization of land property rights, the other camp pushes for further and faster liberalization and privatization of the same.

In our view, the push by the latter for better ‘land governance’, for clearer land rights and land demarcation, and clear individual private property rights are aimed at, and indeed will likely result in, the further spread – not prevention – of global land grab. A ‘code of conduct’ in (trans)national commercial land deals is likely to encourage – not discourage – more global land grabs; and peasants and other rural poor inhabitants are likely to lose out to corporate and other elite political and economic interests *through* a code of conduct because processes like the latter are usually marked by imbalances in political power among competing actors. Given this, however well-meaning, other policy positions that call for better institutional processes and arrangements among TNCs, foreign and national governments and rural communities (e.g., ‘greater transparency’ in the land deals) inadvertently serve to further, not prevent, ongoing global land grab. Only a framework that subverts the existing unsustainable industrial system of production and consumption of food and energy will be able to effectively discourage, slow down or even prevent the raging corporate-led and national states-facilitated enclosure.

3. Land Use Change

The radical ‘global land grab’ analytical framework is founded on the assumption that the character of the recent changes in land use is corporate-driven, and the general direction of change is from ‘forest land or land for food production for use’ to ‘land for food or biofuel production for export’. It assumes that the pace of these changes is rapid, and the extent is

massive. It also assumes that the socio-political processes through which these changes in land use occur are generally undemocratic, at times coerced or violently enforced. The main motivation behind the corporate-driven land rush is profit. This kind of capital accumulation process is inhuman. It does not care whether the producers of food themselves have food to eat. The changes in land use induced by profit-motivated food and biofuel production for export have put, and are likely to increasingly put, food beyond the reach of many food-deficit poor households, rural and urban, worldwide. A nuanced analysis of the dynamics of land use change may start by unpacking the vague category of ‘land use change’. Figure 1 offers a typology of the directions in current land use change. Realities do not easily fit with the ideal types, but the typology offers some useful analytical sign posts.

Figure 1. Direction of Land Use Change

Type A Food to Food	Type B Food to Biofuels
Type C Nonfood to Food	Type D Nonfood to Biofuel

Type A: land use changes within food-oriented production

In Type A, lands remain within food production, but the purposes for which food is produced have changed. In aggregated official censuses about land use, these changes in land use are not always captured. There are three sub-categories in this type (A1, A2, and A3). A1 is the category in which lands dedicated to food production for consumption are being converted to food production for domestic exchange. It is the commoditization of food production as more

commonly known. It can be assumed that with the rising prices of food that more peasants would sell some or all their food produce to the market to get more money; so, more changes in land use of this type could have occurred recently or are likely to occur in the future.

A2 is the category in which lands devoted to food production for consumption or domestic exchange and are converted to food production for export. There is nothing new about this. The colonial pattern of production and exchange had actually shaped the very organization and orientation of agricultural production in the former colonies. Post-colonial agricultures have maintained much of this system, and neoliberal globalization has consolidated and promoted even further this export-oriented agriculture. The contradictions of this process are obvious: food are produced by hungry people in developing countries and exported to affluent nations, in times of bumper harvest and famine. Historically, it was Europe and the USA that have dominated this system.

The current protests against land use conversion to food production for export focus on A2. While this type has been in existence since the colonial times, there are indeed some features in it that are relatively new, contributing to making it more controversial. For one, recent activities in this category have involved non-traditional buyers (or land grabbers): oil rich Middle East/Northern African countries, South Korea, Japan, China and India through their national government or private corporations. The other new feature is the way in which these foreign governments and companies control or wanted to control new lands many of which are for direct plantation operation, through a combination of land purchases where possible and long term leases of up to 99 years where allowed, unlike the trend in contract farming during the past two or three decades. Finally, the other new controversial feature is the conversion of lands from being devoted to food production to feed people, to being

devoted to biofuel production to fuel cars both in developing and industrialized countries. Meanwhile, recent advancements in ethanol technology have allowed or will allow the industrial production of ‘green plastics’, among others. If and when this second generation of ethanol products gets into commercial scale, land will be re-valued even more.

The pace in which the new wave of land grabs through A2 is unfolding is quite fast. From 2006 to March 2009, close to 2.4 million hectares of land in Africa were formally allocated to large-scale transactions involving land use change to food and biofuel production for export (Cotula et al. 2009). The extent to which land use change through A2 occurs is difficult to pin down for different reasons: (a) situations are quite fluid with many land transactions still being negotiated, while some have already been withdrawn such as those in the Philippines and Madagascar; (b) there are numerous elements of land speculation involving national governments, companies, corrupt officials and all sorts of entrepreneurs and land speculators; and so on. These are some of the reasons why up to now estimates of the extent of global land grab are tentative and speculative, but also tend to be exaggerated.

It is also generally assumed that the socio-political and legal processes that facilitate this type of land use change are generally carried out through undemocratic processes. These undemocratic processes may include false promises of a brighter future, deceit, incomplete information, and coercion and violence or threat of coercion and violence. This can happen in countries without good working land (reform) laws, such as in Colombia with the rapid expansion of oil palm plantation. But this can also happen in countries where there are relatively good land (reform) laws, e.g. Mozambique.

A3 involves the monocropped, industrial type of food production for export being converted into small-scale family farm units mainly for food production for use. Examples

are some land reform settlements, past and present, that redistributed large plantations and created small family farms.

Type B: land use change from food to biofuel production

In Type B, we will quickly identify the popular protest line against the corporate-driven shift ‘from feeding people in developing countries to fuelling cars in the industrialized world’. Converting food lands to biofuel production for export is another feature of the current (trans)national commercial land deals. It is important to locate our critical view on this within the context of competing views. It is relevant to distinguish two categories within Type B.

B1 involves lands dedicated to food production being converted to biofuel production for export. This is the main land use change that is being exposed and opposed by most activists worldwide. It is the kind of land use change that even mainstream development agencies and (inter)governmental entities are quite sensitive to and are easily embarrassed by. It is this type of land use change that also easily angers observers worldwide. B1 is generally a corporate-driven type of land use change. The very nature of export-orientation of biofuel requires large-scale financing, monocropping method, industrial scale production and processing and transportation infrastructure. This type of operation is inherent to ethanol production, either sugarcane or corn, that demands large-scale plantations and industrial operations. Biodiesel can be small scale, community-based operation. However, for corporate-driven biodiesel business, a scaled-up, industrial operation is required to achieve the needed scale for business viability. Other biodiesel feedstocks are generally in large, monocropping, industrial plantation operation, particularly oil palm and soya. But regardless of feedstock, when the corporate sector wants to make business, they would prefer to operate in monocropping and large scale, for technical efficiency and financial viability.

The pace of land use change in B1 has been quite rapid in some countries where biofuel feedstocks are being introduced only recently. This is the case in Colombia with palm oil. Like that of A2 (food for export), the extent of B1 is difficult, if not impossible, to pin down. There are different reasons for this. For one, the situation remains very fluid, and it is difficult to monitor and classify lands that are being ‘eyed’ for biofuel projects, or being planned, or subject of formal agreements but without any concrete implementation, or lands actually allocated to such projects and are being actually converted from food to biofuel production. Newspaper reports remain the main source of global monitoring of the extent of this land use change type, and these are not always precise and updated. For example, the Philippines has always been reported to be one of the countries where land grabbing was extensive, where between 1.4 and 2.5 million hectares were land grabbed by the Chinese, South Koreans and Middle East countries for food and biofuel production for export. But the initial talks and formal memorandum of agreement on this between the governments of the Philippines and China was signed but then never pursued partly because of noisy protests from various Philippine civil society groups. This is the same fate of the earlier reported allocation of 1.3 million hectares in Madagascar. And yet, these data continue to feed into and get reproduced in the accounting of global land grabbing.⁶ For B1, it is assumed that the socio-political processes through which land use change occur are marked by promise of a better livelihood, deceit, coercion and violence or threat of coercion and violence. The expansion of palm oil in Colombia has been associated by paramilitary activities in contested lands, basically forcing people to abandon their lands which were then converted to palm oil plantations. In Brazil, the promise of better livelihoods under lease arrangement and job

⁶ Of course it is possible (or even likely) that negotiations for land transactions in these countries will be resurrected in the future.

employment have induced some land reform beneficiaries to abandon their land reform settlements and lease them to sugarcane companies.⁷ In Mozambique, promoters of the ProCana 30,000 hectare sugarcane ethanol plantation have claimed that the land is ‘empty’, effectively dismissing charcoal makers and pastoralists as illegitimate dwellers who can easily be flushed out from the land.⁸

B2 involves lands devoted to food production (whether for consumption, domestic exchange or export) being converted to biofuel production for local consumption and domestic market. This type of land use change is almost always subsumed by B1 in the general discourse. It is generally assumed that all the recent initiatives around biofuels are corporate-driven and are for export. Where this is so, then the radical critique holds. Yet the critique fails to fully capture situations where the biofuels produced were for use and/or for the local market. Increasingly there are talks about and initiatives on biofuels that are locally produced for local consumption or marketing. There are two sub-types in this category.

B2a is corporate-driven biofuel production for local markets. Companies can either be domestic or foreign. For example, in the Philippines, the coco-diesel sector is dominated by domestic capital, the capital-intensive sugarcane ethanol sector is driven largely by foreign capital, while foreign investors are trying to develop the commercial potential of jatropha. But most biofuel production is for the domestic market. The national 5 percent mandatory blending requirement for biodiesel was immediately complied with in early 2009 through the production and processing of coconut-based biodiesel. The corporate sector (domestic) has been lobbying to increase the mandatory blending requirement.

⁷ Based on actual field investigation by Borras in the sugarcane belt of the State of Sao Paulo in April 2008.

⁸ Based on field investigation by Borras in Massinger District, Gaza Province, Mozambique, August 2009.

B2b is a small- to medium-scale noncorporate-driven production of biofuel (mainly biodiesel) at the community level. There are discussions and actual experiments being carried out in this vein by community organizations, local governments, NGOs and agrarian movements, from Honduras to the Philippines, from Brazil to India. We see small scale results like household electrification and fuel for local transportation. The cropping patterns usually are not large-scale monocropping, but intercropping with existing food production. MST in Brazil and other movements associated with Via Campesina float the idea of alternative biofuel production in the context of ‘energy sovereignty’.

Finally, it is important to point out that current production of biofuel does not always require land use change. There are already existing crops, either in industrial scale plantations such as soya in Argentina or palm oil in Indonesia that have produced, and could easily produce, biodiesel without any further land use change. Whether and to what extent crop use change will increase will depend mainly on the profitability of these ventures. Whether and to what extent crop use change will undermine food security in some countries will depend largely on the location of the feedstock in the overall food supply chain of those countries. For example, coconut will affect the price of cooking oil in the Philippines, although the impact may not be as severe as converting corn from food grains to ethanol as in the case of the United States and Mexico.

Type C: lands devoted to nonfood uses converted to food production

Type C settings involve lands devoted to ‘nonfood’ land use being converted to food production.⁹ Tracing the direction of land use change, we can detect four broad patterns.

Type C1 represents settings where forest lands and other nonfood lands are converted to food

⁹ ‘Nonfood’ is used here in a loose manner to mean lands that are not primarily devoted to food production, although there may be varying extents of food production in these spaces. Forestland is included in this category despite the fact that forests are host to some food items to many people.

production for consumption and/or local exchange. This is an almost everyday occurrence in many agrarian societies.

C2 involves settings where lands that are devoted to forest or other nonfood purposes were converted to food production for export. This is the type depicted in horrific clearing of forests in Indonesia and Brazil in order to produce commodities demanded abroad. But this phenomenon is not new. However, the recent land rush for food for export has pushed the already thin land frontier even further. The renewed penetration into the Amazon is an example. Most of the production expansion initiatives are corporate-driven (domestic and transnational). The pace and extent are quite rapid and extensive. Alongside A2 and B1, C2 is among the most controversial and protested land use change pattern today.

C3 shows us settings where lands dedicated to nonforest uses (such as grasslands, wetlands, 'wastelands') are converted to food for consumption and local exchange. This type is very similar to C1. It is also a regular, everyday occurrence in the agrarian world, occurring as part of the livelihood strategies of the rural population. C4 represents settings of the same type as in C3, but being converted to food for export. For example, many wetlands in the south have been converted to fishponds to produce high value products for export. In terms of nature, direction, pace, extent and socio-political process, this type is similar to A2, B1 and C2, the most protested processes, but because C4 does not directly involve lands dedicated to food or forest, at least in terms of official land use classification, it is not usually as controversial and contentious.

Type D settings are lands dedicated to forest and 'marginal/idle' lands being converted to biofuel production. There are four types here as well. D1 represents lands that are dedicated to forest uses that are converted to biofuel production for local consumption or

exchange. This is the small scale, community level production of biofuel: local production for local consumption. It represents the so-called community-based and community-oriented alternative sources of renewable energy. The biofuel (mainly biodiesel) produced may be used as fuel for local transport, provide electricity in the village, and run small farm machineries such as tractors, or simply to sell the fuel to the local market. These are usually initiated by NGOs, peasant organizations, and local governments.

D2 shows us the same type of forest lands being converted to biofuel production for export. Joining A2, B1 and C2, D2 is the most controversial and protested type of land use: clearing forests in the South in order to fuel cars in the North. Again, the biofuel expansion into the Brazilian Amazon and the massive clearing of Indonesian forests are two of the most important examples. Much of these initiatives are corporate-driven. The wealth created in this process is concentrated in the hands of the few corporations engaged in this lucrative business. The pace and extent of land use conversion under this type is quite rapid and is estimated to be widespread as well. The socio-political processes that facilitate such land use conversions are marked by undemocratic processes usually in the form of deceit, coercion, intimidation, or violence or threat of violence.

D3 represents settings where lands are officially classified as not devoted to food or forest uses and being converted to biofuel production for domestic consumption or exchange. These are the lands that are the object of the key drivers of biofuels: 'marginal', 'idle', 'waste lands' (this will be discussed more below). The biofuels produced can either be for consumption by the producers (village) or for domestic (local and national) market. For the former, usually the key drivers are local governments, NGOs, and farmer's organizations. For the latter, usually it is corporate-driven (local or foreign corporations). D4 represents

settings where lands are in the same category as in D3 and are converted to biofuel production for export. Like in D3, it is in this land type where the sales pitch of all the corporate and governmental advocates of biofuels is located. The argument is that biofuel production will not undermine existing food production and forests because the new initiative will be located outside the forests and food production sites.

For Types D3 and D4, the key assumption is that there is a substantial supply of ‘marginal’, ‘idle’ and ‘waste’ lands worldwide. The concept of ‘marginal’, ‘idle’, and ‘waste’ lands however is highly contested. An area can be seen as grassland, and therefore marginal, even though it may well be part of the traditional way of farming by a local population that allows for some fallow lands for some time, or part of the pastoralists extensive area. More importantly perhaps, most of the assumptions by the corporate and governmental drivers of biofuel production are usually based on the official (state) classifications of land. Here, the notion of state-centric land use classifications such as ‘marginal lands’, ‘empty lands’, and so on, whether it is so in reality or not, become central defining concepts in development processes. State categorizations of land use and land property, which in turn are generally based on what Scott (1998) calls ‘state simplification’ processes, become key operational mechanisms through which land use change are facilitated (or not). Recall the official narrative by the Philippine government about the 1.4 million hectares of ‘marginal lands’ originally promised to the Chinese government to produce food and biofuels for China, despite such lands being productively engaged by upland farmers and indigenous communities. Recall the ProCana case in Mozambique (re ‘empty land’ claim). It is the state’s power to imagine and enforce simplistic standards about land use and land property (that purposely avoid or reject the reality that such lands are host to diverse social relations

and are productively engaged by people) that have facilitated, and continue to facilitate, massive (trans)national commercial land deals.

Further discussion on land use change

A few analytical points that are relevant to our understanding of competing views and strategies on contemporary land issues and struggles can be highlighted. First, an analytical mapping of the nature and direction of land use change is relevant because the social relations that exist in various agrarian settings are different from one broad type to the next, and the dynamics of land use change and its implications vary significantly. Research and political actions will have to be nuanced based on such diversity. It is actually a very complex and diverse agrarian universe that is avoided or dismissed by and through state simplification processes in land use categorization (e.g. pastoralist routes considered as ‘empty’ wasteland) and land property standardization (land-based social relations have to be state recorded and recognized, otherwise they do not exist, leading to a property category of ‘empty lands’ or ‘wastelands’). Analyses, frameworks and policies that follow the neat state categories on land use will not be able to fully capture such complex social relations.

Second, changes in land use that are likely to strategically undermine the rural poor occur not only in the forms that are obviously detestable (A2, B1, C2, C3, D2 and D4; forest land or land for food production for consumption and domestic market converted to food and biofuel production *for export*). They also occur in other forms, such as conversion to commercial production of food and biofuel for domestic market.

Third, not all changes in land use are ‘bad’ for the rural poor and the environment. In fact, far-reaching land use change is needed in order to reverse past and current dominance of and trends towards monocultures and industrial farming. Corporate-driven changes in land

use almost always result in monocropping and industrial farming. For a sharper analysis of and stronger campaigns against corporate-driven food production for export and biofuels production, it is necessary to link these to ‘people’s alternatives’, e.g. ‘food sovereignty’ and ‘energy sovereignty’, possibly around B2b, C1, C3, D1 and D3.

Fourth, on many occasions, land use change can be the result of, or can result in, the dispossession of peasants and indigenous peoples. There are some struggles against the corporate-driven food-biofuel agro-industrial complex, although it is not always the case that the local people view this new phenomenon as something needing to be struggled against. And there are struggles waged by local villagers against such mega-projects that are not immediately obvious to outsiders because these are in ‘everyday forms of resistance’. Socio-political processes that accompany changes in land use are usually marked by promises for better livelihoods, deceit, coercion, intimidation, violence or threat of violence.

Fifth, the discussion on and campaign against corporate-driven land use change is not always precisely about ‘land use change’ – but about ‘crop use change’. These two different phenomena are too often conflated in the literature. But the nature, direction, pace, extent and socio-political processes that come with these two are not always the same, and so it is important to distinguish between the two.

Sixth, focusing one’s analysis and research on large-scale land use change from food or forest land use to food and biofuel production is necessary and urgent. However, the social and political dynamics in land use change brought about by the convergence of food, energy and environmental crises are complex, within and far beyond the boundaries of recent large-scale land acquisitions by TNCs and foreign governments. National governments will engage in massive enclosures just by speculating on possible fortunes to be gained from

(trans)national commercial land transactions – in the form of an expanding tax base, the extension of state spaces, or savings and/or earnings in foreign exchange. The food-versus-fuel land use discourse risks inadvertently serving the basic interest of national states by providing a ‘moral’ argument to engage in new food and biofuel production outside of the already neatly demarcated land private property – meaning, in the broadly and vaguely categorized ‘public lands’ generally assumed to be ‘under-utilized’, ‘marginal’ and ‘idle’ despite contrary existing realities.

Therefore, a fuller understanding of the land use changes brought about by (trans)national commercial land deals requires empirical research and theorizing that are able to cover the breadth and diversity of the actually existing social conditions and dynamics. The analytical mapping offered in this section hopes to contribute towards this effort. Yet, while mainstream institutions tend to focus on and limit their attention to issues of land use change, the same cannot be understood fully without examining closely the dynamics of related land property relations change.

3. Land Property Relations Change

Political dynamics around land property relations related to the current (trans)national commercial land deals can be seen on two fronts. On the one hand, we see landed elite trying to cash in on the re-valued private land property either by consolidating and expanding landholdings and selling or leasing them out to new investors, or by getting incorporated into the emerging new food and energy agro-industrial complex. Some landed elites and corporations expand their food and biofuel production by swallowing up smaller farm units either by purchase or lease. On the other hand, and the main and much bigger land target for

the current (trans)national commercial land deals, are the non-private lands: broadly and vaguely labelled together as ‘public lands’.

Massive enclosures in these two combined broad fronts will be far-reaching partly because of the political-economic imperatives (convergence of food, energy, financial and environmental crises; plus the process of ‘accumulation by dispossession’ as argued by Harvey 2003), and partly because this process will be aided by 21st century hi-tech gadgets (computerized recording, satellite mapping, and so on) for clearer, cheaper, faster, and more efficient land administration and management. This is likely to result not only in undermining remaining moral economies in many agrarian societies, but it will also result in massive dispossession and/or displacement of peasants, indigenous peoples and other rural poor dwellers worldwide. Some of them will be completely dispossessed, others will be displaced and forced to migrate to agro-ecologically precarious and fragile settings. In order to understand fully the nature, character, extent, pace, and direction of changes in land property relations in the context of (trans)national commercial land deals, it is important to know that the dynamics of change in this regard are, and will be, significantly different on these two broad fronts.

For mainstream international financial and development institutions, the re-valuation of the land as a scarce resource in the context of (trans)national commercial land deals is a welcome development. For them, the challenge is how to ensure ‘efficient land governance’, which means clearer, faster, and cheaper formalization, demarcation or privatization of land to provide investors the required ‘land tenure security’ for their investments. The best scenarios for investors are: (a) consolidated private landholdings (large holdings or small holdings that can be brought together through various institutional arrangements such as

contract farming), and (b) demarcated, cleared ‘empty’ public lands that can be bought or controlled under long-term leases. And as previously mentioned in Section 2, many critics of the ongoing land deals recommend strengthening the property rights of rural inhabitants (almost always interpreted as individual private property rights). But as noted earlier, dispossession or displacement due to the current land rush is occurring in places where people have – in state-centric terms and land property categorization – no clear and secure land rights, as well as in places where people have very clear land rights such as those who are land reform beneficiaries. Some critics of the global land rush also call for a ‘code of conduct’ or ‘transparency in land deals’. But as we have earlier argued, a code of conduct in land grabbing will likely just encourage further land grabbing. The challenge is to have a better perspective on the broader patterns and mechanisms of land property relations change.

Land-based social relations, not things

The most fundamental issue in understanding the political dynamics of land property relations change is to know the direction of the transfer of *effective control* over land-based wealth and power caused by a land policy (or absence of it). It is important to clarify a few interrelated concepts.¹⁰ First, by ‘ownership and/or control over land resources’ we mean here the *effective control* over the nature, pace, extent and direction of surplus production, distribution and disposition. This framing will enable us to detect actually existing land-based social relations regardless of what official documents claim, whether these are in private or public lands. This framing also provides us with a disaggregated view of the various competing social classes linked to each other by their varying relationships to land. Second, a land policy does not emerge from or nor is it carried out in a vacuum. When carried out in the real world, a land policy causes a change in the actually existing land-based

¹⁰ This section draws on Borras and Franco (2010).

social relations. Some changes favour the landed classes, other elites, or the state, while others may favour the poor. Third, land laws and land policies are not self-interpreting and not self-implementing. It is during the interaction between various, often conflicting, actors within the state and in society that land policies are actually interpreted, activated and implemented (or not) in a variety of ways from one place to another over time. Fourth, land-based social relations are varied and diverse from one setting to the next shaped by socio-economic, political, cultural and historical factors. Fifth, land-based social relations are dynamic and not static. These are not like development projects that can be contained within a time-line. Land-based social relations remain in a continuum and are ever-changing long after a land titling project or a land reform program has officially ended. Land-based social relations are not automatically changed when official documents are changed, as for example, granting formal titles without instigating reforms on actually existing tenure. Conversely, actually existing land-based social relations may dynamically change, while official documents remain unchanged. Finally, property rights and land policies are often the focus of contestation and struggle between different social actors and interest groups. In short, our task is to look into the ‘messy’ actually existing land-based social relations to see beyond what state-simplified standard categories on property rights conceal (Scott 1998) in order to understand actual dynamics around land property relations change. This is in contrast to the past and current preoccupation of mainstream development institutions on producing as much land titles as possible that can be used as collaterals in rural poor people’s financial transactions, or so that the state can start taxing the rural poor. On most occasions, these land projects are not concerned about reforming social relations that exist in those spaces, they are concerned about legal documents, ‘clean papers; literally, they are concerned

about ‘things’, not social relations. The mainstream institutions’ views on the current (trans)national commercial land deals take off from the same fundamental perspective: avoiding the messy land-based social relations and focusing on concrete ‘things’: land titles, concrete land demarcations, and so on.

Broad patterns in the nature and direction of land property relations change

Figure 2 offers us a broad typology on the flow of change in land property, namely, redistribution, distribution, non(re)distribution and concentration.

Figure 2: Flow of Land-Based Wealth and Power

Type A Redistribution	Type B Distribution
Type C Non-(re)distribution	Type D (Re)concentration

Type A is ‘*redistribution*’. The defining principle for this type is that the land-based wealth and power are transferred from the monopoly control of either private landed classes or the state to landless and near-landless working poor (poor peasants and rural labourers). It changes the relative shares of groups in society. It is a ‘zero-sum’ reform process. Here, redistributed wealth and power is a matter of degree, depending on the net loss of the landed entities and on the net gain of the landless and near-landless poor. And so, policies that expropriate lands without compensation and distribute these to peasants are redistributive reforms. Arguably lands that are expropriated can in turn be appropriated by the state to create state farms to benefit the landless poor by giving them employment in these large scale

farms. But just so as a land policy that acquires land at usually slightly below the commercial market value, and re-sells the same to peasants at slightly below the full market value of the land. Arguably, the former is more redistributive than the latter.

The conventional notion of redistributive land reform, i.e. applied only in large private lands, is the most commonly understood concept of land-based redistributive reform. However, in this paper we argue that there are a variety of policy expressions beyond the conventional notion that can result in changing the relative shares of groups in society. These include redistributive land reform, land restitution, share tenancy or land tenure reform, land stewardship, indigenous land rights recognition and labour reform. This is regardless of whether a policy is applied to a private or public land. The key is to be able to establish the degree of redistributed wealth and power, and to which direction.

Type B is *distribution*. The defining character of this type of reform is that the landless and near-landless working poor are the recipients of land-based wealth and power transferred to them. However the original source of wealth and power can either be the state or community (or a private entity that has been fully compensated by the state). In many settings, this type of reform would mean affirming and protecting pre-existing land access and occupancy by poor peasants but whose tenure are insecure, as in many countries in Africa. It is a ‘positive sum’ reform process. It does not take resources from one group in society to redistribute to another. In fact, often such a policy is passed precisely to avoid having to resort to redistributive policies (Franco 2009).

Similar to the discussion under the redistributive type of reform, the landed property rights that are distributed can be private, state or community-owned. The forms of organizations of distributed landed property rights can be individual, group or cooperative.

The distributive type of reform, in general, is perhaps not as controversial or conflictual as the redistributive type. This is because the key question here is more ‘who gets what’ and avoids taking lands from the landed classes. But it would be a mistake to assume that all reforms involving such lands are conflict-free. This is certainly not the case. As in redistributive types, distributive land policies can be in a variety of policies, including the conventional land reform, forest devolution, public land resettlement, and so on.

Type C is *non-(re)distribution*. The defining character of this category is the maintenance of the status quo, where the latter is a condition that is marked by inequity and exclusion in land-based social relations. Here, the most typical land policy is ‘no land policy’. Having no land policy is effectively the policy framework at play. In settings where there are vast inequities and exclusion in land-based social relations, a ‘no land policy policy’ effectively advocates for non-redistribution of land-based wealth and power. In other settings, a similar effect is created by having a land policy, even a land reform policy, but then keeping this dormant. However, there are also active land policies that are categorically non-(re)distributive. We now turn our discussion to these types.

Formalization of inequality occurs when in agrarian societies marked by socio-economic inequality and lopsided power relations between various groups and classes in society, a technicist ‘formalization’ of land rights campaign is carried out. Formalizing land rights of legal claimants in these settings is likely to formalize land claims by the non-poor, mostly elite, claimants, or indeed, the state. *Restitution without redistribution* happens when large scale land-based wealth and power transfers were carried out in the name of the poor, but in reality the latter have no significant effective access to or control over land resources transferred. Finally, there is also a trajectory that can be termed as *counter-reform*. The

conventional use of resettling potential and actual land claimants to empty public lands may, under certain conditions, have some potential for redistribution, although historically it has impacted negatively on affected pre-existing settlements of local populations (Scott 1998: 69). However, where such a resettlement policy is done precisely to avoid and undermine political agitation for redistributive reforms in the larger agrarian society, then in effect it constitutes a counter-reform.

Type D is *(re)concentration*. The defining character of this type is that while land-based wealth and power transfers do occur, access to and control over the land resource actually gets (re)concentrated in the hands of the non-poor: private landed classes, corporate entities, state or other elite community groups. This kind of change can occur in private or public lands. The organization of control over land resources can be through individual, corporate, state or community group institutional arrangements in property rights. The transfer may involve full land ownership or not. Different variations are possible, but the bottom line is the same: the recipients of land-based wealth and power transfers are landed classes and other non-poor entities or the state. There are at least three broad trajectories within the (re)concentration category.

Reverse redistribution is where previously redistributed land-based wealth and power (from the landed classes or the state to the working poor) was later redistributed back again to the landed classes, other elites or the state. This can occur in a large scale, or in a 'micro' level involving specific landholdings that were previously redistributed to peasants. *Perverse redistribution* is a trajectory where land-based wealth and power are transferred from the working poor people to the landed classes, other elite, or the state or elite community groups. This can happen under a variety of policies, including land reform, forest

land allocation or management devolution, formalization and privatization of land rights, a variety of land-based joint venture agreements and land lease arrangements, and so on. This kind of redistribution has occurred in many guises and in many places, historically. These include the many private land titling initiatives past and present that were captured by elites where the poor lost access to and control over land resources, as shown in the vast critical literature on the subject. *Lopsided distribution* is where land-based wealth and power are transferred from the state or community, directly or indirectly, by policy or through the open market, to a handful of private or state entities, with the net effect of excluding others while benefiting a few.

Further discussion on the politics of land property relations change

When implemented land policies have (un)intended outcomes, and historically, there have been four broad categories of such outcomes as discussed above. These four categories offer analytical signposts for observers in order to understand the nature and direction of changes in land property relations (and their impact on the rural poor) caused by (trans)national commercial land deals. Based on this, we can identify some important implications.

First, there is indeed a threat of massive dispossession of peasants as a result of current (trans)national commercial land transactions. However, to date, perhaps the more common consequences are peasants' 'displacement' or 'dislocation', not complete dispossession; this is especially in land abundant countries such as in many parts of Africa. For example, the people being flushed out of the 30,000 hectare ProCana sugarcane plantation in Mozambique are being relocated to a nearby land. The net impact is equally worrisome as some peasants are relocated to perhaps more fragile environmental conditions or they are 'forced' to go into complex livelihood arrangements in their own land that may

have been leased to companies or entered into a contract farming scheme. It is even more problematical in the Mozambican case as pastoralists' settlements are being relocated and their grazing areas rerouted and boundaries (re)fixed and redrawn. The diversity in the resulting changes in the agrarian structure due to the recent large-scale land transactions (and the subsequent dispossession, dislocation, displacement) may have resulted in and will certainly result in complex land property relations change. Types C and D in the dynamics of land property relations change can help provide analytical signposts for this purpose.

Second, the typology helps us situate our view of contemporary agrarian struggles. In general and in the context of global land grab, contemporary land struggles are generally understood and assumed to be 'struggles against dispossession'. In this paper, we understand the latter as the struggle of peasants who have varying degrees of access to and control over land resources and territories but are being evicted or are threatened by eviction and may become completely dispossessed. Both in theory and practice, this type of struggle is captured in the '(re)concentration' and 'nonredistribution' types (C and D). However, 'struggles for land (re)possession' are equally important and are captured in the 'redistribution' and 'distribution' types (A and B). Here, by 'struggles for (re)possession' we mean peasants and poor people who are landless/propertyless who struggle to get some kind of access to, control over or ownership of land in a variety of institutional arrangements (land reform, land restitution, lease, and so on). What we see in contemporary land struggles are the simultaneous struggles against land dispossession and struggles for land (re)possession – both in the private and non-private land property fronts.

Third, one important implication of the framing above is that the contemporary land issues and struggles have put land reform back onto the center of any development and

political discourses – but at the same time the notion of land reform has become a narrow and limited framework, both conceptually, policy-wise and politically. Land reform can certainly address issues and struggles in A and B settings (struggles for land (re)possession), but it is less relevant and effective a concept, a policy, and political demand in ‘struggles against dispossession’ in C and D settings (nonredistribution and (re)concentration). The limitation of conventional land reform as an overarching narrative in contemporary land struggles can be seen in the political dynamics within Via Campesina and its Global Campaign for Agrarian Reform. The latter has been framed from the conventional land reform framework, dominated and driven largely by Latin American agrarian movements, calling for redistribution of *latifundia*. After ten years of campaigning, Via Campesina members in Africa still cannot identify with such a campaign. UNAC-Mozambique’s Diamantino Nhampossa explained:

[But] we already had a thorough agrarian reform. In order for the Global Campaign to help us, it must focus more on the challenges we are facing: “counter-agrarian reform” under neoliberalism. If the campaign keeps focusing on just being “against latifundio” (large estates), then it is less relevant to us. But, if they take up the issue of counter-reforms, which are not unique just to Mozambique, then it will become very relevant... We think the Global Campaign needs to broaden its mandate; it needs to also be a campaign “in defense of land”. In defense of the land that peasants already have, and against the privatization of land’.¹¹

Fourth, the most common, catch-all recommendation that ‘people should have land tenure security’ in the midst of the global land grab -- which often specifically means some kind of ‘formal’ land tenure instruments, to include community land rights, individual private property rights, and so on -- seems to have some important flaws. If we follow the logic of this proposition, it would mean that global land grabbing can be prevented, or at least its negative impact can be mitigated, if some forms of land tenure security (i.e. individual private

¹¹ Rosset and Martinez-Torres (2005, Appendix, p. 22).

property rights, or community land rights, and so on) are in place. But we can point to numerous examples where land reform beneficiaries are the ones directly affected by the recent land deals. Hence, this casual formulation is at best a very weak argument. Its worst variant of course is the conscious neoliberal advocacy to privatize remaining public lands and push for a more efficient reallocation of access to, control over or ownership of private lands (and so, 'market-led agrarian reforms, lifting of land size ceiling laws, liberalization of land rental/sales regulations, and so on).

Fifth, if and when implemented, any 'code of conduct' between the global land grab drivers and promoters (TNCs, foreign companies, national governments) in the context of 'land governance', as advocated by Deininger, IFPRI and others, is most likely to facilitate and expedite nonredistribution and (re)concentration processes (C and D) and prevent reformist (re)redistributive ones (A and B). The proposed 'code of conduct' is anchored on the concept of 'land governance', the efficient administration and management of land: transparent, clearer, cheaper, faster. It serves the interest of (neoliberal) nation-states and its logic of state-building (e.g., expanded tax base, less public expense) and provides 'land tenure security' to investors. A space for negotiation between poor peasants on the one hand and the land deals drivers and promoters on the other will be marked by power imbalances heavily in favour of the drivers and promoters of such mega land transactions. Not even a good, progressive land law that requires community participation would be able to guarantee the right of people not to be displaced or dispossessed. Locating the negotiation process (decentralized, community-negotiated) at the local level, as advocated by Deininger, will aggravate, not solve, the problem for the rural poor because in most agrarian settings the

local communities are where the political and economic power of local landed elites are most entrenched.

Finally, bilateral and multilateral agencies are joining the chorus today in criticizing large-scale land acquisitions by TNCs and foreign governments that displace people from their lands, completely dispossess rural people, and/or undermine the food security of communities. Yet, the current land issues highlight one thing: that the recent advocacy by these institutions for massive privatization of land worldwide through policies and projects that include land titling and market-led agrarian reform to promote land as collateral so that investors would come to the countryside may have contributed, or are likely to contribute, to facilitating the same large-scale land deals that they now criticize in some ways. The global land grab has also exposed the basic weakness of a recently popularized development concept: 'land governance'.

In short, by focusing our analysis of land property relations change on the direction of transfers of effective control over land-based wealth and power, we can actually follow the dynamics of what is more substantial in the midst of a maze of land policies and mechanisms beyond formalities such as the notion of 'bundle of rights'. Current debates tend to focus on issues of 'form' – not substance – emphasizing questions like 'should it be a lease for 99 or 25 years?', 'should it be contract farming with small farmers or direct plantation control by TNCs?', 'Should people have prior former individual private land property rights or community rights'? The key is to establish the principles of what we mean by *people's effective control* over land resources regardless of the form of formal property rights there are; focusing on the 'bundle of powers' and not just on the 'bundle of rights', as argued by Ribot and Peluso (2003).

Concluding Discussion

To conclude, we reiterate a few key messages that may have implications for research, policy advocacy and political actions. First, in the midst of the popular outcry against the current global land grab, it is important, even critical, to differentiate the competing views, strategies and alternatives put forward by various individuals and institutions. While at a glance they may all be raising criticisms of the (trans)national commercial land deals, they do not necessarily share the same interpretations as to the nature and implications of the phenomenon, tasks to be done, and strategic alternatives. The underlying reasons for these differences can be class-based, or ideological-political. In terms of research, the two opposing camps will logically pursue different research questions and methodologies, propose competing policy proposals and take competing political actions: one is likely to reinforce, not undermine, existing development framework while the other attempts to subvert the dominant development model and try to construct a fundamentally different alternative. The future political dynamics on research, policymaking and political actions around (trans)national commercial land transactions will be (re)shaped by the dynamics between these two competing camps.

Second, the nature, direction, pace and extent of changes in land use in the context of (trans)national commercial land deals are diverse and complex – and cannot be captured by the popularly protested conversion of land use from land for food production for consumption and local market to land for food and biofuel production for export. It is relevant to map out the broad patterns of land use change, emphasizing the *terms* of peasants' or rural poor's insertion into the emerging food-biofuel agro-industrial complex, or their livelihood displacement or indeed dispossession caused by the latter, regardless of whether

the processes are driven by TNCs and foreign governments or not, and whether food and biofuel production is geared for export or not. Focusing our query this way will necessarily require a political economy framework, which in turn uses a class analytic lens. This will entail disaggregating concepts that are popularly, and rather casually, used in everyday discourses of civil society, policy experts and some researchers, e.g., ‘local community’ or ‘local people’. In many places, ‘local community’ or ‘local people’ include *kulaks*, *cacique*, chiefs, petty landlords, traders, lumpen elements, and moneylenders who may all want to shift to commercial food-fuel production and exchange, for export or domestic markets, or to other related extractive activities, perhaps in contrast to the position of many small scale farmers. Local communities are usually comprised of groups and classes with different, often competing, interests and varying degrees of political power. It is important to remember the four key questions in agrarian political economy as explained by Bernstein (2007): who owns what? who does what? who gets what? and what do they do with the surplus created?

Third, and partly following Scott (1998), instead of following and reproducing the neat and simplified grid and standard records and processes on land property as conceived and enforced by the state, it is critical to take the complex and messy actually existing land-based social relations as the starting point of our analysis and political actions – regardless of state-sanctioned or imposed land property categories. By doing this, we are able to directly engage with the most appropriate unit of critical inquiry and analysis, and the key object of any policy reform and political action, namely, actually existing land-based social relations – and not ‘things’ (papers, documents, title deeds, and so on). By doing so, we will be able to understand better the political dynamics of the nature, direction, pace and extent of land property relations change as a result of (trans)national commercial land deals.

Finally, based on the discussion so far, it seems to us that while land reform has become an important rallying call of peasants and rural poor today, this concept has been rendered quite narrow and limited as well, as explained in Section 4. A fundamental problem in land policy discourses is that states have always engaged in trying to make ‘legible’ existing complex, dynamic and fluid land-based social relations as part of the logic of modern state-building (for purposes of taxation, and so on, as explained by Scott 1998). And so, following Tsing (2002), policy processes like these are more interested in ‘things’, not social relations: papers, title deeds, and so on, even when these simplified property categorizations *do not actually conform* to actually existing realities: e.g. declaring as ‘empty’ a public forest despite the historical presence of communities therein. In so many ways, the conventional land reform discourse has *internalized* the same problems: avoiding the complex existing land-based social relations and relying heavily on official standard censuses and data on land property relations. Land reform’s starting point is the same state-centric standard records and property categorizations. As a result, land reform scholarship misses a significant portion of actually existing land-based social relations that should, in the first place, be the object of redistributive reforms. The inherent problem within conventional land reforms has become an important one in the midst of contemporary (trans)national commercial land deals. The call for greater ‘land tenure security’, in many ways, calls for security not for the rural poor but for the investors. Hence, though land reform is a valid rallying call, it has also become an extremely limited one in response to the contemporary land issues and struggles. Instead, we need a framework that takes the messy, complex actually existing land-based social relations as the starting point, emphasizing *people’s*

effective access to, control over, and use of land. We therefore propose a shift from the call for ‘land tenure security’ – or indeed, ‘land governance’ – to a call for ‘land sovereignty’.

As an alternative conceptual framework and political platform, we define land sovereignty as the right of people to have effective access to, control over and use of land and live on it as a resource and territory. The use of the term ‘sovereignty’ here sounds awkward, but we could not think of any other better term that would capture the essence of ‘people’s effective access, control and use’ as well as a phrase that could naturally be linked to an emerging broader alternative development framework, namely, ‘food sovereignty’ (the right of people to produce and consume food within or near their territory – see Patel 2009). To be useful, it should be interpreted in a broad and flexible manner depending on specific concrete circumstances. It can be national or local in scope. It can be used to produce food for consumption and the market, as well as for other productive endeavours. In terms of systems of property rights, these can be communal, community, state, or private property rights, individually or collectively. Unlike the limited scope of the several variants of land reform, land sovereignty simultaneously addresses all the broad and key land-based social dynamics of redistribution, distribution, non-redistribution and (re)concentration. The concept of land sovereignty also addresses the two broad fronts of contemporary land struggles: struggles against land dispossession and displacement, as well as struggles for land (re)possession.

The notion of land sovereignty necessarily politicizes and historicizes the de-politicized and ahistorical popular conception of land governance. Land sovereignty is thus used in hopes that it can also contribute to the construction of a counter-narrative, a counter-hegemonic discourse, in reaction to the aggressive neoliberal ‘land governance’ perspective – which is a neoliberal state-centric concept and political project whose dubious and deeply

flawed starting point and guide to action is the neat state land property standard grids and categorizations that attempt to simplify (i.e. dismiss, reject, distort) actually existing land-based social relations. Land governance is a view and initiative ‘from above’. Land sovereignty brings the ‘people’ back in. Its starting point is the actually existing land-based social relations ‘from below’, and thus is inherently political and historical in orientation, addressing power relations emanating from the social relations of land-based property and production. But while land sovereignty’s starting point is the actually existing reality on the ground, it does not altogether dismiss the relevance of the state. Here, the word sovereignty implies ‘people’ and the ‘state’. Land sovereignty emphasises a ‘bundle of powers’, as conceptualized by Ribot and Peluso (2003); it takes on board formal ‘rights’ (as in the notion of ‘bundle of land property rights’), but embeds these within the question of power relations. Moreover, land sovereignty partly draws on the concept of ‘food sovereignty’, and is in turn a key pillar of the latter. Without people’s full control over land, the construction of food sovereignty as an alternative food system and development model will be without any solid foundation. Finally, and in a way, land sovereignty is the notion of a people’s (counter) enclosure in the midst of widespread attempts at corporate-driven and state-sponsored enclosures worldwide. A land sovereignty movement is therefore necessarily a people’s (counter) enclosure movement.

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