'Land Tenure and Development' | Technical Committee

Young people's access to land

Proposals to improve the design and monitoring of future rural development interventions and policies

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Cover photo: Young shepherd, Haute-Tarka, Zinder Region, Niger (November 2001). © M. Merlet.

PREFACE by Jean-Luc François

Depending on where you live, being a young farmer, peasant, rural dweller or farm manager can be an opportunity or a life sentence, something to aspire to or dread, a path to be pursued or avoided.

It all depends on what the young person can expect to earn over time, how hard it will be to make a living, the quality of life and social status they can expect, the risks they will have to take, and the support they can expect from their family, the community and local and national authorities.

Access to land and water is one of the most important of all the factors that shape a life project, as it determines the size and location of plots, the security of the rights held, and what they cost.

All agricultural policies take some account of 'how young farmers get started', and with good reason. Agriculture is a potential source of jobs that can employ young people who missed or dropped out of education, it can help slow (galloping) urbanisation, and even remove the need for long-distance migration. A new generation of farmers may be needed to replace elderly farm heads, boost agricultural productivity and ensure a minimum level of national food self-sufficiency, taking advantage of promising domestic and international markets and enhancing the country's natural and human capital. Or it may be a matter of seeking to maintain a minimum agricultural population in large numbers of farms in order to avoid rural areas lacking both amenities and occupants.

Whatever the objective, policies that aim to get young people into farming will only succeed (outside a few 'projects') if large numbers of them can see a future in agriculture. This entails thinking about the issue with young people, not for them – starting at the local level by giving youth in each area the opportunity to prepare for what will be a life project, and with public policy dialogue that involves young farmers as stakeholders at the national level.

This guide could help structure such a dialogue, as it clearly explains and shows how young people's entry into farming is embedded in different social relationships.

While agro-economic possibilities naturally play a key role in determining what will be produced, at what price, what cost and for what income, family and social fabric are equally important factors. Young people need to be seen as independent agents with a territorial role to play, rather than youngsters who are dependent on family and social relations. They need to be provided for, advised and included. More broadly, we cannot ignore the public policy choices that shape agricultural policies (which regulations and investments?) and how they affect territorial and social cohesion, the balance of trade, industrialisation, ecological transitions and … employment.

The diverse examples drawn from Asia, Europe, Latin America and Africa show that agriculture could take many different directions in tomorrow's world.

What is clear is that young people's agricultural future does not lie in reworking local traditions or importing models that have succeeded in other settings.

There are possible alternatives to a normative model based on land concentration, individual ownership, high levels of mechanisation and specialisation, and unsustainable use of synthetic inputs, etc.

As far as Africa is concerned, two positive new dimensions seem worth considering. Both are given considered coverage in this guide.

First, the population in this huge continent will increase for several decades to come as certain rural areas become more metropolitan and urbanised. Different types of settlement and delayed water developments create 'new agricultural frontiers' that provide opportunities for young people (and hope that the continent can reduce its agricultural deficits). There is room for new farmers – 'new' both in the sense of 'additional' and 'innovative' – assuming that they will be given access to land and water resources. This would mean that local authorities and States, which often have the power to regulate the use of these resources, regard them as long-term common capital whose development can be deferred to safeguard the future of their youth and the local economy. In this regard, it is worth revisiting a previous CTFD Guide on large-scale land acquisitions.

Second, the nested land rights in Africa provide an old anthropological foundation for collective management methods, where community land remains inalienable and its management can be delegated to young farmers through different forms of land tenure whose duration, security and cost vary considerably. In other parts of the world, thoughts have turned to the way that farm sizes and private property are regulated, the financial burden that buying land places on young farmers, and cooperation between neighbouring farmers who pool their knowledge and practices in order to make difficult ecological transitions. This leads to new legal structures that bring a collective and common focus back into territorial projects.

Therefore, we can only hope that Africa will resist the doxa of privatising and individualising agricultural land ownership ... and maintain the modes of land allocation and land use needed to manage a common good by modernising, consolidating and making them more transparent and equitable...

This new joint publication is a readable summary of the Land Committee's many publications that considers how to include young people (in the broadest sense) in the dynamics of sustainable development (in the broadest sense).

My recommendation to those seeking guidance on the best policy options to help young farmers get started in agriculture is to take the time to read this very accessible work and resist the temptation to go directly to the analytical table, which is a practical checklist to help users build on the contents of the guide.

Enjoy the read. ●

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This document is the result of collective reflection on 'young people's access to land and the dynamics of changing agrarian structures' by the French Cooperation 'Land Tenure and Development' Technical Committee (CTFD), which is co-chaired by the Ministry of Europe and Foreign Affairs (MEAE) and the French Development Agency (AFD).

This process began in October 2017 and ended in November 2018. It was coordinated by a team from AGTER and Scafr-Terres d'Europe led by Michel Merlet (AGTER), Robert Levesque (Scafr-Terres d'Europe) and Mathieu Perdriault (AGTER), who worked in conjunction with the CTFD secretariat organising reflections by the working group, seeking to better understand the dynamics of changing agrarian structures in different countries and continents, and analysing their effects and implications for family farms and young people's access to land.

This document was written by Michel Merlet (AGTER) and Robert Levesque (AGTER) in 2019, and edited by Jean-Luc Paul (University of the West Indies), Etienne Le Roy, Mathieu Boche (AFD) and Amel Benkahla (GRET).

Reflections were based on the different national dynamics discussed in the group's meetings, some of which are summarised in boxes beside the main text. The following people shared their experiences:

- **on dynamics in Latin America**: Fernando Eguren (CEPES, Peru), Jacobo Grajales (University of Lille 2, France), Pablo Luna (Ehess, France), Hector Robles (UAM, Mexico) and Bernard Roux (Inra, France);
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Other written and oral contributions to the reflections, production of this document and CTFD meetings were provided by: Martine Antona (CIRAD), Sigrid Aubert (CIRAD), Gilles Berteau (DGFip), Laurence Boutinot (CIRAD), Jean-Pierre Chauveau (IRD), Aurélie Chevrillon (AFD), Hubert Cochet (AgroParisTech, France), Clémence Contensou (MEAE), Julie Conversy

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The guide was presented and validated at a CTFD workshop in December 2019.

The opinions expressed in this document reflect the position of the 'Land Tenure and Development' Technical Committee, and do not necessarily represent those of the institutions to which CTFD members belong or the French Administration. It is also available in French and Spanish, and can be downloaded from the portal: *www.foncier-developpement.fr*

CONTENTS

LIST OF BOXES

Introduction

Why do we need to think about factors that affect young people's access to land?

Preconceived ideas about rural youth, progress, modernity and employment are a regular feature of political discourse and arguments to justify development programmes.

One of the most widespread assumptions is that it is important to promote 'entrepreneurship' among young people, the implication being that this could improve their employability. This reflects some very common preconceptions – that 'traditional' or even so-called 'archaic' farming practices are an impediment to change and progress, and that the solution is to integrate rural youth into the business world, include them in competitive agricultural 'value chains', improve their access to financial services and encourage 'digital inclusion'.

The value of new information technologies is often promoted on the basis of a very limited number of 'success stories', suggesting that the experiences of the few individuals concerned could be replicated on a large scale. The rapid penetration of new technologies such as mobile phones, access to virtual 'social networks' and the almost unlimited information available on the Internet are undoubtedly vectors of change that open up new opportunities in areas that are poorly connected to large conurbations and the rest of the world. But training in entrepreneurship and digital tools will not create jobs for the hundreds of millions of young people currently entering the 'labour market' and those who will join them in the coming decades.

'Returning to the land' is sometimes advocated as a future solution for young people who have had to move to the city or migrate far from their original area. This may be a possibility in some cases, but what is really needed is action to remove the obstacles that prevent young people from getting started, and eliminate the processes of exclusion and expulsion that force them to leave.

This guide aims to contribute to a better understanding of young people's situations in rural areas, in order to inform policies and projects intended to address not only the consequences of the rural youth crisis, but also its underlying factors, the real causes of poverty, hunger and growing inequality.

Purpose and target audience of this guide

The 'Land Tenure and Development' Technical Committee (CTFD) was set up to provide conceptual frameworks and in-depth knowledge to inform the implementation of land policies and help improve the relevance of actions supported by French Cooperation. Working under the aegis of the Ministry of Europe and Foreign Affairs (MEAE) and the French Development Agency (AFD), the CTFD has produced many research, operational and educational documents, and various joint publications. The most recent outputs include an analysis and proposed guidelines for *Large-scale land appropriations* (June 2010), a *Guide to due diligence of agri-business projects that affect land and property rights* (October 2014), a study on *Formalising land rights in developing countries* (March 2015), and an analysis of *The opportunities and challenges presented by a land-based commons approach* (September 2017).

This new guide looks at young people and land. In accordance with French Cooperation guidelines (see Box 1), it aims to identify the factors that can enable young people to access land and engage in agricultural activities, mainly within family structures.

All *family farming* involves a mixture of production, food and/or market processes, and women's and men's reproduction mechanisms. The medium- and long-term development and renewal of agricultural production units largely depends on them passing from one generation to the next. Therefore, it is essential to consider how young people are integrated into production units and how they access land when assessing the relevance of 'development' projects and policies.

This guide was written for national and international development actors, heads of operations in French cooperation institutions (MEAE, AFD), land and agricultural policy actors in other national and international development agencies, decision-makers, politicians, non-governmental organisations (NGOs) and social organisations, producer organisations, and residents' and citizens' organisations. Its aim is not to provide all the instruments and knowledge needed for this complex task, but to facilitate collaboration and incremental

Box 1

FRENCH DEVELOPMENT AID GUIDELINES ON AGRICULTURE AND FOOD SECURITY

"France will strengthen its support for inclusive rural development and family farming through agro-ecological intensification, improved nutrition, and territorial and sector-based approaches. The main focus will be on Africa, especially the Sahel." This reflects its position on agricultural development and food security, set out in the Development Policy and International Solidarity Framework and Planning Act (LOP-DSI 2014): "France promotes family farming, which generates wealth and employment, supports food production and respects ecosystems and biodiversity." ■

8 February 2018, Inter-ministerial Committee for International Cooperation and Development (CICID).

progress by exploring the multi-generational aspects of change in agrarian systems. The authors recognise that development actors are not researchers, but believe that by using their experience and knowledge of the field and asking the right questions, they can help generate new knowledge that can usefully contribute to better practices and policies.[1]

The context: changing agrarian structures and global challenges

Drivers of the current upheavals

The impacts that human societies have had on the planet have increased considerably over the last two centuries. This is partly due to the industrial revolution with its increasing use of fossil fuels and extraction of limited mineral resources, and partly to unprecedented population growth that has resulted in a 7.5-fold increase in the world's population. Progressive changes in the biosphere, global warming, massive destruction of biodiversity and depleted natural resources are making more and more parts of planet Earth uninhabitable for humans.

The changes observed in agrarian structures[2] on different continents are closely linked to these upheavals. In addition to the global challenges of **limiting climate change by minimising greenhouse gas emissions and preserving biodiversity**, the topics covered in this guide directly relate to other equally important issues, such as:

- **feeding the world's population** on a finite amount of land, through sustainable production that does not destroy the biosphere;
- **guaranteeing some form of employment for as many people as possible,** to enable everyone to live a decent life;
- **reducing the risks of conflict** over the control of natural resources as increasing inequality contributes to rising tensions.

Much of today's agricultural production (plant and animal) depends on extracted products and non-renewable energies, with ever-increasing mechanisation and motorisation, and growing use of artificial and extracted fertilisers and synthetic pesticides. Many agricultural

1. The guide is accompanied by two issues of the journal *Regards sur le foncier*, which further explore and develop the points made here. They were prepared during the 'Land Tenure and Development' Technical Committee's collective reflection on the theme 'Agrarian structures and young people's access to land' at a workshop in 2018 led by AGTER and Scafr-Terres d'Europe. The aim of these three publications is to take better account of the ways that agrarian structures change over several generations, and provide a sound basis for efforts to influence current dynamics and put in place land, agricultural and forestry policies and projects that are compatible with sustainable development.
   - "Structures agraires et accès des jeunes à la terre : gestion intrafamiliale du foncier et stratégies d'autonomisation des jeunes". *Regards sur le foncier* No. 7, 'Land Tenure and Development' Technical Committee . AFD, MEAE, Paris, May 2019. 144 p.
   - "Evolution des structures agraires dans le monde. Comprendre les dynamiques à l'œuvre pour lutter contre la concentration foncière et le creusement des inégalités". *Regards sur le foncier*, 'Land Tenure and Development' Technical Committee . AFD, MEAE, Paris, forthcoming in 2021.

2. In this document, the term 'agrarian structures' refers to the different organisational units of agricultural production (in the broad sense, including livestock, forestry and fisheries) at a given time in a given region or country. This is done according to their size in terms of economic potential (often simplified down to the amount of agricultural land) and mode of operation concerned (capitalist, peasant, etc.).

and forestry products now have a much wider range of potential users thanks to increasingly rapid and cheap transport of goods and people. Ease of migration has made it possible to use workers from distant regions to produce industrial or agricultural goods – often causing mass unemployment in the places where they were previously produced. 'Progress' and 'development' have come to be seen as inseparable from industrialisation and 'growth', leading to a sharp increase in the production of goods and services and the development of ever larger cities. The global rural population has continued to grow in recent decades, but is still far outstripped by city dwellers.

Over the past 200 years, more and more resources that used not to be saleable goods, and which have specific characteristics that do not allow the markets for them to self-regulate, have been transformed into commodities. This is the case with land and, more generally, natural resources[3]. The second half of the 20th century saw a rise in the private appropriation and commodification of natural resources and land use and/or ownership rights, along with a global spread of less and less regulated markets for goods and services, the internationalisation of labour markets, and unprecedented growth of the financial sector.

Many countries and international organisations have prioritised the liberalisation of agricultural markets and reduced or eliminated import taxes, driving producers of food and agricultural raw materials with extremely unequal access to equipment and land into competition with each other. Differences in the labour productivity of the minority of producers who use increasingly powerful machinery and the vast majority who rely on manual labour or animal traction are now in the order of one to a thousand, compared with one to ten in the 1930s. Under these conditions, the globalisation of trade has led to a structural decline in global prices for agricultural products, pushing some three billion people into poverty, malnutrition or hunger. Two-thirds of these people are poor peasants, and one third are former peasants or their children who have had to migrate to cities[4].

There have been temporary interruptions to this strong trend, with brief periods when agricultural prices have risen rapidly, as in the 1970s and in 2006-2008. When prices are too low for goods to be sufficiently profitable for many producers and global stocks decline, a short-term drop in supply can cause a sudden surge in agricultural prices and create hugely profitable opportunities for investors and investment funds. The biggest investors often benefit from preferential access to finance from national or international banks and are able to commandeer pioneer fronts and agricultural land where people are most vulnerable. This leads to waves of mass evictions, the exclusion of peasant and indigenous populations, and ever-increasing mechanisation. The paper on *Large-Scale Land Appropriations* produced by the 'Land Tenure and Development' Technical Committee in June 2010 explains and illustrates these mechanisms, which still operate today.

The upheavals caused by these recent changes are not confined to production methods. Huge changes in social organisation are also under way with the increasing individualisation of societies. Family structures are changing as 'domestic communities' are increasingly integrated into markets,[5] and value systems and intra-family governance arrangements adjust to new realities. Migration from rural to urban areas is increasing, as is regional and international

3. See Polanyi, *The Great Transformation: The Political and Economic Origins of Our Time*, 1944.

4. Mazoyer, Marcel, *Protecting Small Farmers and the Rural Poor in the Context of Globalization*. FAO, 2001. Intervention at the 2015 preparatory workshop for the World Forum on Access to Land held by the World Social Forum in Tunis, and oral communication at IHEAL, 2017 (unpublished).

5. See below.

migration. Agrarian structures are changing too, with the development of large capitalist units that employ waged labour, and changes in farming systems and mechanisms for the transmission of goods and land use rights from one generation to the next.

This guide was prepared in a context where young people are finding it increasingly difficult to get started as viable agricultural producers, and many are drawn to cities where they hope to find better-paid work. Not all of them manage to do so, and many fail to earn enough to escape from the poverty trap.

Strong regional differences

The globalisation of trade is leading to major changes. While all are responses to similar mechanisms, there are huge differences in the situations in different continents and regions.

In terms of demography

Demographic trends vary greatly from one continent to another. For example, the population in Africa is projected to double by 2050, but to increase by only 17% in Asia, 20% in the Americas, and 3% in Europe. The number of young people entering the labour market in sub-Saharan Africa will increase each year between now and 2050, but decline from 2030 onwards in Central and South Asia – as it has done in East Asia since 1990.[6]

A steadily declining percentage of the global labour force is employed in agricultural work. The overall percentage fell from 43% in 1991 to 26% in 2017, and national rates vary greatly, standing at less than 2% in the USA, Canada, Germany and England, 75% in Madagascar, and over 28% in China and South-East Asia. If current trends continue and labour is replaced by machinery, developing countries can expect to see their agricultural workforce shrink to resemble that of developed countries. It is therefore logical to ask how many new jobs would need to be created by 2050 to ensure that everyone of working age is employed. Henri Rouillé d'Orfeuil suggests an estimated figure of 4.5 billion, assuming that current demographic trends continue and the type of agricultural modernisation seen in developed countries occurs worldwide. He calculates that 40% of the new jobs would need to compensate for job losses in the agricultural sector. Since this will not be possible,[7] we need to consider other scenarios for change.

In terms of agrarian structures

Before we start looking at young people's access to land, it is important to remember that agrarian structures vary greatly from one continent and region to another. We also need to take account of the fact that all these production units and their constituent workers are increasingly linked to each other as a result of increasingly globalised trade.

FAO statistics show that 78% of the world's agricultural workforce is found in Asia (38% in China, 20% in India and 20% in other Asian countries), 16% in Africa, and just 6% in the Americas, Europe or Oceania. The agricultural land used by this workforce is very unevenly distributed around the world, with the 6% of farmworkers in the Americas, Europe

6. Source: World population prospects, 2008 revision. In: Losch Bruno; Freguin-Gresh Sandrine; White, Eric. Rural-Struc, 'Rural Transformation and Late Developing Countries in a Globalizing World. A Comparative Analysis of Rural Change.' Final report, revised version, 2011. World Bank, AFD, MAP, MAEE, Fida, Cirad, p. 39.

7. Henri Rouillé d'Orfeuil (2017). *Transition agricole et alimentaire, la revanche des territoires*. Ed. Charles Léopold Mayer, pp. 74 to 87.

and Oceania using 43% of agricultural land, and the 94% in Asia and Africa working on 57% of agricultural land.[8]

These figures just hint at the regional differences in agriculture. They clearly cannot capture internal regional and national variations, let alone the differences between very large agricultural 'companies' at one end of the scale and individual plots at the other. In 2010, over 70% of 'farms' around the world operated on less than one hectare of land. Nearly 95% of production structures function on less than 5 hectares,[9] and production structures with less than one hectare cover 12% of agricultural land worldwide. Together with those of 1 to 2 hectares, they occupy 17% of agricultural land. Production structures with less than 20 hectares, i.e. nearly 93% of farms, occupy about one third of agricultural land, while the remaining two thirds is occupied by those with more than 20 hectares.

In terms of ecology

Broadly speaking, enough food is produced around the world to meet total current food needs. The hunger endured by 821 million people[10] is not due to a lack of food, but to their lack of income. However, we need to remember that what is true today will not necessarily be true tomorrow. Even if we managed to reduce the excess losses and wastage between production and consumption in developed countries, food needs would still outstrip supply by 2050.[11] The only way to secure our future food supply is to preserve farm and forest lands, stabilise global warming, and halt the loss of biodiversity. Sustainable agriculture ultimately entails recycling the organic matter that the land generates. The size of our future food supply will depend on maintaining the fertility of agricultural and forest lands, and thus on our ability to collectively ensure that organic matter is recycled. The distant goal of reaching a sustainable overall balance between supply and demand (solvent and non-solvent) for food can only be achieved by using the mineral elements in recycled organic matter as efficiently as possible and improving remuneration for agricultural work. Family or peasant farming should be prioritised, as they are best able to meet these two objectives and are also most efficient in terms of soil carbon sequestration. Keeping these structures going – which entails enabling young producers to get started and earn a decent living – therefore seem to be a key tool in the fight against global warming.[12]

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8. Lattre-Gasquet (de), Marie; Donnars, Catherine; Marzin, Jacques, and Piet, Laurent, according to the FAOSTAT-2007 database. In "Quel(s) avenir(s) pour les structures agricoles?", *Cahier Déméter* No 15. January 2015.

9. Over 90% of production structures in China operate on less than one hectare, and about 60% of the workforce in India, the rest of Asia and Africa work in production structures this size. Very small agrarian structures are characteristic of, but by no means limited to China, Asia and Africa, as just over 25% of the agricultural workforce in North and Central America and the 28 EU countries work in production units of less than one hectare.

10. Figure for 2017. The joint FAO-UN communiqué based on the 2018 State of Food Security and Nutrition in the World (UN) notes that "hunger has been on the rise for the last three years, regressing towards the levels recorded almost 10 years ago", and that this is probably mainly due to climate change. One in nine people suffer from hunger. One in three women of child-bearing age suffers from anaemia. 152 million children under the age of five are stunted. And adult obesity is getting worse: one in eight adults worldwide is obese. *http://www.fao.org/news/story/fr/item/1152102/*

11. Cf. Levesque, Robert. *Terre et Humanité, la voie de l'Ecolocène*. Editions L'Harmattan, 2016. Annex.

12. See the conclusions of the workshop organised by the 'Land Tenure and Development' Technical Committee and the 4 for 1000 Initiative in Paris in December 2017: "Through its capacity to store carbon, be a vector of biodiversity and support agriculture, soil is a common good that should be covered by shared rules developed with the organisations and stakeholders that manage it at different levels. The debates showed the fundamental importance of agrarian structures and land tenure in the analysis of soil storage capacities and the definition of measures likely to have an impact on the adoption and maintenance of 4 for 1000 practices." In this respect, peasant agriculture

The need for a paradigm shift

If current trends continue, the next 30 years will see further degradation of the biosphere, growing regional and social inequalities, migration on an increasingly massive scale, and serious conflicts – in other words, things will collapse in the near future.

The trends in agricultural production units that are currently equated with 'progress' are part of an ongoing process of mechanisation, growing use of extracted or synthetic resources, increased labour productivity (through ever larger farms or by subcontracting certain tasks to service providers) and simplified crop management techniques (monocropping, reducing the biodiversity of cultivars and animal breeds, etc.). This process may lower the cost of producing goods for urban and international markets, but it comes at a heavy environmental and social cost in terms of polluted water tables and rivers, degraded soil structure, unacceptable working conditions and the capture of public subsidies, etc.

Far from being a solution for the agricultural sector, these models actually lead to job losses (they are generally not very labour intensive), contribute to ongoing hunger and malnutrition, are vulnerable to climatic hazards and fluctuating prices, and cause significant damage to the biosphere. If we really want to achieve our sustainable development goals, tomorrow's agrarian structures will need to be completely different from those that currently operate in developed countries.

Rather than promoting agricultural production systems that use non-renewable resources and inputs that contribute to loss of biodiversity, shouldn't we encourage agroecological production systems that recycle organic matter and require more labour? Doing this and improving farmer incomes would enable us to develop forms of agriculture that no longer harm the environment and, depending on the context, would limit job losses or even generate new employment. Future agricultural production could be based on small family production structures and cooperative or community structures that aim to serve the interests of young people and future generations rather than maximise profits. They could also provide insurance for people who need support but have no social security outside family solidarity networks.

Although this guide focuses on agrarian structures and young people's access to land, previous studies and analyses have shown the need to take account of other aspects of public policies on agriculture, trade, the environment and other sectors.[13] Agricultural land use rights in particular should be reallocated through non-market mechanisms or regulated land markets in order to avoid land concentration, exclusion and increasing inequality.

Many other changes will need to be made and policies promoted to enable small-scale family and peasant farm structures to reach their full potential and reproduce themselves

was reaffirmed as the primary carbon sequestrator if it can be supported by public policies, including trade policies, that promote its maintenance and the development of 4 for 1000 practices."

13. Experience over the last few decades has shown that markets for basic foodstuffs cannot regulate themselves either, even if goods were produced for sale (Marcel Mazoyer and many other researchers). The reason is simple: there is a huge global 'real demand' for staple foods but it is not solvent, unlike the demand for other commodities such as agrofuels. This observation led Henri Rouillé d'Orfeuil to argue that it is essential to recognise the principle of excepting agriculture and food from free trade to limit the damage it inflicts on agriculture: *"The damage caused to agriculture by the application of increasingly assertive free trade would justify governments invoking a safeguard clause allowing them to regulate their internal markets and external trade in the name of agricultural exception or a precautionary principle. This agricultural exception was recognised until 1986 but disappeared in 1995 with the signing of the Agricultural Agreement in April 1994 in Marrakech. The WTO was born in Geneva in January 1995"* (Rouillé d'Orfeuil, H., op. cit., 2018, p. 191).

without losing their specificity. To do this they will need to adapt and provide opportunities for all young people – both women and men. This guide aims to contribute to this process, even though it cannot cover all the topics mentioned above.

Structure of the guide

After this introductory section (Part I), the guide consists of an **analytical table**, which is presented in Part VI, and a series of **reflections** and **tools** to help use it (Parts II to V). Depending on the topic concerned, these range from simple reminders for some users to pointers to new avenues of analysis for others.

● Underlying logic for the analytical and evaluation table

We will start with a very quick summary of the analytical table, which structures the questions needed to assess whether a project/policy design takes account of young people's access to land. The table is divided into two main sections.

Section 1: Understanding the context

It is important to understand the situation in the area to be covered by the intervention, project or policy, before it is implemented. This analysis is not a simple snapshot of the situation at a time zero (T-0); as far as possible it should be done from a historical perspective in order to understand how the current situation came about. This section covers most of the questions that need to be asked when analysing a development intervention from a 'youth perspective'. It is divided into 3 chapters:

>> Families. Their evolution and current situation

From the outset, the table focuses the user's attention on the different types of family that exist. This is because they play a key role in how young people make a start in agriculture, but are generally poorly understood by development actors.

>> Other land and natural resource governance systems

The family is only a first level of governance. All other existing mechanisms in the intervention area should also be examined. They may be community-based mechanisms that are completely separate from kinship groups, and may also involve public authorities or elected officials at various territorial levels.

>> Main characteristics of the agrarian system

Most agrarian assessments include a description of the intervention zone, how it fits into the broader setting, and the internal and external dynamics of the agrarian system. It is essential to consider an agrarian system as an open system. Changes that occur outside the intervention area often have major repercussions on the agrarian system within it. We deliberately reversed the usual order of questions that are asked during a territorial agrarian assessment, because standard procedures still pay very little attention to kinship groups, rights to land and natural resources, and governance institutions. The emphasis is usually placed on 'farm' typologies, meaning it is not always possible to understand transitions from one generation to the next, especially when considering 'indigenous' hunter-gatherer-fisher societies, or agricultural or pastoral populations in Africa, Asia, America or Oceania.

Section 2: Assessing the relevance of the intervention

The analytical table can be used when a project or policy is preparing for an ex-ante evaluation, during implementation, or to measure its effects during an ex-post evaluation (*a posteriori*). The exercise is a **prospective analysis that compares foreseeable developments without the intervention to expected developments with the intervention**. This contributes to an **appraisal** that aims to improve the intervention or, if it is deemed unsuitable, explore other possibilities.

This second section aims to structure the critical examination of a project or policy in terms of whether and how it helps young men and women start out as producers. It is divided into three parts:

>> The first, introductory part describes the intervention and asks whether the project or policy explicitly takes account of young people.

>> The second part seeks to assess the relevance of the intervention in terms of its impact on pre-existing dynamics. It is structured around the economic, ecological, social and political dimensions of change and their consequences for young people.

Having described the current situation in the area and summarised its historical origins, the next step is to formulate hypotheses about probable developments in the absence or presence of the intervention, and ask whether the observed trends would continue into the future in each scenario. Several different hypotheses may be formulated, simulating changes in one or more parameters. It should be noted that the aim is not to develop a comprehensive model, but to provide a framework that facilitates reasoning and stimulates reflection.

The indicators used to consider the prospects for change and assess the relevance of the intervention are divided into four groups that cut across the three classic dimensions of sustainable development (economic, ecological and social) and a fourth, political dimension. The latter is essential because the first level of land governance is often organised at the territorial and 'family' level, and we cannot consider young people's access to land without studying changes in the different governance mechanisms for land and natural resources.

- **Economic indicators** allow us to judge the current and future effectiveness of a policy or project for the society concerned. Does it affect gross crop yields, financial profits for entrepreneurs, or net value added and employment created per unit area?
- **Ecological indicators** allow us to assess the impacts on soil fertility, carbon storage, water resource preservation, greenhouse gas emissions, biodiversity protection, etc. over the next few years and for future generations.
- **Social indicators** allow us to assess the society's capacity to keep peace, reduce inequalities and develop sufficient resilience to be able to adapt to change and deal with crises.
- **Policy indicators** relate more directly to the governance mechanisms for land and natural resources.

>> The third part enables users to review Parts 1 and 2 so that they can validate the intervention as it stands, propose possible improvements to make it viable, or reflect on alternatives if the conclusions lead to the abandonment of the initial project.

Reflections and tools to help use the analytical table

The 'Land Tenure and Development' Technical Committee used its members' practical and research experiences to identify issues that are often overlooked when development projects or policies are designed and evaluated. Rather than covering a large number of commonly used and widely documented tools, the guide introduces topics that are rarely considered despite their importance in explaining and analysing how young people access land. Each tool could be developed much more broadly, but this is not the purpose of the guide. Its aim is to raise these points and highlight their importance so that readers can investigate them in greater depth as and when the need arises. The selected bibliography in the appendix provides a good starting point for further research.

The insights provided by CTFD members are divided into four sections:

>> Taking young people into account in development actions: some pointers to understand how they get started in agriculture.

This section covers the concepts and categories that seem most relevant to each area:

- production structures and their economic efficiency,
- social groups based on kinship,
- the links between male and female reproduction and production,
- links between people and communities,
- the development of market relations and changing forms of governance.

>> Explanation and analysis of the different ways that young people access land.

The theoretical elements of the previous section are used to explain how young people access land :

- in the family framework,
- through rights granted by non-kinship communities or the State (start-up programmes),
- through land markets.

>> What is needed to get large numbers of young people into farming.

This section looks beyond access to land itself, and considers the basic conditions needed to get young people started in agriculture.

>> The road ahead: rebuilding the commons.

This last section pulls the preceding arguments together, using a holistic approach that emphasises the importance of not viewing the economy as something that functions independently of society, and of deepening democracy while building alliances. These are two key principles in ensuring that efforts to improve young people's access to land tie into efforts to address the global challenges mentioned in the introduction to this guide.

PART I

Taking young people into account in development actions

Some pointers to understand how they get started in agriculture

Use appropriate ideas, categories and concepts

We can only understand the causes and origins of the problems that young people face if we work from a historical, and thus an intergenerational, perspective. Young men and women belong to different **social groups**, families and larger communities that are constantly changing. One of the central tenets of the approach proposed in this guide is that looking at young people as isolated individuals inevitably leads to flawed analysis. We also need to consider how young people's trajectories fit into the local **territorial** framework, and try to understand how the **agrarian systems** to which they belong have evolved.

The analytical categories and concepts that we need in order to address today's challenges should enable us to establish relevant criteria for evaluating interventions, projects or policies in terms of their viability for future generations.

We will try to explore the links between people's *productive* and *reproductive functions*, and gather as much information as possible on the changes that different types of families go through as their production processes and environmental, ecological, economic and social settings evolve and capitalist agriculture becomes more widespread. These changes are often significant.

Where family farming is the dominant form of agriculture, young people inevitably play a key role in the transition from one generation to the next. Major changes in production structures and 'farm' sizes often occur as holdings are transferred from parents to children, in what can be a gradual process. In developed countries is not unusual for the original farm to disappear during this transition as land and resources are absorbed by other, larger farms. It is important to analyse how land holdings are fragmented as they are divided among heirs and taken over by one or more children, as this is a point when the logic behind production systems may evolve or even change radically.

Before turning to the questions in the analytical table, we need to clarify the terms and concepts it uses and set out the basic principles of the proposed approach. While the table explores much broader fields, this guide focuses on the ways that 'families' and governance

arrangements outside kinship groups directly affect young people's entry into agriculture (through non-market or market mechanisms,)[14] in order to document the economic, ecological and social impacts of a given project or policy.

We are aware that our attempt to present these complex issues in a simple and widely accessible way could be criticised for encouraging shortcuts and simplifications. Therefore, it should be noted that this guide was not written as an academic publication, even though its draws on a great deal of research and experience. The aim was to help develop a process of critical reflection that representatives of local communities, farmer organisations, NGOs, experts from cooperation agencies, researchers and politicians can participate in, overcome their numerous linguistic and cultural differences, and find ways of discussing and working together to improve young people's prospects of entering agriculture.

Describe the production structures

Agrarian structures vary considerably from one region to another. The amount of cultivated land on each farm ranges from less than a hectare to hundreds of thousands of hectares, and their economies are probably even more disparate.[15] Production structures also function in very different ways. Rather than trying to describe them all here, we simply distinguish between two main types: 'family farms' and 'agribusinesses that employ waged labour'. This is enough to understand most of the changes that are under way, although it obviously doesn't allow us to describe all the situations on different continents in any detail.

This would entail defining other intermediate or complementary types of structure that may be more or less specific to particular geographic and historical situations. Depending on what is produced, some may combine family and capitalist characteristics over time without necessarily transitioning from one type to the other. Thus, in many countries, and especially in Africa, we can see the development of 'entrepreneurial' agriculture by local officials/entrepreneurs who are using money they have made in other sectors to invest in agriculture. They often exert significant pressure on land, especially in peri-urban areas and on pioneer fronts, but most of their operations cannot be compared to those of large agribusinesses that employ waged labour, which will be discussed below.

It is worth making several introductory points here:

>> The words 'business' and 'entrepreneurial' are vague and cover a wide range of realities. A peasant who controls their production system and constantly adapts to natural, economic and social conditions as an individual or part of a cooperative is just as much an 'entrepreneur' as a producer using waged labour who markets the bulk of their production. We think it is more relevant to talk about 'capitalist agriculture' rather than 'agribusiness'.

14. We will draw on many publications, many of them produced by members of the 'Land Tenure and Development' Technical Committee. The main references are given in the body of the text or footnotes, and the bibliography can be consulted for further research in this field.

15. This is no exaggeration. In Ukraine, for example, several agroholdings backed by national and/or foreign capital cover over 300,000 ha of land, such as MriyaAgroholding (300,000 ha), MHP (360,000 ha), Ukrfarming (654,000 ha) and NCH Capital, an American pension fund (450,000 ha). (Source: Khodakivska O., Levesque R., *Land relations: the search for a balance of interests between state regulation and neoliberalism*, Економіка АПК, 2018, no 6). Similar holdings also exist in Brazil and other countries.

>> The distinction we make between 'family farming' and 'capitalist agriculture that uses waged labour' is not mechanically based on the use of family or waged labour, but on distinct decision-making logics (see below).

>> The words we use to describe production structures can seriously hinder our understanding of the diverse realities in Africa and among indigenous groups in America, Asia and Oceania.

- It is common to talk about 'farms', implying that a farm is a 'production unit'. Although this is now the predominant type of structure in developed countries, especially in Europe and the United States of America, this is not the case everywhere in the world. It is also worth noting that the development of 'corporate agriculture' is starting to lead to major changes in those supposed 'production units' in 'developed' countries.
- Similarly, the word 'family' may refer to an extremely wide range of kinship-based social groups.

We will return to this point later.

● Distinct logics apart from the use of waged or unwaged labour

Agricultural enterprises are usually differentiated from *family farms* in terms of their workforce, with the former using waged labour and the latter mainly relying on family members. But the most fundamental difference between them is the disparate logics behind their internal decision-making processes.[16]

The primary objective in capitalist forms of production[17], is to make a **financial return on invested capital**. This is done by accessing land as cheaply as possible, picking up concessions for a few euros per hectare per year (as in Africa), or renting rather than buying land (as in Romania and Ukraine). Capitalist forms of production develop systems based on high levels of mechanisation and automation, and use waged labourers who are often only employed for part of the year. Capitalists can usually invest their capital elsewhere if other sectors are more profitable than agriculture, or abandon land that has become insufficiently productive if they can get hold of other more fertile land. Their strategies can be said to be short-term because they follow a logic that is based on the mobility of capital.

In contrast, the income from family (or peasant) farming structures is mainly used to pay the workers, who are usually family members. It may remunerate the owner of rented land, but in the smallest family production structures there is often no distinction between payment for work and payment for the landowner, as this is usually the family. Family farmers/peasants' strategies include getting their children started in agriculture or livestock farming, and as they rarely have the opportunity to find land elsewhere they devote part of their income and efforts to maintaining soil fertility, following a longer-term **patrimonial logic**. We sometimes talk about the *profitability* of family farms, but it would be more accurate to talk about their *viability*. If family farms do not follow 'capitalist' decision-making processes they will simply try to ensure their reproduction rather than seeking a return on investment (capital invested) that is at least equal to what could be obtained from other investments. Ensuring their long-term reproduction entails being able to rely on efficient redistribution mechanisms

16. The Russian economist Alexandre Tchayanov already noted this in the early 20th century (*L'Organisation de l'économie paysanne*, ed. Librairie du Regard, Paris, 1990 – first edition in Russian, 1924 and 1925).

17. Which can also include 'socialist' structures, state farms or associative enterprises; here the term 'capitalist' characterises an economic function, not an ideological position.

that allow risks to be shared and/or being able to accumulate, otherwise the farmer will fail at the first hazard of any kind, whether it is climatic, due to fluctuating market prices, a family member falling ill or some kind of agronomic problem.

The most impoverished small-scale producers are often unable to look to the future, forced to survive from day to day, and no longer able to restore the fertility of their land. Workers on family farms may have to sell their labour to neighbouring farmers, temporarily sell it outside their village or region, or move to the city. They usually try to keep a plot of land for as long as possible to help cover their food needs, in what is sometimes referred to as 'subsistence agriculture'. This type of farming should always be considered in relation to the capitalist production sectors (agricultural, mining, industrial, etc.) that exploit the cheap temporary labour provided by these workers.

● Comparative economic efficiency

Capitalist agricultural production that employs waged labour develops in increasingly large structures, while family/peasant farming operates in small structures. We need to re-examine the debate on the advantages and disadvantages of 'large-scale' and 'small-scale' production, which has been central to development thinking since the 18th century in Western Europe, and since the 20th century in Soviet bloc countries. Most thinkers and political leaders regarded the industrialisation of agriculture and the proletarianisation of peasants as inevitable and necessary to build socialism.[18] In the late 20th and early 21st century, many leading politicians[19] and entrepreneurs still believe that 'archaic' family peasant production should be suppressed in the interests of development, poverty reduction and feeding the world's population; and that the only way it can be replaced is through 'massive investment' in efficient modern agriculture.[20]

Most comparative field assessments of the performance of small and large agricultural production structures have found that small/family structures are the most efficient in terms of **value added per unit area**. This holds true in very different settings (see Box 2).

Peasant production units not only employ more people, but also create more net wealth per hectare than large capitalist farms that employ waged labour. Smaller structures are therefore much more attractive to the community, provided they are viable and can provide sufficient income for producers. This is not the case with entrepreneurs or financial institutions that are looking to maximise the return on their investment.

Another key point to consider is the distribution of added value between the different actors in these two types of production:

>> **In Ukraine, 79% to 89% of the net value added (NVA)** in agroholdings with 5,000 ha to 30,000 ha of arable crops goes to the owners of the capital. Only 3-10% goes to the workers, 7-9% goes to small landowners from whom these companies rent land that was decollectivised following the agrarian reform, and 1-2% goes to taxes.

>> **In Peru, 56% of the NVA** produced in some of the world's most modern sugar companies goes to the owners of the capital, while only 3% goes to the workers and 41% to taxes.

18. See Karl Kautsky, *The Agrarian Question*, a book that has greatly influenced agrarian policies in socialist countries.

19. Even when they sometimes defend family farming in their speeches today, as is the case in a number of African countries.

20. See Michel Merlet, *Grande production ou petite production ? La 'question agraire' aujourd'hui*, AGTER.

Box 2

COMPARATIVE PERFORMANCE OF SMALL FAMILY PRODUCTION STRUCTURES AND LARGE AGRIBUSINESSES THAT EMPLOY WAGED LABOUR, FROM THE PERSPECTIVE OF SOCIETY AS A WHOLE

Large agribusinesses that employ waged labour are often presented as the spearhead of agricultural modernisation and the development model needed to end poverty. Yet economic studies comparing their results with those of small farms in the same region all conclude that, with a few rare exceptions, large agribusinesses produce much less wealth per unit area than small family/peasant farms, and generate much less employment per hectare than small family/peasant farms.

Yield, i.e. gross production per hectare, cannot be used as an indicator to measure true wealth creation. The value of goods and services wholly or partly consumed in the production process (inputs such as energy, pesticides, fertilisers, etc.) and depreciation of machinery and plant (real and non-accounting) must be subtracted from the total value of production measured at market prices, not only what is marketed but also on-farm consumption. This gives the net value added (NVA) per unit area. This is a relevant indicator for assessing the performance of a production structure from the point of view of society as a whole, but is not sufficient when producer prices are impacted by oligopolistic or monopolistic situations at different stages of processing products: we then need to consider how the wealth created is distributed along the commodity chains. Nevertheless, the following examples from America and Eastern Europe show that a lot can be learned by comparing the per-hectare NVA of different production structures.

Field studies conducted in five regions of Ukraine between 2009 and 2013 by students from AgroParisTech working under the direction of Hubert Cochet show that large farms of more than 1,000 hectares that specialise in field crops, are equipped with powerful equipment and work mainly for the international market use three quarters of the available utilised agricultural land (UAL) but only create around 40% of locally produced NVA. The large number of so-called 'people's' micro-farms, which are composed of inherited collective (*kolkhoz*) or State (*sovkhoz*) plots and allotments covering 8-30% of UAL, produce 55-60% of NVA using manual labour, animal traction and a few old tractors or ploughs (Cochet, Hubert, 2017).

Studies conducted in Peru and Nicaragua in 2013 and 2014 by interns working under AGTER's supervision and with support from the 'Land Tenure and Development' Technical Committee show how the performance of large capitalist companies that use waged labour to produce and process sugar cane compares with that of peasant farms in the same regions.

> 95% of farms in the Chira River valley in the semi-desert coastal area of northern Peru are family-run operations growing rice, bananas and lemon trees on less than 10 ha of land. There are also large companies that have bought land from the State which can be irrigated by canals using water from the Andes. The companies that produce sugar cane and ethanol cover an average of 7,000 ha and are among the most modern in the world. The per-hectare NVA generated by the sugar agro-industry as a whole (production and processing into ethanol) is similar to that of small-scale lemon farmers, and half that of small organic banana producers cultivating land covered by the agrarian reform on the banks of the Chira River. *[Roy, Averill, 2014]*

> Chinandega in northwestern Nicaragua has become home to a number of large private agricultural production structures since the 1990s, even though land is still a limiting factor for many small farmers in the region. The rapidly expanding sugar agro-industry, which is in the hands of the Guatemalan group Pantaleon Sugar and is or has been financed by the World Bank and Proparco, now covers more than 27,000 hectares, a third of which is irrigated. These enterprises employ from 3 to over 20 times fewer workers per hectare than the peasant systems in the area; and even when industrial processing is taken into account, generate three times less wealth per hectare than gardens planted with fruit trees, and half as much as local farms producing plantain, corn, rice and livestock. *[Jahel, Camille, 2014]*

These studies show that:

> The financial performance of large companies with employees is excellent. It is easy for them to obtain substantial funds from national or international development banks as their results guarantee that the loans will be repaid.

> Small producers in the surrounding area are often very poor, and it is much harder for them to get funding. It seems riskier for financial institutions to fund them, partly because they would have to work with very large numbers of small producers, and partly because these producers can't build up sufficient collateral to reassure donors. ■

Box prepared by Michel Merlet, based on the results of research conducted by the Chair of Comparative Agriculture at AgroParisTech and IEDES, with AGTER, Scafr-Terres d'Europe, the French Ministry of Agriculture and Food (France), AFD and MAEE (see Bibliography).

>> **In Nicaragua, 58% of the NVA** produced by the sugar company in Chinandega region goes to the owners of the capital, while 28% goes to the workers and 13% to taxes.

In all these case studies, the bulk of the wealth created in large firms goes to the owners of capital. Workers and landowners receive a very small share of the value added, and the share accruing to society through taxes varies according to the national context. Conversely, most of the NVA created by peasant farms goes to family workers and, to a lesser extent, wage earners (over 95% in the cases studied in Peru and Nicaragua).

These analyses show that the financial performance of large farms that employ waged labour hinges on the distribution of NVA between the owners of the capital behind the production unit, the workers, landowners and society as a whole. It is not because they provide the greatest economic benefits for society as a whole, but because of their capacity to exploit the workforce and capture rents of various kinds – from land, natural resources or the spin-offs from public policies.

In order to maximise returns on the capital provided by investors, these companies obtain land use rights by negotiating with governments, as in Africa where they exploit the gaps between official and customary rights, or by intervening in land markets (markets for land, leases or shares in companies that hold land use rights) where they can offer higher prices than family farmers and prevail by gradually excluding them from access to land.

This analysis of the distribution of net wealth created in agricultural production uses recorded prices of inputs and outputs entering or leaving the production unit. It therefore provides a very informative first estimate, which should be supplemented by value chain analysis that looks at NVA distribution all along each value chain. There may be marked differences in the distribution of NVA between different economic actors if oligopolies or monopolies are operating at the local level or in the final distribution of products, but this is not our main concern, as this guide aims to identify which agrarian structures are best for society as a whole.

This kind of comparative economic analysis should be supplemented by analysis of the ways that different production structures impact on the environment, biodiversity and the use of non-renewable resources. Although there are fewer case studies and information available on this issue, empirical observations clearly indicate that most large structures use increasingly powerful tractors, fossil fuels and pesticides, while most small agricultural production units around the world use manual labour or animal traction and fewer inputs than large farms.

These findings are crucial, given the global economic importance of family farming in terms of covering food needs and providing employment, and its increasing fragility with the globalisation of trade. We also need to ask whether it is possible for family farming and corporate agriculture/agribusiness to coexist. Could they have complementary relationships, or are their interactions mainly exploitative exchanges that would lead to an irrevocable increase in inequalities? (See the issue of *Regards sur le foncier* on *Evolution des structures agraires dans le monde*, forthcoming in 2021.)

Diverse social groups based on kinship

● Families and the concepts used to describe them[21]

To keep things simple we use the term *family* very frequently in this guide, not only when referring to nuclear or extended families, but also to talk about the very diverse social groups based on ***relations of kinship*** and ***alliance*** (marriage). We therefore need to clarify what we mean by *family*.

While the term covers very different realities depending on the society and period concerned, they all refer to groups of human beings who are related to each other through kinship ties. These ties are usually, but not necessarily, biological (consanguineous) and also include adoptive relationships.

We will start by defining the *nuclear family*, which is widespread in European countries, and extended families.

>> The ***nuclear family*** (...) "also called the primary or conjugal family, includes spouses, their descendants and, possibly, one (or two) ascendant(s) with host status. The parental couple forms the nucleus of this family and their children are siblings" [Ghasarian (1996), p. 43]. There may also be single-parent homes.

>> "The joint residence of two or more nuclear families over two generations produces an ***extended family***" [Ghasarian (1996), p. 46].

21. Unless otherwise stated, the references in this section come from Christian Ghasarian's book, *Introduction à l'étude de la parenté*, ed. du Seuil, 1996, 276 pages.

Social groups based on kinship (consanguinity or other ties) and alliance relations (marriages) can go far beyond simple nuclear or extended families. We sometimes talk about ***intra-familial relationships*** to characterise the internal relationships within these social groups. By extension and for convenience, we sometimes use the word 'family' to refer to them in this guide.

"***Filiation*** is the governing principle in the transmission of kinship." It determines "more or less exclusive [membership] of groups of individuals who are descended from a common ancestor". Kinship ties determine who the individual acquires their social identity and status from, and who they inherit various rights and obligations from. **It is therefore not so much a biological reality as a social fact.**

Depending on the society, there may be:

- systems of *unilinear filiation,* ***patrilineal filiation*** or ***matrilineal filiation***;
- systems of ***bilinear filiation***, where the attributes acquired in the patrilineal line differ from those acquired in the matrilineal line;
- systems of ***undifferentiated filiation***, also known as ***cognate filiation***,[22] where the same status and same rights and duties may be accorded to relatives on the paternal and maternal sides, or the individual may have to choose to be affiliated to their paternal or maternal grandparents [Ghasarian (1996) p. 58-75].

A ***lineage*** brings together people who are descended from a common ancestor according to a principle of *unilinear filiation*. It is the social expression of filiation, which operates at the local level and often determines not only an individuals' status but also where members of the group live, how they access land, work and subsist, and how the economy functions.

When we look at families we can also distinguish between sexual unions and '***marriage***'. Marriage 'formalises' the relationship between a man and a woman and gives the children born of their union certain status and rights. "In many traditional societies, marriage is accompanied by transactions that mark the relationships between kinship groups." These transactions may take the form of:

- a ***dowry***, goods that the woman's family gives to the husband or his family;
- or ***matrimonial compensation***, goods or services that the husband's family give to the wife's family [Ghasarian (1996) p. 117-121]

There are different types of marriage: ***monogamous marriages*** between a man and a woman, and ***polygamous marriages*** where an individual has several simultaneous spouses (*polygyny* or *polyandry*). In some societies there are also marriages between individuals of the same sex.

Some societies also have rules for residence, which determine where a couple will live after their marriage. We talk about ***patrilocality*** (roughly synonymous with ***virilocality***) when the couple settles with the husband's parents, and ***matrilocality*** (roughly synonymous with ***uxorilocality***) when the couple settles with the wife's parents. There are also societies where couples can choose where they live, and some where they spend different stages of their life in the husband's and the wife's parents' house. In matrilineal societies, the married couple may move into the home of the husband's maternal uncle [Ghasarian (1996) p. 175-182].

22. The term 'cognate' refers to an individual descended from an ancestor through the male or female line.

However, it is worth noting that family members do not always live with each other, and that the family *consumption unit* may differ from its *residential unit*, *production unit* and *reproduction unit*.

This brief summary of the common definitions and great diversity of social groups with *kinship* ties shows the importance of setting aside preconceived and reductive views of 'the family' when thinking about young people's access to land. But that is only the first step, as we will see now.

● Kinship and communities

Hasty application of these definitions could lead to an individualistic representation of social relations that reflects an ethnocentric vision and does not necessarily correspond with reality. There is a tendency to define social categories by assuming that they are similar to what we know in 'Western' societies, and a risk of implicitly and wrongly equating the relationships between them to kinship relationships.

For example, the way that kinship groups are organised in Cambodia may seem familiar to Europeans, yet Khmer nuclear families are deeply embedded in informal networks of unrelated people (see Box 3 page 30).

Etienne Le Roy reminds us that 'community-based societies' may have a "specific concept of kinship". In many African societies, "kinship is approached through images or expressions that signify the value of a particular social bond. (...) For the Basa of Cameroon, *lihaa* or kinship literally means to share". (...) "Kinship is thus the sharing of a particularly strong bond at the source of the group's wealth and power, a wealth that is primarily, but not only, based on a large number of descendants..."[23] On the basis of his research in Senegal, Le Roy summarises this approach in the following terms: "The Wolof taught me that kinship is the sharing (*mbock*) of common goods (ancestors, residence, prohibitions) and that this sharing is organised according to membership of different communities. Patrilineal and matrilineal kinship are just two of the many forms of such membership".[24] It is important to remember that when a society is organised in communities, kinship relations are community-based, not individual. This guide returns to the link between individuals and different types of communities several times, and emphasises the importance of recreating 'the commons' in many contexts today.

Let us return more specifically to the words that are used to describe kinship. To quote Maurice Godelier, *kinship terminology* "is a very small set of words (between 20 and 30 on average) denoting what we call relationships of *consanguinity* and *affinity* between an individual of either sex and other individuals, the living and the dead, from their generation or from several previous or forthcoming generations. *Kinship terminologies* are therefore linguistic phenomena that enable individuals to represent themselves, communicate to others their place in a particular set of social relationships, and represent others' places in that set without them necessarily being related to the speaker."[25]

The profound differences between the structures and concepts of kinship ties in Southern and Northern societies can cause serious linguistic problems. The languages used to design and analyse studies and interventions in economic and social development circles are

23. Le Roy, Etienne. *Le jeu des lois. Une anthropologie «dynamique» du droit*. Page 226.

24. Le Roy, Etienne. Oral communication. 2019.

25. For further information on this subject, readers can refer to the extensive synthesis published by Maurice Godelier in 2004, *Métamorphoses de la parenté*, ed. Flammarion, 2010. Pages 253-303.

Box 3

KHMER FAMILIES IN CAMBODIA: NUCLEAR FAMILIES WITHIN NETWORKS

The three current levels of social organisation among the Khmer are:

- **the family and clan,** which is the strongest attachment group;
- **the commune (*khum*), which includes several villages.** Communes were set up by the protectorate in 1908. The aim then was to represent central government rather than the inhabitants themselves, and this is still the case today although leaders are now elected;
- **the pagoda and its network.** Although this is primarily a religious network, it also plays a social role, functioning as 'wealth redistribution centre' as wealthy families have to make large donations to the pagoda for social actions. Pagodas are organised through two networks, one religious (monks) and the other secular (pagoda committees and *achars*). Their influence varies from place to place.

Everything centres around "the informal network of people who have standing in the village due to their moral authority, age, religious behaviour and possibly wealth and ownership of land or draught animals". The nuclear family (parents/children) is extremely important in Khmer society. It "is very rarely extended, and always takes precedence over other social actors in the event of a crisis."

"Outside the family, individuals belong to networks of dependence or patronage that form the backbone of traditional political organisation. In these networks, a small number of individuals provide economic assistance and physical protection to obligants who offer them political loyalty and sometimes their labour in return. It is essentially a paternalistic and clientelistic relationship. Everyone's place is determined by their position in their network; they may be called upon to help with agricultural and other tasks, and can obtain interest-free loans provided they observe their status and do not deviate from the current social rules. The structure of these networks is often determined by family alliances – especially matrilineal ones – to the extent that some people do not hesitate to speak of 'clans'. Others are more measured and stress that membership of a given network is not set in stone, alliances are cyclical and can easily change. The importance of these alliances is waning with the current monetarisation of exchanges and promotion of individual initiatives. But observation shows that for the time being, clan interests still dominate social life (…)." ■

Box written by Michel Merlet, based on the book by Didier Pillot, *Jardins et rizières du Cambodge. Les enjeux du développement agricole*, ed. Karthala and Gret, 2007. Pages 140-143.

usually different from the languages of investigation.[26] Assuming that terms can be directly translated from one language to another ignores the fact that the communities in question organise their societies and perceive the environment (the two principles of land tenure) in very specific and different ways[27] (see Box 4 below).

Box 4

LESSONS LEARNED FROM THE FULANI ABOUT THE SEMANTIC RICHNESS OF SURVEY LANGUAGES

The history, environment, society and land tenure of the Inner Niger Delta in Mali has been widely studied, providing useful illustrations of common translation issues and the need to constantly check the use of foreign terms. For example, bille (*sing winnde*) on flooded mounds *toggere* (plural of *togge*) has been translated as 'stopover points' for transhumant livestock in flooded areas. One French text may use the Fulani plural while another uses the singular, but the main problem is the fact that *bille* is a generic term meaning ruins, remains and thus, among other things, accumulations of animal excrement. In this case they are found on *togge*, another generic term meaning elevations (not particularly exposed), which for the delta is often translated as islands, groves (because they support the only trees in the delta) and cemeteries (because these are the only sites where burials are possible). We need to be aware of the shortcomings of these translations, and change our translating habits.

The generic and specific characteristics of a term are not determined by any particular language, but by the context and subject. Similarly, there is no hierarchy of traditional knowledge and so-called modern scientific knowledge [see Danièle Kintz, "L'environnement comme écosystème: thème peul de pointe", in *D'un savoir à l'autre. Les agents de développement comme médiateurs*, Gret, 1991].

In the field of Fulani land tenure, political terminologies (territorial and agricultural/pastoral chiefdoms and lineages) should be studied in relation to access to surface and underground water and, of course, administrative and security structures. When several systems compete with each other, such as classified reserves, forests, pastoral rangelands or crops that block livestock access to water, two concepts always emerge from the discourse: *laawol* and *semmbe*, the way and the force. If you don't have one, you must have the other. *Laawol* and *semmbe* therefore provide a structuralist Fulani intellectual model that enables us to study most phenomena in greater depth.

The rural work force is mainly organised according to family structures. French terminology for family structures is highly generic, making like-for-like translation a risky business. French is one of the few languages in the world with overlapping

26. In the Sahel, these are mainly French (and other Northern languages) and what are known as 'partner languages' in francophone terminology, i.e., African languages and local forms of Arabic, French and other Northern languages [Danièle Kintz].

27. Failure to discuss the concepts covered by surveys with the communities concerned, through pre-established interviews, questionnaires, survey guides and professional or improvised simultaneous translations in all the languages used will detract from the richness of the content and hinder mutual understanding. Lists of key concepts in different languages and bilingual questionnaires are essential tools [Danièle Kintz].

terms for consanguinity, maternal and paternal, and allies, and which calls a brother-in-law both the husband of the sister (or, nowadays, of the brother) and the brother of the spouse. French also has just one category of first cousins while most other languages have three or four with operational categories: some first cousins can be married, others cannot. The expression is untranslatable among the Fulani, who are among the world leaders in endogamy. They distinguish between three types of first cousin according to the individuals concerned: *BiBBe inna*, children of sisters (literally children of the mother), who are regarded as parallel matrilateral cousins in anthropology; *BiBBe baaba*, children of brothers (literally of the father), who are parallel patrilateral cousins; and *DenDiraaBe*, children of brothers and sisters, who are cross-matrilateral and -patrilateral cousins. In most Fulani groups, marriage between *BiBBe inna* is the only type of marriage between cousins that is prohibited as it is considered closer (through milk) than the other two relationships, which are prescribed or encouraged. There is at least one notable exception though: among the *gaooBe* Fulani (in north-eastern Burkina Faso and western Niger), marriage between *BiBBe inna* is preferred because it is regarded as the best way of keeping women's livestock within their original blood group, through this link and through the blood and milk of their sister mothers.

Kinship terminology indirectly encompasses an active economic strategy that determines access to water and pasture, and is therefore central to land issues, despite appearances to the contrary!

Some recommendations based on this information:

1. **Always identify the singular and plural for each concept as they follow specific systems.** Thus, woman = *debbo*, plural: *rewBe*; man = *gorko*, plural: *worBe*; a Fulani person = *Pullo*, plural: *FulBe*; house = *suudu*, plural: *cuuDi*; field = *ngeesa*, plural: *geese*. Fulani alphabetic dictionaries consequently include numerous terms in the singular and plural.
2. **Identify local ways of describing different parts of the environment in order to take account of different dialects.** The terminology determines the different forms of use and access rights. Many Fulani dialects have similar or close terminologies, and borrow from adjoining languages in different ways. Finally, beware false dialectal friends. For example, the plural of *kollangal* is *kollaaDe*, which means a recession basin in Senegal but denotes barren eroded land in northern Burkina Faso, where the term for airport is *kollangal laana*.
3. **Unless a good up-to-date anthropological study is available on site, it is preferable to record kinship terms in the survey languages without trying to translate them, and above all avoid using French as a starting point.** The residence group overlaps with part of the kinship group and relates to it through collaboration on work and community consumption. Anthropological information on kinship is held in individuals' conscious and unconscious mental structures, and requires complex investigations; while residence is material, visible and easier to deal with. The courtyard, or concession in colonial terminology, are equivalent terms that are linguistically quite acceptable for *BaaDe* or *galle* in Fulani dialects.

Note: in African French, the dowry is what the husband's family pays the wife's family – the opposite of its meaning in the French spoken in France.

4. These examples illustrate the following more general recommendations:

- always start from the language of the survey, having identified key concepts through a pre-survey or analysis of up-to-date literature;
- establish equivalence tables where there are obvious translations, and identify common pitfalls. In the absence of a like-for-like translation, use scientific terminology (parallel matrilateral cousins) or a descriptive phrase (children of sisters);
- before starting the investigation or intervention, work with interpreters and investigators on common definitions to be used;
- draw up bilingual questionnaires and survey guides;
- after the survey, evaluate the benefits of the preparatory linguistic work in terms of time, quality and efficiency. ■

Box prepared by Danièle Kintz, anthropologist.

Women and families

We have mentioned the existence of several major filiation systems, but have yet to explain how they work. In *patrilineal societies*, a woman's offspring are linked to her husband's community. In *matrilineal societies*, children are linked to their mother's community of origin. Anthropology traditionally emphasises the lack of symmetry between these two systems: in the first case, the transmission of kinship passes from the father to the wife's children; in the second case, it is not the relationship between the mother and her children that confers kinship, but the relationship between the mother's brother and her children. Most anthropologists and ethnologists maintain that we do not know of any society that functions on the basis of mother/daughter filiation. A few anthropologists have described societies where such filiation exists (in Africa, Asia and America), but it is always threatened and undermined by contemporary socio-economic and political developments.[28]

What is clear is that current power relations between men and women in kinship groups are very unequal. Françoise Héritier wonders about the origin of what she calls the *differential valence of the sexes*. Different societies have invented very different ideological systems to justify a process that is always the same wherever it occurs: "divesting women of their raw capacity for fertility " and facilitating "the appropriation and distribution of fertility among men". Héritier argues that male domination stems from the fact that women have the capacity to produce children of both sexes, while "men have to go through a woman's body to reproduce."[29]

Claude Meillassoux also tried to understand why women in the societies he studied never intervened as vectors of social organisation despite their irreplaceable function in reproduction, but always disappeared behind men. He sees this as the product of history rather than women's natural condition: relations between men and women in hunter-gatherer communities are different because they don't raise the same kind of issues as they do in farming societies. In domestic agricultural societies, which he regards as archetypally patrilineal, "women's social

28. Paul, Jean-Luc. Oral communication. 2019.

29. Héritier, Françoise, *Masculin / Féminin II. Dissoudre la hiérarchie*, ed. Odile Jacob, Paris. 2002.

role begins at puberty when their potential reproductive capacities become apparent. But they are institutionally denied this intrinsic quality: only men have the capacity to reproduce social bonds. Filiation only takes place through men. Pubescent women are therefore controlled, submissive and guided towards alliances that are defined by their community obligations, so that procreation takes place in the framework of male filiation relationships."[30]

This subordination makes it possible to exploit women in various ways, not just in terms of their reproductive capacities but also in terms of their labour, especially the work involved in raising children and preparing food for the family. 'Naturalising' women's domestic and reproductive work renders it invisible. It is still invisible in our societies today.

Male and female reproduction and production

Links between a society's kinship systems, social organisation and economic foundations

The kinship-based organisational rules that societies adopt are linked to the material foundations that enable them to reproduce over time. Insufficient account is often taken of these links, and kinship structures are frequently regarded as an immutable cultural fact inherent to human groups. This is not the case. These rules do not happen by chance, and they always have a certain flexibility as they are influenced by both internal developments and external factors (legal and religious norms, etc.). Practices evolve even more quickly when there are changes in the material situation of the societies concerned; but changes in rules and standards often lag behind technical, environmental and economic changes, and this can lead to contradictions.

The social organisation of hunter-gatherer societies is not structured around family ties. Family structures only develop when agricultural activities become more important than hunting and gathering. Claude Meillassoux explained the reasons for this shift when he developed his model of the *domestic agricultural community*:[31] hunting, fishing and gathering activities produce an immediate return, while agricultural activity does not yield anything until several months after sowing. This means that the society has to operate on the basis of *advances* and *refunds* managed by special institutions that think about longer-term rather than immediate needs.

Putting it in the simplest possible terms, we can say that kinship systems enable their members to:

- >> manage the workforce at any given time,
- >> store produce, and
- >> redistribute it over time to the different people within the domestic community.

Human groups need to be a certain size to internally organise the redistributions needed to compensate for climatic hazards, diseases and other shocks, and ensure the group's long-term survival.

30. Meillassoux, Claude, *Femmes, greniers et capitaux*, ed. Maspero, 1980. (*Maidens, Meal and Money: Capitalism and the Domestic Community*). Based on an in-depth study of the Gouro people of Côte d'Ivoire and observations of West African manual agricultural production systems with little or no interaction with the market.

31. Meillassoux, C., *Op. cit*.

The elders, whose power is legitimised by social organisation based on kinship rules, have to organise both productive activities and the circulation of women's reproductive capacity, which allows men and women to reproduce and land and resources to be redistributed from one generation to the next.

The model of the *domestic agricultural community* manages an individual's life cycle from childhood to adulthood and old age. In addition to providing food for adults of working age, the community also has to provide 'child rearing' (in anthropological parlance) and take care of the elderly, who play a key role in social organisation.

The theoretical model developed by Meillassoux is based on societies that only use human energy and individual means of agricultural production (no animal traction or collective investments in irrigation facilities), have no class differentiation, and do not organise themselves to sell agricultural produce on the market. These communities only interact with similar types of community.

But this situation no longer exists, as the surpluses generated by agricultural societies facilitated the formation of social groups that took control of these surpluses and enabled cities to develop. Nevertheless, it is still useful to understand how the original *domestic agricultural community* functioned and use it as a heuristic model to analyse how 'family farming' functions.[32]

● Production structures and their interactions with kinship groups

Like 'families', 'farms' are very different from one another, and the words we use to characterise them can often blind us to their specificities. In Europe we are used to talking about 'production units', agricultural holdings, family farms, agricultural companies and farms, always with the underlying idea that decisions are made at a single level by a 'farm head' or 'business manager'. But this is not the situation in many rural societies on different continents.

In a much-quoted article[33] based on studies of the Serer in Senegal and the Agni in Côte d'Ivoire, Jean-Marc Gastellu highlights the links between kinship and local economic organisation, and recommends a conceptual approach that helps understand how the societies he studies function. While *production*, *consumption* and *accumulation* are managed by the same decision-making centre in European agriculture, these key economic activities can take place at different levels in the societies he studies, from the individual to the lineage, and respond to specific decision-making mechanisms. Accumulation is not limited to productive goods, but also encompasses labour capacities and the movement of women and their future descendants, according to the rules mentioned above. Gastellu suggests that we talk about 'communities' rather than 'units', in order to highlight the links between individuals in the same group. In addition to the '*community of residence*', he distinguishes between three 'fundamental communities' that should be studied in order to understand how economic mechanisms function in any society:

>> "the *community of production* – the group of people who contribute to the creation and supply of produce,

32. Paul, Jean-Luc (2008), "Au-delà de Femmes, Greniers et Capitaux", *Journal des anthropologues*, pp. 114-115. Paul, Jean-Luc (2018). 'Le concept d'agriculture familiale à l'épreuve de l'anthropologie économique".

33. Gastellu, Jean-Marc, "... mais où sont ces unités économiques que nos amis cherchent tant en Afrique" (... but where are these economic units that our friends are constantly seeking in Africa?), *Stateco* (No. 19, June 1979: 11-32), and AMIRA VII colloquium 1979, *Cahiers Orstom*, Human Sciences series, vol. XVII, No. l-2, 1980: 3-11.

>> the *community of consumption* – the group of people who participate in consuming part of the product in order to reconstitute the labour force,

>> the *community of accumulation* – the group of people who pool the surplus obtained after consumption."

If there are multiple levels of decision making, we need to try to understand where the main centre of decision-making lies. Each society has its own words to designate communities and decision-making centres in the local language, so it is essential to collect *vernacular names*, and take care not to ascribe to them characteristics that are totally foreign to the societies concerned when 'translating' them into our own language. Finally, Gastellu emphasises the need to study solidarity within communities, which manifests itself through privileged interactions.

Depending on the case, there may or may not be overlaps between the different communities of production, consumption and accumulation. We refer readers to the article by Gastellu showing how these different communities function in Serer and Agni societies.

Gastellu points out that "in rural African societies, regardless of their degree of wealth, any production group works not only to be able to reconstitute the labour force, but also to amass a reserve of goods that will enable it to face the future. Part of this reserve has been received from previous generations, and if it has not been dissipated will be passed on to subsequent generations, supplemented by new goods. *Inheritance* is therefore an essential element, often neglected by economists, in understanding the functioning and rationale of local economic organisations. Knowing who builds up the inheritance, what it is composed of and for whom it is intended will reveal the community of accumulation."

Box 5 on the Limba of Sierra Leone shows the importance of conducting a detailed analysis of the different communities of production, consumption and accumulation in order to understand the dynamics of change in this agrarian society. Viewing it as a European-centric production unit would fail to understand the changes that led to the Limba's current situation, which are discussed later in this guide.

Box 5

COMMUNITIES OF PRODUCTION, CONSUMPTION AND ACCUMULATION AMONG THE LIMBA (SIERRA LEONE)

Limba society is patrilineal and virilocal, with strong links between nephews and their maternal uncles. The transition from childhood (*hati*) to young adulthood (*langpen*) takes place during an initiation for men (*nbangbani*) and women (*bundu*) that is still a key institution in villages today. The transition from young adult to adult status (*waté* for men, *yérémé* for women) is marked by marriage, as the sexual division of agricultural labour makes celibacy inconceivable for agricultural producers. Spouses are usually selected from a few villages several kilometres apart. The subordinate relationships between elders and young men, or between men and women, determine how much labour each contributes to the overall output.

A 'production unit' consists of all the agricultural workers who make a significant contribution to the cultivation of at least one shared plot of land managed by a

single individual (usually a man), and who receive a significant share of the output from this plot for at least part of the year, mainly for daily subsistence consumption. This production unit may contain several sub-units whose members usually belong to the same maternal bloodline. Each member also has strictly individual agricultural and non-agricultural productive activities.

In the 1940s and 1950s the main production system was slash and burn. Each village would gather the men from a patrilineage group, their wives, unmarried boys and girls and adopted young men (especially maternal nephews) into a group of three or four households headed by one of the eldest men's co-wives. Every year, this man would choose the plot that would be the 'big' plot (*tembuy*) for that circle of houses. It would be cleared by all the young men, who would then spend a few days clearing 'small' plots (*hutolo*) adjacent to the large one, supervised by the wife in charge of each household concerned. All paddy rice grown on the main plot was brought back to the village and stored in large locked wooden chests. These were managed by the chief, who was responsible for distributing an equivalent daily ration to his wives while ensuring that seed was saved for the next growing season. The women could supplement these rations with produce from their small plots, which enabled them to feed more people, including their adoptive grandsons (i.e. children of daughters who had married outside the circle). The number of more or less productive and pre-productive individuals in each household in the circle depended on the age and resources of the woman at its head.

While children still circulate between domestic groups and villages, this differential accumulation in the form of new dependents does not subsequently translate into access to different means of production or consumer goods. Most of the group's agricultural output is intended for domestic subsistence consumption, with market transactions limited to spontaneous sales of palm nuts in bars at the mouths of coastal rivers. The proceeds of these sales are used to pay the hut tax imposed by the British in 1920. The legacy of the colonial system also lives on in Paramount Chiefs, who exploit their position by raising all kinds of taxes and demanding free labour for collective tasks or the pledging of children of working age. This makes it very hard for young people to leave the area.

Knowing a bit about its history helps us see how Limba society has changed since the 1960s and understand its current situation, which is discussed in Box 13 below. ■

Box prepared by Augustin Pallière (PRODIG associate researcher), "L'installation des jeunes ruraux en Sierra Leone: l'émancipation au prix de la précarité", *Regards sur le foncier* No. 7, 2019).

These analyses of kinship groups and the economy highlight how deeply the economy is embedded[34] in society. Although the findings concern a local setting, Gastellu was well aware of the need to consider the national and international levels and identify the relationships between the three spheres.

These findings and analyses have very important implications for the design of development policies and programmes: if the aim is to enable family farms to invest, access credit,

34. Socio-anthropologists often use the French term *enchâssement* to convey the concept of embeddedness used by Polanyi and Anglo-Saxon authors. It does not refer to the religious origin of the word, which relates to shrines in which relics were placed, but to a deep and intimate insertion, to a multidimensional embeddedness.

consolidate and accumulate, these initiatives must take account of existing trajectories of change to avoid the risk of disrupting the agrarian societies concerned. We will come back to the links between persons and 'communities' and changes in their governance mechanisms.

It is worth noting that recent changes in farming and the development of agribusiness inside and outside Europe has led 'developed' countries to redefine the concept of the 'production unit'. The studies collected by Purseigle, Nguyen and Blanc in their book *Le nouveau capitalisme agricole. De la ferme à la firme*[35] show that farming is being replaced by corporate agriculture. With the development of *the so called "pools de siembra"* in South America, *service companies* in Europe that take responsibility for most decisions regarding production, and *corporate farming*, we need to follow the thread laid down by Gastellu and ask ourselves:

- >> What are the new 'communities' of accumulation in today's globalised economy?
- >> What links can we make between the increasing concentration of wealth and human societies' growing inability to consider the future, future generations and ensuring that this planet can continue to support human life?
- >> How can we reverse this strong trend towards human societies with increasingly individualised economic functions?

The answer is clearly not to focus on how kinship communities function, even though it is important to understand the roles they still play today. We also need to examine the other governance institutions that have been put in place, and explore those it would be desirable to develop in order to find different forms of integration that would foster genuine economic, social and ecological sustainability. We will come back to this point and revisit this eminently political question, which is central to the guide's approach, in the conclusion and final section "Towards new horizons: Rebuilding the Commons".

● Constantly evolving family production mechanisms

The relationship between 'production' and 'male/female reproduction' extends beyond kinship groups. History shows the many links between domestic families/communities and other production systems in the same region – between latifundia and minifundia in South and Central America; between lords and serfs; between capitalist operations and neighbouring peasant production structures that provide labour to harvest coffee, cotton or sugar cane during peak periods; and between production by cooperative and State farms (Kolkhoz and Sovkhoz) and the family plots tended by their workers. The common denominator is that all use workers for production but do not have to pay to reproduce their workforce. In all such cases, they exploit domestic units that are obliged to provide free or very cheap labour, either because they are forced to do so or because they are no longer able to produce enough to ensure their own reproduction. New types of links are continually emerging with the development of agribusiness and corporate agriculture. They are often presented as win-win situations, but are usually based on this same logic.

In the 1970s, Meillassoux was one of the few to show how developed countries could benefit from importing huge numbers of migrant workers, and the added benefits for the host country if their status was precarious or even illegal as they could be paid very little and expelled at any time. This meant that companies did not have to bear the costs of maintaining labourers until they were old enough to work, or of keeping them in their old age.

35. Purseigle, François; Nguyen, Geneviève; Blanc, Pierre. *Le nouveau capitalisme agricole. De la ferme à la firme*, Paris, Presses de Sciences Po, 2017.

Despite the lack of available agricultural land per capita in China, peasant and family farming has so far provided most of the food for the country's population of over 1.3 billion people. This could not have been achieved without a radical agrarian reform that eventually resulted in very egalitarian redistribution of land once the initial collectivist project was abandoned. But China's peasants also played a key role in their country's development by providing huge numbers of temporary migrant workers for urban industries. The cost of producing and reproducing this labour force is partly covered by the families and peasant communities from which these workers come. The Hukou system, which registers households according to their residence, made it possible to determine the origin and specify the hereditary rights of registered persons. It differentiated between agricultural (rural) and non-agricultural (urban) households, and made it extremely difficult for people who were registered in an agricultural Hukou to change their status to non-agricultural. In the early Maoist period, this system was mainly used to keep people in the place where they worked. Specific permission had to be obtained to move out of the area where they were registered. Rural people with agricultural status had a secure right to access and use land, which could be inherited, but they did not have access to urban social services because of their rural status. The agrarian reform allowed Chinese peasants to produce increasingly intensively and also functioned as a safety net for temporary workers. Along with the Hukou system, it helped create the conditions for industrial and commercial development in cities, where State companies and private enterprises could exploit very poorly paid workers who often lived in deplorable conditions. We will not go into all the changes the Hukou system has gone through since the 1950s, but it is important to note that the extraordinarily rapid economic development of the People's Republic of China would not have been possible without the exploitation of peasant domestic units. It is an excellent illustration of the interaction between the spheres of production and workers' reproduction, in a country that became the world's second largest economy in the early 21st century.

We will now look at how land and natural resources link people and the various communities to which they belong, before returning to the central theme of governance.

People and communities. What are their governance mechanisms?

● Land and natural resource rights and rights holders

The words we use to talk about land rights and rights holders can often lead to misunderstandings when we discuss them with people from different societies.

When Etienne Le Roy started researching his doctoral thesis on Wolof communities in Senegal, he set out with the French Civil Code model in mind, but soon discovered that the Wolof categorised land rights in a very different way and began to develop a theory about land controls ('*maîtrises foncières*'). Much closer to home, Anglo-Saxon concepts enshrined in Common Law are very different to those of the Civil Code, despite the misleading similarity between the French word 'propriété' (*ownership*) and the English word 'property.[36]

In his preface to the 2017 joint CTFD publication on the commons, Gaël Giraud, then Chief Economist at AFD, wrote that we must "relinquish an illusion that has persisted since

36. See Le Roy, Etienne, *La terre de l'autre. Une anthropologie des régimes d'appropriation foncière*. LGDJ, Lextenso editions, Paris, 2011.

the 18th century: the idea that the only way we can relate to natural resources is through private ownership. Most of our environmental problems stem from the privatisation of the world (...). Private property is essentially a recent, late-19th century invention, imported from Roman law and rewritten by medieval jurists during the Gregorian reform. It may be that its initial inclusion in Roman law transferred the strange relationship between master and slave to the way that humans interact with things. In any case, it combines three types of relationships to things that should not necessarily be interlinked – the right to use something, the right to make productive use of something, and the right to destroy something." He then went on to say: "It is not a matter of dismantling all forms of private ownership or arguing for wholesale public ownership (the totalitarian tragedies of the 20th century showed that this can make things worse), but of thinking in terms of bundles of rights that can ensure universal, sustainable and equitable use of resources."

The 'Land Tenure and Development' Technical Committee has done a great deal of work on this issue[37]. which can be found elsewhere. This guide simply summarises the key points of these publications[38]. and reminds readers that land and natural resource rights are not limited to rights that are officially recognised by law. As the section on legal pluralism shows, rights and obligations can be defined in different, coexisting and overlapping social spaces.

These **rights** are of various kinds. They can be divided into several main groups:

>> **"The ability to make use of diverse resources"** found on a piece of land, in the subsoil, soil, vegetative cover and associated biodiversity. The nature of these resources varies (biological resources, fossil fuels, water, minerals), and there is no single 'right of use' but as many possible rights as there are possible uses.

>> **"The possibility of establishing rules over a space"**, in other words, defining each person's rights and the rules, norms, policies and mechanisms needed to enforce them. This space (which could also be called a territory) can range in size from the 'village territory' to the entire planet. Developments and changes in the natural environment and in human societies generate "***opportunities to change rules and corresponding rights over time***". Rights may be abolished in order to protect the environment, as we have seen with grassland and topsoil burning ('*écobuage*') in some European contexts, for example. It should be noted that these spaces can fit into and overlap with each other, and that their boundaries are not necessarily geometrically established.

>> **"The possibility of circulating rights among various rights holders over time."** A rights holder may or may not have the right to assign part of their rights to others, permanently or for a certain period of time. The assignment may be a commercial transaction or take some other form; rights may be passed on through inheritance, allocated, redistributed or withdrawn. Rights to land and natural resources may be valid for different lengths of time, and most human societies have established mechanisms for extinguishing rights according to specific rules.

37. See, among others, Lavigne Delville, Philippe and Mansion, Aurore, *Formalising land rights in developing countries*. CTFD, 2015.

38. The following points are taken from Merlet, Michel, "Rights to land and natural resources", in *Briefing notes to improve our understanding and ability to ask the right questions and take effective action on land matters in West Africa*. CTFD, 2010.

Rights holders also fall into several categories.

>> They may be persons …

>> … but also **collective entities** with or without legal status, whose nature can vary considerably, from a family or kinship group (lineage, etc.) to a social group defined according to ethnic, administrative or other criteria (municipality, nation-state, etc.), or an economic organisation such as a cooperative, company, etc.

An important point that is often overlooked is that every person simultaneously belongs to different collective entities. A person therefore always has both individual rights and responsibilities, and rights and responsibilities as a member of these collective entities, which we often call 'communities'.

These kinds of rights are not distributed once and for all. They can circulate among rights holders, passing from a collective right holder to an individual right holder and vice versa; while new rights and duties emerge over time with changes in technology, demographics and power relations, etc. The nature of the rights and ways that they are transferred are not determined by individual rights holders, but by different communities that have the power to recognise and enforce these rights.

The best way to understand this is to think in terms of 'bundles of rights'. Once it has been determined which rights operate in a given society and how they change, it is possible to differentiate between rights that are formalised and recognised by the State and those that exist in practice but are not officially recognised, even though they are validated by local social groups. This type of approach, which is known as legal pluralism, will be discussed below. It allows us to look far beyond 'government' by the State and take account of all the formal and informal mechanisms set up by local people, which are referred to as 'governance'. Although the term is often used to criticise 'bad governance', "a system of governance is neither good nor bad in itself. Rather, it can be more or less effective in managing issues that affect a group of people, and ensuring that common objectives are defined in everyone's interests."[39]

Box 6 (see next page) shows how this theoretical framework can be used to analyse land rights in farming communities in the Sahel. It is one of many examples of the value of this approach.

● Legal pluralism[40]

The existence of specific rules and norms for different types of families and social groups based on relations of kinship and alliance/marriage immediately raises the question of whether they are recognised by statutory law. Each country has one set of statutory laws that are supposed to apply to the whole population even though it may include very diverse groups. This can easily lead to contradictions and inconsistencies. Any exploration of the different types of families found in the region where a development intervention is planned or has taken place should therefore start from the premise that "the law does not solely consist of laws promulgated by the State."

39. Merlet, M. (2010), *op.cit.*

40. This section is based on the summary article *Legal pluralism and management of land and natural resources*, written by Pierre Merlet in 2010 for the AGTER documentary resources site with contributions from Etienne Le Roy, an anthropologist, jurist and CTFD member who was one of the pioneers in developing the legal pluralism approach in France. *http://www.agter.org/bdf/en/corpus_chemin/fiche-chemin-844.html*

Box 6

RIGHTS TO LAND AND NATURAL RESOURCES IN WINYE COUNTRY IN BURKINA FASO

The Winye society [of farmers in central-western Burkina Faso] is organised in different levels in accordance with its local institutions, vision of the world and religious practices. For the Winye, appropriating land is not simply a material affair; it also involves establishing earth and bush shrines.

- The first level to consider when analysing land rights is the village. In indigenous villages, the possession of backwaters shows the extent of the land controlled by the founders. There is always a mechanism for managing water, and a land chief who has administrative rights that can be used to enforce a project that serves the general interest by limiting private rights.
- The second level is the lineage group, which is composed of the dependents of a common male ancestor. A shared lineage group landholding, known as a *forba*, is built up from successive land clearances undertaken by this ancestor's descendants. It includes cultivated and fallow lands, and land that is infertile or has never been put to productive use.
- A third level is the group of descendants whose members have the same mother. The chief of this group manages an individualised family holding in the village (*kãtogo*), bush fallows (*yoru*), fishing dams, etc.

Certain fields are cultivated collectively ('*grands champs*'), while others are tended by individuals. Intergenerational transfers and marriage strategies may vary between villages and often bear little relation to legal arrangements. Permanent village fields and temporary bush fields have different uses and prohibitions, with different modes of conflict resolution and opportunities to assign temporary use rights. These different characteristics naturally evolve over time, hence the increasing importance of bush fields with rising land saturation and demographic growth.

Although there has been some privatisation of the means of production, parcels remain part of the collective landholding. Individual rights are exchanged in return for responsibilities, and users are expected to comply with requests for assistance or redistribution from the family, lineage group or village. Land lending systems therefore apply. There is still no sale-purchase market for bush land, and very few 'modern' rental, sharecropping or security contracts despite the development of cash crops such as cotton, and urbanisation in certain areas.

The range of rights to access and use resources on the territory varies between communities. Certain resources can be freely accessed, such as baobab leaves during the hungry season; others, such as fish in sacred backwaters or game from collective drives are regarded as common goods; and some are accessible to holdings and individuals on a private basis. Fish in sacred backwaters are managed by collective resource management bodies. Access to resources by neighbouring communities may be authorised, and fishing by individuals is permitted, but the sale of such fish is forbidden to prevent over-exploitation of this resource.

As in many other parts of rural Africa, it is not easy to distinguish between private and common lands and natural resources in Winye country. Collective institutions evolve, and customary rights systems are not rigid. If other changes need to be

made, it is essential to understand how rights are divided between customary institutions in order to determine how they can be distributed in new ways to facilitate governance that is compatible with sustainable development. ■

Source: Merlet, M. and Yobouet, K. A. (2011), "Examples of the Diversity of Rights Holders and Rights to Land and Natural Resources in West Africa." CTFD Briefing Notes. Based on Jean-Pierre Jacob, *Terres privées terres communes. Gouvernement de la nature et des hommes en pays winye*, IRD Editions, 2007.

E. Le Roy believes that the law has three different sources: general and impersonal norms (defined by the State and based on *codes* or *jurisprudence*), patterns of behaviour (*customs*), and systems of sustainable arrangements (*habitus*, introduced by Bourdieu). These three sources of law always coexist, but one will be given greater weight depending on the society concerned. Western society prioritises jurisprudence, according to a concept of 'legal centralism' which asserts that the law of the State prevails over all other laws. Experience has shown that this is not necessarily the case.

'Legal pluralism', on the other hand, recognises the coexistence of different normative frameworks that correspond to several coexisting social spaces (or spheres) within the same geographic area. While not all jurists agree on the necessary conditions for a normative framework to be considered law, all approaches associated with legal pluralism overlap in the following respects:

- >> they question legal centralism;
- >> they have a broad definition of law that is not solely confined to laws enacted by the State;
- >> they recognise the coexistence of different normative frameworks.

Every person simultaneously belongs to several social spaces. E. Le Roy explains that "each individual is a stakeholder in the family, professional or public life of multiple groups and is bound by their more or less competing rules, regulations, customs or habitus."[41]

These different social spaces can produce and enforce their own norms, but are still influenced by the norms and rules of surrounding social spaces. There are many actors within each social space, but no hierarchy between the different spaces, and the State is not by definition a hierarchically superior actor. How a normative framework applies to the different overlapping frameworks depends on the power relations between actors within each space and between the different spaces (Merlet, P., 2010).

Official 'modern' law coexists with customary rules and practices in most societies in West Africa and many other regions. In a recent article, E. Le Roy wonders "why does 'the law' in Africa still reject the pluralism created by communitarianism?"[42] Writing about pluralism among the Wolof in Senegal and in other African societies, he notes the simultaneous

41. Le Roy, E., "Les Recherches sur le droit interne des pays en développement – Du droit du développement à la définition pluraliste de l'Etat de droit", in: C. Choquet, O. Dollfus, E. Le Roy, M. Vernières (eds.). *Etat des savoirs sur le développement: trois décennies de sciences sociales en langue française*, Paris, Karthala, 1993, pp. 75-86. Cited by Merlet, P., (*op. cit.*). AGTER, 2010.

42. Le Roy, E., article published in 2016 in the review *Anthropologies et sociétés*.

existence of multiple political authorities and representatives of various family, village, land and other groups (*borom*, for the Wolof; also often called '*chiefs*' in a direct hangover from colonial language), and *councils* of representatives of the same kinds of group. It is not easy for an outside observer to understand the basis of collective rights and responsibilities at these different levels, but it is essential to comprehend the vital link between legal pluralism and governance, and the reasons why customary practices are resilient.

Many members of the 'Land Tenure and Development' Technical Committee follow this approach in their work.[43] In addition to raising questions about the different normative frameworks that exist in a particular setting, legal pluralism also considers the much trickier issue of whether or not they apply in real life. It is therefore absolutely essential that we (i) take account of the material conditions that enable the social groups concerned to reproduce, (ii) identify and understand their dynamics of change, and (iii) observe existing social and power relations.

The development of market relations and changing forms of governance

Today's domestic farming communities are integrated into increasingly large and varied economic and social systems. The mechanisms for redistribution in many societies are organised by an authority, chiefdom or State, etc., and may involve a tribute or the provision of labour – in which case we are not looking at a straightforward exchange between similar communities, but at division into castes or classes and the emergence of exploitative relations between them. These kinds of situation are discussed elsewhere in this guide. Another, sometimes concomitant change is the development of the 'market', an institution that tends to function increasingly independently of social, political, religious and kinship relations.[44]

Could markets be an entry point into agriculture for young people? Should their main entry point still be through 'family' frameworks? Or through new ways of organising the 'commons', land and natural resources that are not based on kinship ties and which are beyond the scope of unregulated markets? We will explore these questions in the following sections.

● What do we mean by 'markets'?

Most primitive societies exchange gifts and have some kind of bartering system. 'Currencies' and mechanisms for market transfers first emerged a very long time ago, well before the advent of capitalism.

A *commercial transfer* of goods, land or labour, or more precisely, of related use rights, implies a trade-off based on a system of equivalence, the price of the good concerned, and the existence of competition between several potential buyers. There are always assignors and assignees or sellers and buyers, and competition may be limited or general, depending on the groups generating the supply and demand. A *market* is said to exist when the price is determined by the interaction between these two groups.

43. E. Le Roy was one of the founding members of the 'Land Tenure and Development' Technical Committee. See, for example, Lavigne Delville P., Chauveau J.-P., "Quelles fondements pour des politiques foncières en Afrique francophone." In: Lavigne Delville (ed.) *Quelles politiques foncières pour l'Afrique rurale*, Karthala, Paris, 1998.

44. Polanyi, Karl, "Economics as an Institutionalised Process" (original English edition in *Trade and Market in the Early Empires*, 1957).

It should be noted that not all market transfers necessarily involve the use of money: land use rights may be acquired for a given time in exchange for a portion of the harvest or a certain number of days' work. However, a symbolic consideration in an exchange does not constitute a commercial transfer.

● Changes in intra-family governance of land access

Societies almost everywhere are becoming increasing individualised, retracting into ever smaller units or even nuclear families, and questioning common resources. Yet 'families' and 'kinship groups' continue to generate a significant proportion of overall agricultural produce and assume some of the costs of reproducing the workforce used by nobles, colonial authorities or capitalist enterprises. Kinship groups also continue to play a key role in the mechanisms for transferring rights to land and natural resources from one generation to the next. This is why the analytical table proposed in this guide suggests that we begin by examining how they function, in order to understand how they affect young people's entry into agriculture. It could be said that **kinship groups constitute an initial level of 'governance'** that is all too often overlooked.

The autonomous functioning of the original domestic communities has faced many challenges over time. These communities have not disappeared, but they have changed and provided the basis for other forms of enslaved, subservient and capitalist production that exploit their capacity to produce and reproduce in various ways. These developments and the spread of the market into communities has taken very different forms in different regions and periods. **New mechanisms and institutions for the governance of land and natural resources** that are no longer solely dependent on kinship groups and families have emerged. Therefore, we need to identify them and analyse how they operate.

Longstanding communities are often not recognised. They may continue to function informally with no legal status, or have been 'denatured', deprived of the regulatory functions they had established before being subordinated to dissimilar groups or integrated into markets. Sometimes they have simply been destroyed. Even when they seem to have retained some independence and control over their lands, the communities we observe today in many countries are struggling against emerging market relations and dynamics that family and community regulatory mechanisms can no longer manage, such as increased migration and growing pressure on natural resources.[45]

There are many, many cases that illustrate these changes. The one we have chosen here concerns Baoulé farmers in Côte d'Ivoire, whose situation is briefly summarised in Box 7 (see next page).

Many territories and resources that used to be jointly managed are being subdivided and managed in increasingly private ways (see the 'Land Tenure and Development' Technical Committee's work on land appropriation, the formalisation of rights, and the commons). As this happens, few societies are able to keep up with the accelerating rate of change and invent and validate new forms of social organisation and regulation to counteract the increasing individualisation of human society.

45. Alain Karsenty talks about problematic 'local communities' and wonders what 'village communities' in African forest countries look like today. In: Méral, P., Castellanet. C., Lapeyre R., *La Gestion concertée des ressources naturelles. L'épreuve du temps*, Gret, Karthala, 2008.

Box 7

ACCESSING LAND THROUGH INTERNAL FAMILY MECHANISMS: INSIGHTS FROM SUD-COMOÉ IN CÔTE D'IVOIRE

There are three sources of land ownership among Baoule family groups in Sud-Comoé, Côte d'Ivoire:

- individual rights to plots that have been cleared, bought by or given to an individual. The beneficiary has the right to sell or give the cleared or purchased plots, but does not have the right to sell property received as a gift during the donor's lifetime;
- co-ownership of one or more parcels that have been given to siblings;
- family property inherited through the lineage segment.

Once the pioneer phase is over, access to land ownership is secured through inheritance, gifts between living persons or purchases. There is only one designated heir, as property is not parcelled out when the owner dies. These general principles may be adjusted depending on how much room the family council has to manoeuvre.

The heir also has a duty to assist dependents:

- from their household, if the land is their own (land cleared, bought by or given to the individual);
- or members of the relevant lineage segment if the land is inherited from the family.

One way of fulfilling their duty to family dependents is to delegate use rights on a permanent or temporary basis. This enables the head of the family to avoid direct financial responsibility for their family dependents. ■

Box written by Robert Levesque and reviewed by J-P. Colin, based on Jean-Philippe Colin, Georges Kouamé and Marcelline Soro, *Les Dimensions intrafamiliales de l'accès des jeunes à la terre: éclairages depuis le Sud-Comoé (Côte d'Ivoire). Regards sur le foncier 7*. 2019.

'Ownership' has developed, or been imposed from the outside as market relations have multiplied[46] (see Box 8).

Given the increasing concentration and monopolisation of land rights around the world in recent decades (discussed in more detail in the issue of Regards sur le Foncier dedicated to changes in agrarian structures), it is important to consider the relationship between large-scale capitalist production and family farming. We need to analyse the interactions between them, rather than assuming that they should coexist in a world where there is room for both forms of agriculture. Field research shows that the spatial expansion of large capitalist production units is detrimental to family farming, and that capitalist units develop different kinds of exploitative relationships with family farms (supplying labour, raw materials, etc.). We have noted the growing global inequalities in access to land and income, and the inabil-

46. On this topic see, among others, Madjarian, Grégoire, *L'Invention de la propriété. De la terre sacrée à la société marchande*, L'Harmattan, Paris, 1991.

Box 8

COMMONS AND COMMUNITIES, HERITAGE VERSUS OWNERSHIP

This box contains excerpts from the conclusion of a book written by Grégoire Madjarian in 1991. His work on non-industrial societies is essential reading for a better understanding of the 'modern' world, as he identifies the need to limit rights to dispose of and use the planet's resources, examines the problems posed by both the free market and market suppression, and discusses what we would now call the *commons*.

"Ownership (...) represents a relationship between humans and things (...) that is desanctified and impersonal, an abstract relationship that is no longer connected with reality (...), in which things are only invested with a utilitarian value and are merely the manifestation of a sum of services, a relationship that establishes both man's power over things and the supremacy of the present over the future. The unity of this double domination of man and the present is reflected in the continuing, ever-present right of the *living individual* to change the use of things and alienate or destroy them.

Rejection of the past and uncertainty about the future: these aspects of ownership that culminate in money also signify indifference to past and future owners. And (...) indifference to the personal qualities and status of the individuals involved. (...) The negation of people's particular status is matched by a negation of the particular status of things. It is through this double negation, through the institution of the individual and of ownership, that economic relations can appear and truly become a universal reality, independent of community borders and statutory stratifications" (…)

"The fundamental duality that separates property regimes lies not in the opposition between 'private property' and 'collective property', but in an opposition between heritage / patrimony and 'exclusive and absolute property' / ownership. (...) Heritage is objectified memory, ownership institutes the erasure of memory. Heritage ties the current heir to the past, while ownership frees the titleholder from any obligation to the past (…)."

"Every heritage has a corresponding concrete community, just as every concrete community corresponds with a heritage through which it reproduces its identity. The function of heritage is to ensure unity among community members and perpetuate the community through the different periods of its existence. (...) Heritage is the objectification of the link between individuals; ownership is the breaking or releasing of bonds between individuals and the community. (...) This distribution is expressed in everyday language: we own an exclusive property, and are responsible for a heritage. Over the course of time, heritage is charged with upstream and downstream obligations to past and future generations. (...) Over the course of time, ownership is freed of any obligation, either to those who previously possessed the property in question or those who will possess it in the future as long as it lasts and is transferred. (...) It is (...) within this framework that the right to use and abuse is given full weight: the holder of the ownership right is endowed with absolute formal power over the things, while the holder of a heritage only has limited powers because it has been pre-assigned (…)."

"It could be said that if the shift from traditional societies to modern mercantile society is an evolution from status to contract, it represents a shift from heritage to

ownership in terms of man's relationship to things. (...) But this shift can never be understood as a substitution of one term for the other. (...) The history of modern property rights also charts the creation of the public spaces needed to circulate goods and people. Focusing on the specific differences of modern mercantile society should not obscure the fact that societies are also conditioned by the existence of external institutions, social relations and practices. A perfect illustration of this omission is the suppression of the status of people and land in economic ideology, in its liberal or Marxist form." ■

Box composed by Michel Merlet, based on excerpts from Grégoire Madjarian, *L'Invention de la propriété. De la terre sacrée à la société marchande*, L'Harmattan, 1991.

ity of inherently exclusionary markets for land rights, labour markets and financial markets to regulate themselves. Social programmes to 'fight poverty' have been presented as a way of limiting the huge tensions that have developed, but the real causes of poverty have not been clearly identified.

Territories are becoming much more complex and interconnected as the geography of social groups based on kinship and other ties is disrupted by the globalisation of trade, increased competition for space and resources caused by demographic pressure and the development of large capitalist enterprises that employ waged labour, and increased migration (local or long distance, seasonal or permanent). See Box 9 for a discussion of this topic.

In parallel with these changes and the advent of markets and globalisation in the 20th century, most developed countries set up public or private systems to provide some education for young people (especially after the Second World War). This is one of several functions previously performed by families that have been or are being replaced, at least in part, by public or private services organised outside the family framework. Others include health services, care of the elderly, and pensions for those who have stopped working. Some countries also offer insurance against various kinds of hazard, which has partly replaced internal family solidarity mechanisms. As we will see, access to land is another area that has been affected by the development of extra-familial modes of regulation and governance.

● Access to land through extra-familial regulatory systems

The aim here is not to provide an exhaustive list of all the mechanisms and institutions not directly linked to kinship groups that have ever been established to help young people access land, or to outline a more theoretical typology. As with the other issues explored in this guide, the aim is to provide tools to aid reflection and decision-making by identifying the key questions to ask when intervening in a territory. To do this, we present a few examples relating to two particularly important aspects of land policies and initiatives to establish new land governance bodies/institutions at the local level: *managing different rights to land and regulating land transactions*[47].

47. We could have looked at many other issues (regulations relating to inheritance, transferring farmers' status, property taxes, etc.) as there are many different kinds of institution concerned with local land governance and land policies.

Box 9

THINKING ABOUT TERRITORIES

When local authorities and State services talk about territory, they usually mean the area under the jurisdiction of a political or administrative entity. It is therefore a closed political space that has the advantage of having a fairly unified genesis and, in some cases, of being built on long-term social logics. However, the limitations of this definition of territory become clear when a large number of projects and situations need to be considered.

- In a globalised economy, many activities extend beyond the framework of political 'territories' that are gradually being erased by processes of political and economic integration.
- The politically institutionalised territory does not always correspond with the space(s) appropriated by its inhabitants. Geographers since Raffestin (1980)* have recognised that territories exist on several levels, from the individual to the global, which vary each time actors concretely and/or abstractly appropriate a space and thereby territorialise it. Territories are therefore defined as socially and/or individually appropriated spaces that reflect all the spatial, areal and reticular combinations of collective and individual human experiences (Di Méo, 1998)**.

These two points naturally apply to agricultural producers who simultaneously belong to several territories and whose situation becomes ever more complex with the increasing use of remote communication technologies. The future of a young person from a farming background may therefore depend much more on their ability to use social networks like Facebook to temporarily register in an area of international migration than on their ability to study or their father enabling them to marry a local heiress. Social interactions now extend far beyond the spaces where produce is grown and marketed, and young people are often unaware of political and administrative territories that offer few services and little protection. They frequent many different places, which are sometimes fragmented and often vary according to the person's age and gender. The diversification of family economies and changes in individual households is mirrored by hugely complex territories with increasingly fluid networks and territories.

These observations do not mean that we should reject local territories or think that everyone has the same control over their mobility and networks. In reality, the territories that sometimes take shape are structures of domination in which individuals and groups are assigned particular roles. Small family producers still predominate in both the North and South, and certain longstanding socio-spatial structures such as villages or communes still retain much of their validity. It is therefore a matter of not restricting projects to administrative structures and spatial determinants such as urban/rural or near/far, which are no longer (or even less) able to capture changing and complex social relations. Territories are not self-evident and cannot be dictated. ■

* Raffestin C., 1980, *Pour une géographie du pouvoir*, Libraires techniques, Paris, 249 p.
** Di Méo G., 1998, *Géographie sociale et territoires*, Nathan Université, Faculty of geography, coll. Paris, 320 p.

Box prepared by Marie Mellac (CNRS).

The development of local institutions to recognise and/or manage rights

When Niger promulgated its Rural Code in 1993 it became the first West African country to officially recognise the coexistence of customary rights and national law, and to organise a progressive synthesis of these rights through village- to national-level consultation processes. The national authorities had been thinking about this issue since the 1980s, when escalating herder-farmer conflicts caused by years of drought and a growing rural population triggered a profound crisis in the agrarian system. Traditional chiefs still retained much of their power even though the customary arrangements for managing complementarities between livestock rearing and agriculture had broken down, and there was a high risk of serious social unrest. Land commissions (Cofo) were gradually established, with community-based land commissions (Cofobs) at the village or tribe level, communal-level commissions (Cofocom) composed of traditional chiefs, residents' representatives, elected officials and members of the State technical services, and departmental-level commissions.[48]

"Since their creation, the land commissions have recognised individual land rights. The tool that enables them to do this is the *rural land register*, which includes a graphic document of the entire rural area showing the basis of land rights recognised by the Land Commission [and] a folder of the individual files opened in rights holders' names. (…). Under the Rural Code, applicants are issued a registration certificate 'for various types of deeds: attestations of customary holdings, gifts, sales, leases, loans, customary pledges, ownership titles, certificates of priority use rights and rural concessions'." Land commissions are also involved in conflict prevention and management. The Rural Code put most of the institutional framework in place (86% of Cofocoms), but by 2013 only 18% of villages/tribes had a Cofob and the land commissions were often unable to function properly due to a lack of resources.[49] Despite these shortcomings and the need to improve current mechanisms, this represents an extremely interesting and innovative approach to landholdings in Africa: working with stakeholders to untangle the contradictions between a law inherited from the colonial authorities and diverse customary norms and rules, and gradually developing a new social construct that encompasses 'the Law'.[50]

Several other West African countries have started to develop fairly similar mechanisms for setting up local land commissions, and have published new land laws.[51] We will now look at what happened in Burkina Faso, which has so far made the most progress in this respect.

Burkina Faso started developing a national policy to secure land tenure in rural areas in the early 2000s. The policy was based on pilot operations and consultation forums, and will be implemented under the 2009 law on rural land tenure, which "recognises the legitimate rights of rural populations to legally own the land they have been using for a long time. It introduces rural land ownership, which is defined as *de facto power legitimately exercised over*

48. See the documentary film and accompanying educational booklet "From conflict to consultation, experiences with the Rural Code in Niger," Colin, Petit, Jamart, (AGTER and E-Sud 2010).

49. Bron-Saïdatou, Florence (2015), "La gouvernance foncière au Niger: malgré des acquis, de nombreuses difficultés". 'Land Tenure and Development' Technical Committee Country Fact Sheet 7, p. 18 onwards. Much more information on the Rural Code, its achievements and limitations can be found in this document, which is available at the following website: *www.foncier-developpement.fr*

50. Etienne Le Roy, for whom "the Law is not so much what the texts say as what citizens do with it" (introduction to Le Jeu des lois - 1999), would talk about *jurisdiction*. Cf. Le Roy, 2016.

51. This is the case in Burkina Faso and more recently in Mali, which has only just started setting up Cofos. AFD has supported reflection by State actors and civil society in these countries for several years, and financed several field projects that intervene directly in this area.

rural land according to rural land uses and customs, and is confirmed by a Rural Land Certificate (APFR). The law recognises land uses and customs and provides for local land charters as a rural land management mechanism that records local land practices and customs." At the institutional level, it sets up communal-level rural land services, village land commissions, and village land conciliation commissions chaired by customary chiefs.[52] The Law also provides for the development of local land charters, giving local people the power to define the rules and thereby reduce the gap between the law and practice. More needs to be done to develop this type of tool, as it is often difficult to implement charters after they have been validated because the various texts (laws and their implementing decrees, ministerial directives) differ on whether they can regulate land transactions in the territory they cover.

This is not surprising, since this approach to security of tenure challenges the 'colonial foundations' that regard generalised private ownership with registered land titles as the only way of protecting rights holders and enabling them to enjoy their land rights. Local land charters represent an important step towards recognising local rights in land management systems, by negotiating the legitimacy of the rules regulating access to natural resources in a given territory, emphasising local people's capacity to create rights 'from the bottom up', and enabling them to redefine rights to access resources in their territory.[53]

These two examples illustrate the types of process used to establish extra-familial mechanisms to recognise and manage land rights in Africa. Some have barely got off the ground, while similar processes in other parts of the world started quite a while ago. The agrarian reform in Mexico began in the early 20th century and was officially finalised in 1992. Rather than being directly redistributed to peasant families, latifundia lands were assigned to new communities, *ejidos*, whose governing bodies organised access to land on their territory in ways that were largely defined by federal/national law rather than internal family regulations. This is not the place to go into detail about how Mexican *ejidos* have changed, but it is worth noting that despite their many shortcomings, they did prevent the rapid reconcentration of land that occurred after land reforms in other Latin American countries.

Recognition of land use rights and the importance of securing them independently of ownership over the same plot first began in Europe as feudalism came to an end, with marked national differences across the continent[54]. Just after the Second World War, France recognises the specific status of tenant farmers (*statut du fermage*), which is based on a historic claim by poor peasants. This status is still in force today, giving farmers very secure rights to use the land they work. Under national law these use rights are preferentially transferred within the family, in what amounts to the State taking over what may once have been a customary arrangement to regulate family operations. Apart from setting up agricultural land tribunals to resolve land disputes, the law did not lead to the creation of any new local institutions for recognising or managing land rights (see Box 10), but it did play a key role in the modernisation of French agriculture.[55]

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52. Hochet, P. (2014) Burkina Faso: *Towards the recognition of local land rights*. 'Land Tenure and Development' Technical Committee, Country Fact Sheet 5, p. 21 and 23.

53. Sauzion, C.; Merlet, M., "Les chartes foncières locales au Burkina Faso, 2009 - aujourd'hui". In Merlet, M.; Sauzion, C. and El Ouaamari, S. (2017), *Etude régionale sur les marchés fonciers ruraux en Afrique de l'Ouest et les outils de leur régulation*. Volume 3. Experiences of land market regulation in different countries. IPAR, IRD, AGTER. Study commissioned by the West African Economic and Monetary Union (WAEMU).

54. Levesque, R.; Benkahla, A. (2018), *Hétérogénéité et différenciation des unités de production agricole européennes : illustrations des situations anglaise, allemande et française*, 'Land Tenure and Development' Technical Committee Summary Paper 26.

55. However, a similar tenancy law passed in Spain after Franco's death would have had very different results; and the

Box 10

THE MAIN PROVISIONS OF THE FRENCH LAW ON TENANT FARMING

These provisions apply to everyone whenever French farmland is transferred through indirect tenure.

Guaranteed long-term access to land for farmers

- The minimum legal term of leases is 9 years (for written or verbal contracts).
- The lessee (tenant) is entitled to automatically renew the lease for 9 years, except if there are serious grounds for termination or the owner (lessor) exercises their right of repossession, which is very limited. It only applies if the property is repossessed so that the lessor or their spouse or descendant can permanently and continuously work it themselves, and provided they personally occupy the residential buildings or live in the vicinity. They must also have the necessary livestock and equipment or the means to acquire them, and the minimum skills required to farm the land.
- In the event of the lessee's death, the lease is transferred to their spouse, descendants or ascendants who work on the holding or who worked on it in the 5 years prior to the lessee's death.
- Farmers may assign their lease to their spouse or one of their descendants, but it cannot be transferred outside the 'family framework', either free of charge or in return for payment.
- If the owner wishes to sell the land, the tenant has priority right to buy it (farmer's right of pre-emption), provided they have been farming for at least 3 years and have used the land for themselves in accordance with certain conditions relating to structural controls.
- If the landlord sells land occupied by a tenant farmer and the farmer does not wish to buy it, the tenancy status provides for the lease to continue.

Provisions that protect farmers' investments while ensuring that the owner's property is maintained

- A lessee who has made improvements to the leased land, through their work or through additional investments, is entitled to compensation from the lessor at the end of the lease. Compensation may be paid for improvements made to buildings and plantings, and for improved production potential.
- Conversely, the owner may be compensated for any deterioration in the leased property.

Land rents controlled by the State

The status of leasehold property has been used to regulate rent levels since its inception.

- The initial principle for regulating rents was to set them in kind at a certain amount of produce per hectare, known as the '1939 reference', which was widely established just before the Second World War. The broad outlines of this principle were retained until 1975 without being updated. This meant that rents were effectively indexed to agricultural prices, and as yields increased significantly over this period, rents fell in relation to gross product per hectare.

> Minimum and maximum rent levels, within which rents could vary, were then established at the departmental level. Prefectoral decrees covering each small agricultural region set the rents for land and residential/farm buildings. Methods of calculation changed and the reference to an amount of produce was dropped in favour of indices based on changes in gross farm incomes at the national level, income from different products, and changing prices. These changes were always negotiated with the various bodies that represent farmers, rather than being solely directed by the State.

A specific mechanism for resolving disputes

> *Agricultural rent tribunals* were established with specific jurisdiction to resolve disputes between landlords and tenants and ensure that the law can be effectively enforced. Composed of two landlords, two tenant farmers and a magistrate who presides over them, they are the court of first instance for all disputes arising from the enforcement of regulations for tenant farming and sharecropping.

> The complexity of the compensation procedures for landlords and tenants often leads to disputes, which are settled by these joint tribunals.

Structural controls on all new leases and contracts

> The validity of the lease contract is tied to compliance with the regulations relating to changes in farm size and the lessee obtaining a *licence to operate* (see below). ■

Source: Merlet, M. *Les lois sur le fermage dans plusieurs pays d'Europe. Un aperçu de la diversité des expériences de régulation des marchés de location des terres agricoles*. In: Merlet, M., Sauzion, C. and El Ouaamari, S. (2017). *Etude régionale sur les marchés fonciers ruraux en Afrique de l'Ouest et les outils de leur régulation*. Volume 3. Fiches d'expériences de régulation des marchés fonciers dans différents pays. IPAR, IRD, AGTER. West African Economic and Monetary Union (WAEMU).

Establishing extra-familial mechanisms to regulate land markets

The dominant tendency of States today is to 'liberalise' the economy,[56] and to justify these policies by asserting that markets, which are supposed to be 'perfect',[57] will mechanically ensure that everyone's needs are best served by enabling each individual to maximise their own interests.

Central and South America introduced numerous, sometimes quite radical, agrarian reforms that involved reallocating their latifundia, but with no extra-familial mechanisms in place to regulate land markets or agricultural policies to support beneficiaries, it did

application of similar provisions in Ukraine, where huge farms rent thousands of plots from a multitude of smallholders, would effectively consolidate agribusiness, a form of production that contributes less to national development than family farming. A more detailed comparative analysis can be found in Volume 3 of the 2017 WAEMU report.

56. Some people speak of 'deregulation', others of 're-regulation'. The advantage of the term 're-regulation' is that it underlines the fact that lifting old regulations does not lead to deregulation – an absence of rules which would imply that economic processes operate autonomously ('naturalisation' of the economy) – but to the establishment of new rules that benefit certain actors. Developing this discussion is beyond the scope of this paper.

57. Wrongly; we have previously explained briefly why.

not take long for serious questions to arise about their redistributive effects. Land markets (for purchase or rent) were often deemed illegal during the agrarian reforms, but many continued to operate informally without people being able to explore new forms of extra-familial governance. The unregulated land market led to a very rapid reconcentration of land when the reform process ended and the State no longer treated reformed land in a specific way.

Most European countries and certain developed countries have long-established non kinship-based institutions and mechanisms to organise transfers of land rights and regulate markets for certain goods and services. In France, which is neither the first nor the only European country to seek to maintain or establish agrarian structures that meet the needs of the wider population, getting young farmers started has been a major concern since the agricultural framework laws of the 1960s, and was regarded as a key issue until the 1990s.

We discussed the provisions of the French law on tenant farming concerning the settlement of descendants of a farmer who wish to take over the farm. This is very important because of the high percentage of agricultural land in France that is indirectly farmed (i.e. not owned by the producer): 40% in the 1930s, 49% in 1979, and 63% in 2000. Other measures focused on land sales and purchases. In 1960, land development and rural settlement companies known as SAFER (*Sociétés d'Aménagement Foncier et d'Etablissement Rural*) were created, partly in response to strong pressure from agricultural producers wanting to acquire land, and partly because the State wanted to prepare French agriculture for entry into the six-member European Common Market. Thanks to their union, young farmers played a key role in both designing and implementing the so-called *structures policy*, which would have been impossible without support from a significant section of agricultural producers. This was a clear societal choice to promote the development and modernisation of family farms with two workers (the farming couple) and thereby avoid land being concentrated in the hands of large companies that employ waged labour.

SAFERs were created to enable young farmers to start out with good production facilities, by restructuring parcels of land that had been fragmented by inheritance and allowing farms that were too small to be 'viable' to expand. This involved creating a new, collective entity with a public service mission to intervene in land purchase and sale markets as a non-profit 'public limited company'. In 1962, i.e. 2 years after their creation, the SAFERs obtained the possibility of exercising a right of pre-emption on the sales of agricultural land that occur in their intervention area. The 'right to alienate' is no longer solely held by the landowner, but effectively shared with all SAFER stakeholders operating in the territory concerned. This marked a fundamental change, based not on suppressing the functioning of the market but on regulating it as part of a development project that serves the national interest. Today, SAFERs include producers from the area who are represented by unions that have secured over 15% of the vote in Chamber of Agriculture elections (and are accordingly recognised as representing their interests), various professional agricultural organisations, elected officials from local authorities and representatives of environmental organisations, all working under the overall control of the State.

SAFERs operate under structural controls (land policies)[58] that oblige all producers to obtain a farming permit if they want to buy or lease land to increase their farm size beyond a

58. There is not room here to discuss all the measures introduced in the 1960s as part of this structural policy, such as lifetime severance pay, which played an important role in enabling older farmers to stop working. For more information on this topic, see Merlet, M. (2016), *La politique des structures en France: une capitalisation d'expérience*.

certain threshold.[59] No SAFER could function as a collective regulatory player without access to credit to buy land, and unless its buyers have access to land credit. Each SAFER has detailed knowledge of the land markets, as notaries are obliged to inform them of any intended sales of agricultural land in their area and the proposed sale price, so that they can exercise their right of pre-emption. This simple legal provision allows SAFERs to propose prices that reflect the value of similar quality land in the region when exercising their right of pre-emption. Vendors are not obliged to accept the SAFER's offer, but if they decline they will have to halt the sale to the initial buyer or ask the court to set the price.

As the SAFERs' mission has changed over time, they have increasingly had to intervene as land operators to facilitate infrastructure developments on sites occupied by farms. They have had their problems, particularly over funding arrangements and, until recently, with the biggest trade union organisation being over-represented in various participating agricultural organisations, which often encouraged the growth of existing farms rather than helped new farmers get established. SAFERs are also unable to intervene to stop increasing amounts of land being concentrated in company hands, as they don't have the power to regulate the transfer of shares between companies, which is how most land is transferred now. The systems that worked in the 1960s no longer function today, and a new agricultural land policy based on a new social pact needs to be established.

Researching and analysing new forms of local governance

These few examples of changes in the way that land access is regulated within families and the creation of new forms of land access based on extra-familial regulations provide a small snapshot of recent developments. Many other processes have emerged in response to ongoing changes – different types of process that may change the way that inheritance works, how young people get established, and how families function.

To give just one example, the emergence of groups of women working together on a small piece of land can help change the relationship between men and women in that community or village. In addition to their direct economic impact, these collectives also change the way that the kinship groups and families concerned function.

Documenting different experiences in various contexts shows that there are alternatives to today's dominant scenario, and that the current trends of land concentration and dispossession are not inevitable.

Government and civil society actors in the South can draw on these different experiences and scenarios to develop their own solutions, taking account of the specificities of their particular country and context, and being careful to avoid mechanical replication of what has been done elsewhere in other circumstances. This approach is explored in the 'Study on rural land markets in West Africa and the tools for their regulation' commissioned by the West African Economic and Monetary Union, which was published in 2017.[60]

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59. These systems have evolved over time, starting with a simple *land accumulation control*, then more ambitious *structural controls* with *departmental structure commissions* from 1980, and from 1995 the establishment of a *departmental agricultural guidance commission* (CDOA) that controls both changes in the amounts of cultivated land and transfers of rights to Common Agricultural Policy subsidies. Cf. Boinon (2011) cited by Merlet, M.

60. "Regional study on rural land markets in West Africa and tools for their regulation", Volume 3. Experiences with the regulation of land markets in different countries. Study commissioned by the West African Economic and Monetary Union (WAEMU), conducted by AGTER in conjunction with IPAR. *http://www.agter.org/bdf/fr/corpus_chemin/fiche-chemin-701.html*

The first step is being able to identify how current and previous markets for land and resource rights are regulated in the territories where we work. Some of these regulations are rooted in historical mechanisms that may or may not relate to the functioning of kinship groups. They may still apply, but may also have become obsolete or even counterproductive as agrarian and social systems change. Our proposed analytical table takes account of the fact that we usually only find what we are looking for, and that users will rarely have the means or the time to pursue their own research. They will, however, be able to bear these points in mind when questioning their interlocutors.

It is also important to remember that this exercise of exploring and analysing possible mechanisms to encourage young people to set up as farmers or stockbreeders **involves different disciplines**, particularly anthropology, sociology, economics, agronomy, ecology, law and political science. The specialisation and compartmentalisation of scientific disciplines is a real impediment to finding responses to the global challenges mentioned in the introduction to this guide. For this reason, the toolbox presented here is intended to be multidisciplinary, even if some tools are better developed than others.[61]

61. The link between humans and nature, or ecology, is probably the least developed domain. This is not by choice, but because the actors who provided the materials for this guide have barely touched upon on it so far. There is still much to be done in this respect.

PART II

How can we think about and analyse the different ways in which young people access land?

When we talk about young people's access to land, it is not their incorporation into the agricultural workforce that interests us, but how they 'get started' as reasonably autonomous producers. The new agrarian structures that emerge in the often gradual transition from one generation to the next are determined by the size of the production systems young men and women access and the type of economic rationale they adopt.

This process of 'getting started' may unfold in successive stages. Some may involve one or more young person for a certain period and then change to something different; or they could involve an entire domestic community that will continue into the future. It would also be a serious mistake to only consider households that belong to nuclear families or farming units: there are many possible different combinations because kinship groups may be very different, and communities of residence, production, consumption and accumulation do not necessarily overlap with each other.

Key variables to consider

The different ways that rights to land and natural resources are transferred from parents to children have very different implications for the development of agrarian structures. There seem to be two key variables in every social and cultural context:

- The age at which young people or, to be more exact, descendants can achieve partial or total autonomy from their parents.
- The equal/unequal distribution of rights and responsibilities to land, resources and property among descendants.

It is relatively easy to use these variables to develop a typology of families in situations where there are *nuclear* or *extended families*, as in Europe. But we need to remember that totally different types of families from very different social categories may coexist in the same territory. Just as nobles, serfs and free peasants in feudal Europe had different modes of inheritance, practices among different social groups still vary considerably today, even though the Civil Code has established a common basis for all.

Things become much more complex when we look at societies that are organised according to very different kinship rules, such as lineage societies. This is why we should always explore the nature of the goods and rights to land and natural resources that are transmitted from one generation to the next, as the rules of transmission can vary according to the rights, people and goods concerned.

The practices that the Kel Ewey Tuareg in Niger use to transfer goods from one generation to the next show how difficult it is for external observers to understand the logic and reality of these processes. The way that these communities characterise and categorise goods and families is very different to European concepts. As in many other situations, the customary regulations for these intergenerational transfers are having to adapt to the development of market relations and changing production systems (see Box 11).

Box 11

HOW THE KEL EWEY TUAREG OF AÏR IN NIGER TRANSFER PROPERTY RIGHTS OVER GOODS AND RESOURCES THROUGH INHERITANCE

The Kel Ewey are mobile agropastoralists who raise herds of goats, sheep and camels around their large villages and in satellite camps along their long transhumance routes. They are polygamous Muslims whose society is composed of members of the aristocracy and former 'freed' slaves.

The Kel Ewey distinguish between several categories of goods and property, including the commons (which include natural resources, especially pastures), *el Habus* property that belongs to the mosques and several other categories, two of which are of particular interest here:

1. **goods transferred through inheritance under the rules of Islamic law** (*tecashit*), which are private property;
2. **goods known as *Akh idderen*** or 'live milk', which are indivisible, inalienable and indestructible. These are managed according to local customs covering different types of practice to ensure their perpetuation ad infinitum.

Goods of the same nature may belong to these two categories, and can pass from one category to the other according to precise customary rules. *Tecashit* and *akh idderen* are material goods produced by humans, and are therefore very different from natural resources.

Inheritable property is transferred under the auspices of a religious person, and are divided unequally between boys (2/3) and girls (1/3). Gardens are generally not parcelled out, but livestock is distributed.

The use of goods under undivided property, which is separate from the previous goods, and the transfer of the property rights attached to them are based on the distinction between:

> 'live milk': strictly speaking, *akh idderen* covers what should be indestructible in the sense of being reproduced and perpetuated ad infinitum. This includes camels and palm trees. If an animal dies naturally or has to be killed for consumption, the holder of the good must replace it;

> 'froth' or 'foam': this is everything that is consumable and perishable, such as milk and date products, which are pooled and distributed among individual beneficiaries.

The decision as to how goods are transferred is made during the property holder's lifetime, but the transfer will not occur until after their death. Undivided property mainly circulates within matrilineal lineage groups, and in the first instance is transferred to the property holder's daughters when the holder dies, then to maternal collateral relatives or their offspring if the collateral relatives die, and as a last resort to female members of the paternal collateral relatives.

The need to perpetuate undivided property means that its management (including consumption) and transmission has to be controlled. This is done by a *custodian* who is the guarantor of the indivisibility, inalienability and proper distribution of consumables, and is responsible to the community of the living and to the ancestral community. The custodian may be a maternal uncle, brother, son or even someone chosen from outside the family, but cannot be the husband of the rightful claimant as they might be tempted to squander the property or incorporate it into the *te-cashit* inheritance. The *custodian* can use the 'froth' but cannot pass on property, unlike the beneficiaries.

Akh idderen undivided property mainly circulates among wealthy families, and is becoming less important with the advent of private property. ■

Box written by Michel Merlet and reviewed by André Bourgeot. Based on Bourgeot, A., *Les sociétés touarègues*, Karthala, 1995. Pages 69 to 110.

Young people can access land within the family framework

The preferred means of access to land use around the world is 'inheritance', where use rights are transferred from one generation to the next within the family in a process that may be endorsed by a public institution. This type of transfer is distinguished by the fact that it operates outside the market and does not involve financial transfers between beneficiaries and assignors, although this does not necessarily mean that there are no trade-offs. The specific forms and rules of 'inheritance' vary according to how the family is organised – whether it is nuclear or extended, and whether it includes social kinship groups. Marriage union strategies play a particular and very important role in these processes.

'Inheritance' in the broad sense is what facilitates the renewal of small agricultural production structures around the world, and explains why there are so many of them in the absence of alternative non-agricultural employment. It is impossible to understand changes in agricultural production structures and intergenerational continuity in agriculture without a detailed understanding of how 'inheritance' works in the project intervention area. It is also important to remember that 'inheritance' is not necessarily based on the principle of equality, as this is far from the case. Box 11 on the Tuareg in the Aïr shows that different forms of inheritance can coexist, with distinct systems of filiation that apply to goods with different status. The different modes of intergenerational transfers that we are familiar with in

Europe – inheritance, gifts *inter vivos*, rental before inheritance, and the transfer of spouses' use rights – are just some of very diverse possible ways.

Our perception of inheritance in societies that are very different from our own is likely to be distorted by an overly ethnocentric view. The transition from one generation to the next in Africa (and India and many other parts of the world) often involves more or less complex combinations of the transmission of social status and its possible attendant material advantages, and the transmission of goods (i.e. property rights or use rights to the property) during the holder's lifetime or after their death. In modern Europe, this second type of transmission is the basis of *succession* and is organised by the Law, while the transmission of *social status* to descendants has almost completely disappeared and is therefore not usually taken into account by laws and regulations.

The coexistence of different social statuses can lead to serious discrimination[62], but it can also be a key element in ensuring the sustainable development of a governance regime, as transferring certain statuses through inheritance mechanisms can be crucial to the stability of the social organisation. For example, transferring the status of 'land chief' from one generation to another can help prevent land accumulating in the hands of a few actors. But this mechanism can become dangerous if economic conditions change or natural resources become commodities, as customary authorities can facilitate and support the grabbing of community land by foreign investors.

It can take a long time for young people to access to land within the family setting. They may gradually become involved in the kinship group's agricultural activities before taking the place of the key person(s) who organise its production, consumption and accumulation. And as longer average lifespans delay the process, they may be forced to pursue other activities outside the family framework before they can rejoin it.

'Inheritance' enables young people to gain access to land use rights without having to provide any 'financial capital'. This is critical for the renewal and continued existence of small structures. In return for their inheritance, they often have to take responsibility for their parents in their old age and, if necessary, compensate displaced beneficiaries.

The renewal of family farming in Europe and elsewhere is largely based on inheritance, which has enabled small structures that are often owner-occupied and/or rented from family to continue to exist. Farms are mainly enlarged by renting additional land, but they can also expand through access to the land market (in countries where different land markets are permitted) or even the market for shares in companies that hold land use rights.

The number of agricultural structures and jobs on family farms in Northern countries has declined over the last few decades as those born into farming have been able to find (often better paid) work outside the agricultural sector. Small 'farms' often disappear if there is no one to take over in the transition from one generation to the next and their land is incorporated into larger farms. Today, unemployment rates in the North are high and agricultural jobs are declining as a result of economic and financial mechanisms, over-indebtedness and the dynamics of land markets.

In many Southern countries, growing rural populations and dwindling opportunities for off-farm work contribute to the continued existence of very small subsistence or survival structures and increasing internal family tensions. Many migrate to shantytowns in large

62. This is found on every continent. The best-known example today is probably the caste society in India; another example, which is mentioned in this guide, is the Hukou system in the People's Republic of China.

Box 12

HOW INHERITANCE PATTERNS CONTRIBUTE TO THE INCLUSION OR EXCLUSION OF YOUNG PEOPLE

In a society whose population exceeds its rate of renewal, egalitarian inheritance will lead to the division and increasing diminution of agricultural holdings. In certain socio-economic contexts this may mean that they are less and less economically viable as they become increasingly sensitive and vulnerable to health, climatic and agricultural hazards. Parents and/or heirs may develop various strategies to deal with this:

- Parents may try to fund their children's education in order to improve their future prospects at any cost, sometimes hoping for their help in later life.
- Some heirs will look for work in another sector by diversifying their local activities, looking for work in cities nearby or far away, or migrating to another country or even another continent.
- Another possible option for young people is to clear plots of forest land in pioneer fronts inside or outside the territory controlled by their social kinship group, or help install drainage or irrigation systems to develop previously uncultivated land. However, these new agricultural frontiers are often problematic as they can contribute to global warming.

Inequitable inheritance can lead to the eldest son or one son being favoured above their siblings, and is often especially detrimental to daughters. Children who are excluded from inheriting land then have to develop strategies to secure their future by seeking agricultural or non-agricultural work elsewhere, possibly far from their original home, thereby fuelling migration.

Opportunities to earn an income off the farm are a key factor in determining whether children will take over the family production structure. ■

Box prepared by Robert Levesque.

urban areas where conditions are highly precarious, and migration to countries or regions that might offer employment is escalating on a massive scale. With so little hope and so few alternatives at home, many migrants are willing to take any risk to find employment.

Family solidarity in small structures is severely tested when the parents carry on farming and there is no room for all the rights holders. This can lead to delayed and/or increasingly unstable marriages, and to children born out of wedlock or into broken homes being denied a share of the family holding.

The division of family assets can also make agricultural structures economically unviable. A single social or economic setback may force someone to sell their land use rights, making them increasingly precarious and ultimately possibly landless. It is worth noting that a large proportion of the 821 million people who suffer from hunger are peasants.

Box 13 (see next page) shows how the changes in Limba society in Sierra Leone described in Box 5 led to this kind of problem.

Box 13

GETTING YOUNG FARMERS STARTED IN RURAL SIERRA LEONE: EMANCIPATION AT THE COST OF INSECURITY

The war that began in Sierra Leone in the 1990s undoubtedly stemmed from the marginalisation of rural youth who had been unable to make their way in family farming or artisanal diamond mining. The origins of this historical crisis and the tensions that persist today are explored in a study on the Sella Limba chiefdom, a relatively marginalised rural territory far from the capital and diamond mining districts.

Box 5 shows how the foundations of the Limba's social structures were laid in the 1940s, when young people's entry into agriculture was strictly supervised by the elders. After their initiation, young men worked for many years before being promised a wife who would have joined the domestic group as a child and been looked after by the woman at the head of that household. The young couple would not become autonomous when they started a family, and did not have rights over their offspring. A man's status did not really change until later in life; while a woman had to wait until her mother-in-law died and her own grandchildren were born and adopted to set up her own home, work her own plots of land and then have younger girls work on her fields.

The events of the 1955-1956 dry season marked the end of an era as northern Sierra Leone was engulfed in a youth uprising against the despotic regime of the Paramount Chiefs, which led the government to abolish levies and forced labour and allow free movement inside the country. A boom in artisanal diamond mining in eastern Sierra Leone that year drew masses of young rural men from all over the country into this very labour-intensive sector. This caused unprecedented tension between elders and youth in Sella Limba, as the elders did not want to let the young men they had trained leave the area. In the meantime, the development of the diamond sector was accompanied by the emergence of value chains for agricultural food products and the first industrial consumer goods arriving on the market. Because as many people as possible needed to be able to work to generate the surplus food crops required to acquire these consumer goods, domestic production changed and work was organised in new ways. This gave dependent workers more room to carry out independent agricultural activities; while maternal siblings were able to obtain rights to wetlands that had not previously had a specific use, and to colonise flood plains where they grew labour-intensive flooded rice. The old production communities became increasingly fragmented and individualised with each generation.

Labour became commodified, not with individual members of the workforce selling their labour, but through work groups (*kune*) being assigned working days. There was some differentiation between 'production units', but this did not translate into a process of proletarianisation. Labour still circulates outside the markets. Land markets (purchase and sale or rental) didn't expand, but cash crops have increased.

Young producers either operate in autonomous production units composed of a young couple, the mother-in-law and/or a younger brother or sister, or work for an elder who heads a production unit of 5 to 10 workers (typically his son/s, maternal nephew(s) or daughter/s-in-law). They can achieve a certain degree of autonomy through very poorly paid off-farm work and seasonal migration, or by migrating

to marginal areas of uncultivated land that are being turned over to farming – although the State is now making huge swathes of this type of land available to capitalist agro-industrial farms. In these conditions, emancipation comes at the price of precarity. ■

Box based on work by Augustin Pallière (Prodig associate researcher), *L'installation des jeunes ruraux en Sierra Leone: l'émancipation au prix de la précarité. Regards sur le foncier 7* (2019).

Understanding different modes of inheritance and the conditions needed for small structures to be economically viable is fundamental to the future of rural areas around the world. We have to know how land heritage and land use rights are transferred in order to understand what long-term consequences policies and projects will have in the areas where they are implemented.

Public policies can profoundly change the way that land and farms are inherited. For example, introducing high inheritance taxes that may vary between farming and non-farming beneficiaries can lead to rapid changes in agrarian structures. This happened in England at the beginning of the 20th century, with production units that were largely businesses rather than family farms.

Young people's access to land outside kinship groups, through public institutions or by force

Peasant communities in very diverse geographical situations have periodically redistributed use rights to different families in order to adapt land allocations to the number of workers available. This still happens in some areas today.

Land can also be accessed when the State allocates plots to producers:

- during agrarian reforms, when the political conditions are met and land concentration has become incompatible with the general interest;
- during programmes to colonise forested land classified as unoccupied, to set up irrigation systems or drain marshy areas.

These operations are carried out by public, national, regional or local institutions. They may provide direct opportunities through specific programmes to get young people started in agriculture, or create indirect opportunities as road infrastructures installed by the State or logging companies with land concessions enable farmers and herders to set up on their own. The opening up of vast 'agricultural frontiers' in the Amazon and pioneer fronts on steppe or desert lands are just some examples of this.

Finally, people can also access land by exploiting local power relations and occupying space that is not covered by any legal framework. This happens in open conflicts, wars and revolutions; but also where the rule of law still holds, when changes that the public and institutions deem legitimate are retrospectively 'regularised' (see the discussion on legal pluralism).

The question in such situations – whether these processes are directly organised by the State or retrospectively regularised – is which production 'models' will be promoted and how resilient will they be in the long run. Should we encourage large capitalist companies that employ waged labour on plantations and big irrigated fields, or large state enterprises, or medium and small producers?

- We need to be able to assess each one's potential to generate net added value per hectare, and calculate the net number of jobs per hectare they can create, not forgetting the jobs that have been destroyed by creating the holding.
- We also need to look to the future and see how land will be passed on to the next generation. This means thinking about how land dynamics change in terms of local markets and arrangements, and considering the shortcomings of existing modes of transmission.[63]
- Finally, we should not forget to think about the viability of farms and mechanisms that could increase their resilience to ecological, economic and social hazards.

These are key points to consider when assessing a development intervention's value to society as a whole, and when measuring the potential for young producers to set up in business. This may lead to thoughts about the possibility of establishing or protecting land reserves in order to meet the needs of future generations.

Young people can also access land through land markets

We have already briefly explained the term 'market', and seen that market penetration in communities and social systems occurs at different speeds and in very diverse ways across different regions.

The ability to access land through land markets implies that previous holders of use rights have transferred them to others in exchange for goods, labour or money. The three main market mechanisms for access to land are:

- purchasing land rights for an indefinite period (*ownership market*);
- purchasing rights for a limited duration, through tenant farming or sharecropping leases (*rental market*);
- acquiring shares in companies that hold use rights to develop agricultural activities (*company shares market*).

Land markets are fed by former beneficiaries relinquishing their rights. They do this for various reasons, ranging from physical inability to work the land, or death, to pursuing more remunerative activities or needing to settle debts, being unable to pay rent, etc. Family production structures will be unable to renew themselves if land is sold or rented on the market during the transition from one generation to the next.

63. There are many examples of this. In Mexico, where the *ejidos* system established by the agrarian reform facilitated the maintenance or creation of new community governance mechanisms, failure to include the children of *ejidatarios* in their governance left a whole section of the population on the margins of the system and compromised continued equal access to resources.

Prices are determined by supply and demand. Vendors usually aim to sell to the highest bidder, and the buyers in the strongest position are generally people or companies looking to expand production structures that are often already in place. It is easier for young people to access land through the rental market or sharecropping contracts as these don't require large capital outlays; the option to buy is only open to those who have accumulated capital by working (often outside the family framework) or received an inheritance[64]. Therefore, land markets logically cause farms to expand. They become exclusionary when they are left unregulated or are no longer sufficiently regulated.[65]

This general conclusion holds true even though the development of land markets may have temporary positive and redistributive effects in certain situations, particularly during transitional phases or when there are rapid changes in 'customary' systems for regulating the transmission and transfer of land rights (see Box 14). However, unregulated land markets will eventually lead to land concentration if no new governance mechanisms are established.

64. A few countries have introduced specific land credit policies to help establish young farmers, but they are quite rare.

65. Regulations may be external or endogenous within families and territories (as in Madagascar, where sales mainly occur within the family framework – see below).

Box 14

ARE THE CURRENT OPPORTUNITIES OFFERED BY THE DEVELOPMENT OF FOOD AND LAND MARKETS AROUND N'ZÉRÉKORÉ IN THE GUINEA FOREST REGION SUSTAINABLE?

Producers in the Guinea Forest Region have taken advantage of the recent growth of neighbouring towns by setting up small palm plantations and motorised palm oil extraction units, and rearing chickens and pigs whose by-products generate added value. This has led to the emergence of new jobs upstream and downstream from the farm. The question is whether these new value chains based on regional food markets will enable subsequent generations to become farmers in a region whose population has more than doubled in 30 years.

The rural population mainly come from the Kpelle ethnic group, which has communities in Liberia and Guinea. The Kpelle are patrilineal with strong bilateral relations between nephews and maternal uncles. Their social organisation has gone through huge changes in the recent past. During 50 years of colonisation an onerous system of taxation, forced labour and canton chiefs exploiting young men by controlling young women's sexual rights was established. The political and social order then changed radically when Sékou Touré came to power as the country regained independence in 1958: chiefdoms were abolished and initiation was prohibited, while statutory contributions to 'cooperatives' and the nationalisation of commercial channels resulted in masses of young men migrating to Liberia and Côte d'Ivoire. Coffee plantations proliferated as the economy was liberalised and taxes reduced following Touré's death 1984, but huge numbers of returning Guineans fleeing the crises and civil wars in Liberia and Côte d'Ivoire subsequently triggered a major demographic shock and race for land in Guinea's Forest Region. The hillsides became covered with coffee

plantations and the lowlands increasingly given over to rice, which used to be produced through slash-and-burn systems on slopes. Women's rights to use the plots they farm were recognised. Falling coffee prices sent this economy into crisis in the 2000s. Access to subspontaneous palm trees, which was free when they were in the hands of the village community, is now controlled by the person who manages the land on which they grow.

In the past, young men had to have started the marriage process in order to obtain rights to some of their father's cultivated land, but this is certainly not the case today. Fathers who are still farming may seek to delay or accelerate the division of their land. If they want to delay the process, they encourage their sons to go to urban areas and cover some of the cost of their training or apprenticeship in the city. The sons then cannot claim rights of access to their father's land as they don't work on it. Conversely, fathers can quickly grant their sons rights to use and develop small areas of land in order to relieve themselves of all other responsibilities. If the father dies or stops working permanently, the land is now normally shared between groups of maternal brothers – each gets an equal share of fallow land, with an extra share for the eldest – but established plantations are not shared.

Each maternal group of siblings is granted equivalent rights to hillsides and plantations, regardless of the number of children, and each woman has recognised rights to use their lowland plot. It is now common and legitimate for daughters to inherit their father's land use and management rights if he has no male offspring. These positive developments for women counterbalance the declining solidarity within lineage groups. The individualisation of land rights has limited the circle of potential beneficiaries, meaning that nephews can no longer hope to obtain rights to their maternal uncle's land, while the rules for sharing within maternal sibling groups favour the eldest siblings and are leading to unequal land allocations.

This imbalance, and the individualisation of rights within maternal sibling groups and at the individual level favoured the development of commercial land transactions. Most land purchases and sales of small plots (usually under a hectare) over the last 10 years involved unplanted plots on slopes, which were mainly bought by villagers or producers from neighbouring villages with small land holdings. At present, the rural land market in the two villages studied has more of a redistributive effect on land holdings and enables young people to access land, but this could well change in the near future.

The development of small-scale palm plantations has led to the individualisation/commodification of land rights and profoundly changed the way that young people access land. On the one hand, the development of local value chains, widespread commercial land transactions and new opportunities for paid employment have led to rapid economic emancipation for some young people. On the other hand, the individualisation of rights and subsequent commodification of land has changed local affiliations and led to others being excluded from economic opportunities. ■

Box based on work by Charline Rangé and Augustin Pallière (associate researchers for Prodig). *Marchés et solidarités familiales : les trajectoires des jeunes dans une agriculture familiale en cours d'intensification (Guinée forestière). Regards sur le foncier 7* (2019).

If land rights do become commercialised it is because these market exchanges fulfil the critical function of facilitating flexible and rapid reallocations of rights between different production structures. Chayanov clearly showed how the availability of labour in Russian families was changing over their members' lifecycle from young peasants setting up a household to elderly parents. This also holds true in more complex kinship groups, which need to constantly readjust to changing circumstances. Prohibiting all market transfers – either within the framework of longstanding customary rules that may no longer be appropriate to the current context, or through agrarian reform policies that condemn exploitative systems and argue that land should belong to the person who works it – often has the opposite of the intended effect. Informal markets develop because land needs to be redistributed, but the fact that they are not permitted under customary or national regulations prevents the social groups concerned from setting up new institutions to regulate them.

Therefore, the solution is not to prohibit markets for land rights, but to establish regulatory mechanisms to reintegrate and re-embed these market exchanges into functioning social systems. This could be done in many ways and at different levels, from local kinship groups and 'communities' to the regional or national sphere.

A report commissioned by WAEMU published in 2017 (*op. cit.*) provides a table of mechanisms to facilitate the direct or indirect regulation of different land markets. These include pre-emptive rights, prior approval of transfers of use rights by ad hoc structures, regulating rents and rental conditions, etc. They are all ways of ensuring that the people prioritised by public policies, and young people in particular, can access the land circulating on markets. Regulations can operate at different levels:

- within families, where they often favour purchases and sales between family members;
- at the territorial level, where they often entail setting up new local institutions; and
- at the national level.

These measures may require complementary interventions to ensure that they have the desired effect. Interventions in markets where property rights are bought and sold must be undertaken by an intermediary that is able to buy large blocks of land and divide them into much smaller plots likely to be of interest to local actors and young people who want to start farming. If this mechanism is combined with borrowing opportunities for the final buyers, the market will no longer be exclusionary.

Other public policies (such as taxation) can also play an important role in market dynamics, either directly by applying to transactions or indirectly by applying to stocks.

Box 15

FAMILY, MIGRATION AND LAND MARKETS AS MEANS OF DEALING WITH LAND PRESSURE IN MADAGASCAR

Agricultural production and consumption in the highlands of Madagascar are organised around nuclear households composed of parents and their children. Almost all the land in the commune of Ambatomena is occupied, and it is no longer possible to acquire land by clearing or developing it. Pressure on agricultural land is gradually reducing the amount of land used by households, whose workforce is mainly family-based and heavily reliant on waged labour at certain times of year (particularly for ploughing and transplanting rice). Most agricultural produce is consumed on the farm, and some households generate a little cash by rearing cattle and pigs.

Young people gain autonomy by leaving the family unit. This usually happens after marriage, when parents give their children small amounts of land to help them get started. Some young people buy land with money they have earned from agricultural diversification within the family unit, working with neighbours or from emigration.

On average, two-thirds of the land owned by young people comes from intergenerational transfers (gifts or inheritance) that are made free of charge; the remaining third of their land capital is purchased. Temporary migration plays a key role in enabling young people to buy land and build up a sufficient production unit. Few migrate permanently.

Most land is sold within the family (70%), to close relatives (parents, brothers, sisters) or other relations (cousins, uncles, grandparents). The family benefits from this kind of 'social preference', and is the main beneficiary when one of its members has to sell land.

The vast majority of sales (71%) in this study site are forced, undertaken to deal with emergencies such as death, illness, accident, debts or social responsibilities. The remaining elective sales (29%) are for reparcelling or investment in other agricultural or non-agricultural activities. Distress sales act as a kind of insurance of last resort, but are also indicative of the extremely precarious situation of most small farmers. Some sales are backed up by an oral or written agreement that enables the vendor to recover the land if their 'luck changes'. These sales are regarded as temporary as there is a possibility that the vendor can buy back their property at the same or higher price, depending on the agreement. Some people are able to do this after a few years, but they are in the minority.

Finally, it should be noted that introducing land registers or land certificates in contexts like this – where the family is central, transactions are numerous, and undivided ownership is still common – can put people's security of tenure at risk if their status is not updated. Many transactions are secured at the local level with 'petits papiers' (usually private deeds of sale signed by both parties or endorsed by the village chief or mayor) and through the communities' knowledge of each other's rights.

Transfers of family land in Madagascar carry social obligations and are regulated through family solidarity mechanisms. In the Highlands, a distinction is made between the more productive irrigated rice fields, which are usually located on the plains, and land in the hills known as tanety. Parents in Ambatomena give their children (especially men) rice fields when they settle down and start their own households;

while tanety are not shared during the parents' lifetime and may remain undivided for several generations. Recipients are obliged to contribute to costly ceremonies to honour the household's ancestors (famadihan), and cannot sell rice fields that they have been given without consulting family members.

Family governance systems for land rights enable people who stay in their village to benefit from the available family land. It is a win-win system for the immediate family, as residents can increase production by using all the family lands, while people who have migrated know that their land rights will be secured by remaining family members, and that they will be able to cultivate this land if they return to the village. ■

Based on Di Roberto, H., *Stratégies d'autonomisation des jeunes et accès au foncier : entre migration et attachement à la terre, quel rôle pour la famille ? Etude de cas à Ambatomena dans les Hautes Terres à Madagascar. Regards sur le foncier 7* (2019).

PART III

Conditions that will enable large numbers of young people to stay in the agricultural sector

This guide is mainly concerned with young people's access to land, and it starts with an analysis of changes in agrarian structures. But access to land is by no means the only factor that limits young people's opportunities to become or remain producers. Any project or policy intended to encourage young men and women to become farmers or stockbreeders should be based on analysis of the reasons why they are unable or unwilling to remain in or return to rural areas to pursue these occupations. This section considers the main conditions that will enable young people to stay in agriculture, and the need for policies other than those directly related to land. The aim is not to explore these points in any great detail, which would be beyond the scope of this guide, but simply to list them so that they are taken into account when development interventions are designed and evaluated.

Three basic conditions apart from access to land

● Incomes that enable people to live with dignity

The policies that the French government put in place with the support of farmer organisations in the 1960s were a key component of interventions on agrarian structures, and part of broader efforts to ensure that agricultural producers earned similar incomes to workers in the mainly urban industrial and service sectors. Field observations and studies from all over the world logically note that rural exodus and emigration increase when the gap between urban and rural incomes widens.

It is important to take account of own-consumption, subsidies and various social contributions when calculating people's incomes, and not focus solely on what they earn from selling their produce or labour. This calculation should also take account of the way that incomes vary over time depending on the hazards encountered. Even if the average income covers the minimum 'household shopping basket', it is not enough to ensure that the household can live a dignified life. We have seen that the capacity for resilience stems not from the individual or the nuclear family, but depends on various kinds of 'communities' and the possibility of accumulation, which is the only thing that enables agricultural societies to face and survive adverse conditions.

National mechanisms are far from the only factors that affect incomes. Other factors include:

- >> Downward trends in the price of agricultural products, which is due to producers with very unequal land resources and means of production competing on the same globalised market. As we have noted, this has a major impact on producer incomes and their slide into poverty or extreme poverty.
- >> The development of long-distance trade, whose effects extend well beyond the agricultural sector. The number of workers in the world market has doubled with the globalisation of trade, and especially the entry of China, India, former Soviet bloc countries and others into the world market, depressing wages in other countries and creating new opportunities for capital growth. There have also been profound changes in distribution of added value in different sectors and 'value chains'.[66]

Analysing incomes is a more complex task than it may initially seem, but is a key aspect of any reflection on changes in agrarian structures and young people's access to land.

● A strong social fabric: the importance of the social environment and services in rural areas

This is another recurrent theme in the results of surveys asking why young people move to cities or migrate, eloquently illustrated by the emptying of the countryside in the 'most advanced' countries. Young people will not stay in rural areas if the social fabric breaks down beyond a certain point, even if they can earn a similar income to their urban peers.

This further emphasises the importance of different kinds of kinship groups, of young people being able to find a spouse, of the likelihood that children can have a better future than their parents, and of social groups and communities in general. This is why the analytical table places such emphasis on considering not only the organisations and institutions concerned with producing and processing agricultural products and repairing tools in the intervention area, but also to private and public institutions that provide services for people (schools, retirement homes, health centres, etc.) and contribute to the life of the communities concerned.

● Being recognised and participating in 'public life'

This third dimension rarely receives much attention, but is essential if young people are to set themselves up as producers.

There is also little recognition of the important role that peasants and indigenous people play in society as a whole. The idea that these rural societies help preserve biodiversity, forests and soil fertility, and that their contribution goes far beyond the production of goods for the market or for self-consumption has only very recently started to take hold.

In countries with very large numbers of small-scale producers and indigenous groups, it is not uncommon for these actors to have little if any political or economic representation. Establishing governance mechanisms where they can play a central role at both the local and national level is one of the necessary conditions for the key changes identified in this guide.

66. Cédric Durand sheds interesting light on these issues, analysing the links between the development of finance, financialisation and globalisation. See Durand, C., *Le capital fictif. Comment la finance s'approprie notre avenir?* Ed. Les Prairies ordinaires, Paris, 2014. Pages 171-184.

The need for compatible agricultural and land policies

Where this is feasible, local actions, projects and pilot experiences can play a crucial role in changing power relations and showing that other policies are not just desirable but achievable. The implications and impacts of this will need to be assessed when examining projects and policies.

It will not be possible to make the necessary changes in agrarian structures through simple 'development projects', however numerous and well-financed they may be, as they cannot achieve these ambitious objectives. Therefore, it is a question of seeing how a 'change of scale' can be brought about.

Policies need to be introduced at the level of States, groups of States in regional entities, and even at the global level. They will have to be clearly different from current policies. At the sectoral level, we need so-called 'structural' land policies to regulate farm sizes,[67] policies to recognise individual, 'community' or 'collective' rights to land and valued resources, credit and insurance policies for small producers, policies to strengthen small producers' organisations and territorial organisations (indigenous or otherwise), remunerate farm work and improve or maintain the ecological functions of agricultural areas, etc.

European countries have long and varied experience in these areas. The French Development Agency and Ministry for Europe and Foreign Affairs have also done a lot of work in this field. But it would be very risky to try to export the models that worked in Europe in the 20th century – indeed, the foregoing analyses show that this would not be possible. Each society needs to create and constantly improve its own systems.

This will also involve new fiscal, monetary and trade policies at the sub-regional level, to enable local economic actors to develop without having to compete against international players with much bigger capital and land reserves. Action is needed to halt the destruction of family farming, reorganise the processing and circulation of goods and thereby change the distribution of added value between different actors. Innovative international mechanisms will also be needed to regulate the financial sphere. ●

67. Whatever the type of tenure, direct (by the owner) or indirect (by a tenant or sharecropper).

PART IV

Towards new horizons: rebuilding the commons

This last chapter summarises the conclusions of collective reflection by the 'Land Tenure and Development' Technical Committee on changes in agrarian structures and young people's access to land in different parts of the world. After reviewing the main lessons learned, we will consider support for societal innovations to establish new modes of governance, and the urgent need to change power relations for the better.

Summary of the main lessons learned

Young people can only access land in production structures that are economically, socially and ecologically viable, not just for now, but also and especially for future generations. The analytical table at the end of this guide can be used to explore this issue.

Economic viability assumes that farm workers are paid at a similar rate to non-agricultural workers. This requires trade policies that protect producers with less equipment and less land, and insurance policies and support to make small structures less vulnerable to hazards.

Social and ecological sustainability will entail abandoning the 'Western' agricultural model of modernised family farming, which developed in Western Europe in the 1960s when there were significant opportunities for off-farm employment and a social system that provided a safety net for the poor and elderly. Replacing human labour with increasingly powerful machinery led to massive job losses among farmers and agricultural workers who were unable to find decent work in other sectors of the economy. This model also consumes huge amounts of ecologically damaging synthetic pesticides and fertilisers, and uses large quantities of non-renewable resources.

Modernised family farming in many regions is being replaced by large-scale capitalist agriculture that employs waged labour and its most recent incarnation, corporate farming, which seriously exacerbates the disadvantages and risks of modernised family farms. Often geared towards an increasingly limited number of monocrops grown on huge tracts of land and driven by the very short-term logic associated with mobile financial capital, they are not only less efficient than family farms in terms of net wealth production per unit area, but also constitute one of the main threats to ensuring that our planet remains inhabitable.

The ecological transition we now need to combat global warming and loss of biodiversity requires a different model: one that is close to agro-ecology, creates jobs and can ensure sustainable production. Supporting the development of agro-ecology could be a way

of strengthening small structures and family farming while adapting working tools to their circumstances.

A new consensus is emerging, but it faces opposition from powerful lobbies whose capacity for accumulation depends on today's dominant operating system. A growing number of politicians and researchers such as Dorin et al. suggest that we need to develop structures to support "highly productive small-scale ecological intensification, systems that are intensive in labour, rich in generic and local knowledge, and embedded in the manufacturing and service sectors."[68]

Re-embedding the economy in society

The increasingly individualised dynamics of today's economies benefit the richest in the short term and ultimately put everyone's survival at risk. The effects of separating the economy from the functioning of society, which Karl Polanyi identified as the root of the social catastrophes that marked the 20th century, are evident everywhere today. After a temporary lull in the two decades after the Second World War, they are now stronger and much more widespread.

The only way to address the increasingly urgent and credible threat of global collapse is to recreate governance mechanisms at different levels that will enable us to manage our shared home, planet Earth. The economy – oeconomy from oïkos (house) and nomos (law) – needs to revert to its original meaning: wise and legitimate government of the house for the common good of the entire family.[69]

One way that the economy has re-engaged with society is through the return of the commons.[70] And what we have learned from this is that there are no 'commons' without a 'community' to ensure that they are managed in a sustainable way.

The intermediate governance bodies that are the interface between people and the State are being challenged all over the world. The existence of historical 'communities' is questioned, and their ability to manage their territories autonomously is not respected. Governance bodies are often created from above, and many local governments act as decentralised central government institutions rather than representatives of the local population.

It is neither desirable nor possible to follow the same regulations that families and kinship groups put in place. It is not possible because of the profound societal changes, and it is not desirable because rural communities have often operated in ways that ignored the rights of some of their members. This not only applies to women's rights; it is also the case with caste

68. Dorin, B., Hourcade, J.-C., Benoit-Cattin, M. (2013), *A World Without Farmers? The Lewis Path Revisited*. CIRED, Working Paper 47.

69. See, among others who have written on this topic, the work of P. Calame (2018) and earlier authors [Essai sur l'œconomie (2009) and La démocratie en miettes (2003)].

70. There is not room here to list all the important works reflecting this awareness. In addition to those we have already referred to, there is of course Elinor Ostrom, whose Nobel Prize was recognition of the changes under way; and work by Pierre Dardot and Christian Laval, *Commun, Essai sur la révolution au XXIe siècle*, ed. La Découverte, 2014; David Bollier, *La Renaissance des communs. Pour une société de coopération et de partage*, ECLM, 2014, and a remarkable collective work published in 2004, *Sharing Power: Learning by Doing in Co-management of Natural Resources throughout the World*, coordinated by Grazzia Borrini-Feyerabend, Michel Pimbert, Taghi Farvar, Ashish Kothari, Yves Renard (IIED, IUCN, CEESP, Cenesta), which is now also available in French.

systems, systems that operate by exploiting captives and sometimes even slaves, and systems where young people have to follow decisions made by elders that may no longer serve the interest of future generations.

'Communities' are finding that their natural, social and technological environments are now changing too quickly for their internal regulatory and governance mechanisms and institutions to be able to adapt in real time. Young people are the first to suffer the consequences, and many wish to escape the traditional family framework whenever opportunities to do so arise.

Regulatory mechanisms and institutions need to adapt more quickly. It is important to recognise those that still exist and support them in the best possible way, and introduce new ones in the many cases where they will be needed. Studies comparing the situations observed in different contexts can be very instructive in this respect. For example, a comparative study of the development of community forestry in Guatemala and Cameroon showed the need to build effective intermediate governance institutions between the State and 'communities' in order to move towards sustainable forest management.[71] Back in 1979, René Dumont was already suggesting that community lands should be secured in order to formalise land rights, and that communities should be left free to manage the rights internally as they wished.[72]

Rights to use land and resources have become so concentrated in some regions that redistribution would be highly desirable. The United Nations Voluntary Guidelines for Responsible Governance of Land, Fisheries and Forests in the Context of National Food Security recognise this, but the conditions that would facilitate such redistributions are very rarely met. Even when they are, radical efforts to redistribute rights are soon undermined by land market transactions that can lead to their re-concentration if no mechanisms are in place to regulate them. In such cases, as in a baseline situation where use rights are less unequally distributed, establishing mechanisms to regulate market transfers of land rights is a priority. To develop this idea we will look at an extract from the conclusions of the study on land markets in West Africa and tools for their regulation commissioned by WAEMU.

"Markets for land rights still require regulatory mechanisms to ensure that resources are allocated in accordance with the general interest. Tools should be created for each geographic and historical situation, based on goals and objectives that correspond to a social project. There is no universally applicable model, but it is very useful to take account of existing experiences! Policies on land, agricultural, pastoral, economic and social affairs must be coherent. To be effective, many regulatory tools require specific institutions, which often need to be set up and whose proper functioning must be ensured.

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71. See the three articles in *La gouvernance des forêts au Cameroun et au Guatemala. Une réflexion croisée entre deux réalités*, AGTER, 2014. 1) Merlet. M., Fraticelli, M., "La foresterie communautaire. Regards croisés sur les expériences du Cameroun et du Guatemala" (AGTER. FERN). 2) Dionisio, S., "Reconnaître des systèmes de gestion des droits collectifs de la terre et des ressources naturelles dans des contextes légaux divers, afin de penser des stratégies adaptées à chaque situation" (Utz Che, Guatemala). 3) Girón M., Juan R., "Organisation communautaire et action collective. Comment créer ou renforcer les capacités pour la gouvernance collective des ressources communes?" (ACOFOP, Guatemala).

72. See Dumont, René, Agrarian Reform: *Réforme agraire : par où commencer?* Revue Cérès, FAO, 1979. Quoted by Merlet, M. in "L'optimisation de l'utilisation des ressources foncières. Une question stratégique de gouvernance, qui n'est plus seulement nationale, mais aussi local, et mondiale", in Marc Dufumier (coordinator) *Un agronome dans son siècle. Actualité de René Dumont*, ed. Karthala, 2002. *Un agronome dans son siècle. Actualité de René Dumont*, ed. Karthala, 2002.

The regulation of land markets is not something that can be decreed, it happens over time. Tools have to be put in place gradually, with parallel capacity building to better enable people to manage land at different levels, from the local to the national and even global level. Analysing the inevitable shortcomings of these regulatory tools will enable them to gradually improve; while mechanisms to regulate land markets will need to be constantly updated and adapted to changes in the social, economic and political context. In order to best achieve their objectives, the communities concerned should play a central role in the processes of defining, monitoring, evaluating and reformulating these instruments."[73]

The theoretical elements of this guide covering the diversity of land rights and their individual and collective holders, legal pluralism, economic analysis of the distribution of net wealth created, and kinship groups and other governance institutions are useful tools for analysing the realities in which we work or live. They do not cover all key areas, but they can help us rethink our approaches as development actors.

The need for the communities concerned to participate in land governance leads us to two final, very important issues that require more detailed consideration: political mechanisms and alliances.

Deepening democracy, building alliances

We have repeatedly stated the need to consider the 'general interest', to think about everyone's best interests. In a democracy, every member of a human community with a shared destiny helps define what is desirable. The general interest cannot be determined by 'what the experts say'. It requires mechanisms for discussion and argument that ideally involve every member of the human community concerned in public debates, and if not every member then at least a large number of them. It must also be possible to question the decisions taken by the community over a certain period of time.[74]

New political communities will often need to be created, entities that may include several distinct historical communities that exist in the same territory. The scale they should operate at raises difficult questions, since the principle of subsidiarity traditionally used to determine the competences at each level of governance can lead to potentially damaging political ruptures with citizens. Everyone should be able to take part in debates on issues that concern them, and help define the specific mandates at different institutional levels.

>> *Consultation mechanisms that aim to improve democratic processes are being developed. One significant example of this is multi-stakeholder platforms, which seek to bring together different 'categories' of actor who are presented as representatives of 'government', 'civil society' and the 'private sector'. Each of these terms covers a wide range of people and entities with specific interests, and the people who are supposed to represent each sector often have limited legitimacy as their positions do not always accurately reflect the diverse views of every citizen in the country. The term 'private sector' is often used to refer to large corporations rather than family*

73. Extracts from *Réguler les marchés fonciers ruraux: un cadre conceptuel, une gamme d'instruments possibles*. Contribution by M. Merlet at the June 2017 workshop in Abidjan to present the results of the regional study on rural land markets in West Africa and tools for their regulation, commissioned by WAEMU (IPAR, AGTER, IRD, *op. cit.*).

74. For resources on consultation mechanisms, see, among others, the document *Développement territorial participatif et négocié. Un abrégé de proposition méthodologique*, Paolo Groppo (coord.), FAO, 2012.

farmers, even though the latter are not State actors. Family farms include some 500 million production structures around the world and are the largest 'employer' and biggest food producer, yet their organisations are often consulted as agents of 'civil society' rather than providers of food or employment. This kind of confusion or misrepresentation can legitimise highly questionable input into common guidelines; as can the notion of 'good governance', which has become an international reference for economic and political prescription on the basis that it is beneficial for 'political decision makers/governments', 'civil society' and 'businesses' to participate in public debates on an equal footing. This lack of clarity not only conceals considerable disparities, it also defines the legitimacy of the different actors concerned.

In many forums, citizens' participation does not reflect the economic weight of the sector to which they belong. The 'private sector', which effectively means large corporations, is the only player whose presence reflects its apparent economic importance (which was discussed earlier in this guide). Nor is citizen participation based on a fundamental principle of individuals having equal power over political decisions, which are largely made by 'policy makers'. It does, however, give both big businesses and citizens (civil society) the opportunity to defend their (usually very short-term) interests in the debate. The effects of this kind of representation are not insignificant. In our view, the most serious consequences seem to be that it conveys the idea that political power is not solely or primarily in citizens' hands, and that corporate interests have as much influence on weighty government decisions as citizens do.

The next big question is how to involve the most marginalised land users in debates and decision-making processes. Young people's access to land cannot be properly considered without addressing this political dimension.

Making the necessary changes will also entail building alliances between the different groups that live in rural areas, especially young people, and other social groups in urban areas. This will need to be done everywhere, and is absolutely essential in places where city dwellers have become the overwhelming majority, as in Europe and the Americas.

These last two dimensions – democracy and alliances – are only mentioned as a reminder to readers of this guide. They cannot be explored here, but should not be forgotten when analysing development interventions, projects or policies whose long-term impact will largely depend on the extent and quality of community involvement and the support of actors who are not directly concerned with the initiative but carry weight in decision-making mechanisms.

PART V

Analytical table to assess a development project or policy from a "youth perspective"

The table presented below can be applied to a 'development project' or a 'development policy', but it is important to note that the relative importance of the issues to be investigated will differ according to the type of initiative concerned. We decided that this double aim will only be mentioned in the summary of the intervention to be analysed. To keep things simple, the table itself talks about 'the intervention' or sometimes 'the project', implying that it could equally be a 'development project' or a 'development policy'.

This table can be used by staff in institutions that are involved in development assistance, and applied at different stages of the policy formulation process or the design of a development project.

>> It can be used to develop general guidance documents (for internal or public use) on specific activities or fields, or global or cross-cutting issues.

>> It can also be used at different stages of what is commonly referred to as the 'project cycle': when the first proposal is being formulated, during the scoping mission, for a much more in-depth feasibility study if the scoping mission proposals are validated, during ex ante evaluation missions conducted when the results of the scoping mission have been validated and critically reviewed, or even during ex post evaluations, which often provide more plentiful and precise information than projections made before a 'project' is implemented.

Users may be part of bilateral or multilateral cooperation institutions or consultants subcontracted at different stages of the design and implementation process. They may also be members of national or local governments, national civil society organisations, non-governmental organisations or political movements seeking to refine their programmes.

The table is not intended to enable users to answer every question that it raises. Its main aim is to make them ask questions they would not necessarily have asked spontaneously, and make them aware of the issues involved. This in itself will constitute considerable progress.

The guide and table are designed to enable users from diverse backgrounds who may or may not have detailed anthropological knowledge to consider the complex forms of organisation that exist in social groups based on kinship and alliances. Illustrative examples are given in the accompanying guide, not in the table itself.

These tools will need to be improved, supplemented or even corrected as they are tested in the real world. Ideally, specific tools should be developed and adapted to the needs of each user. Some may find the table far too detailed, while others might think it doesn't explore certain topics in sufficient depth. The aim is to provide common ground that is intelligible to a wide audience and can be used to identify the specific tools that will be needed, such as 'dashboards' or 'alert sheets' for decision-makers. The idea is that the answers to a few simple questions can be used to determine whether a project or policy should take account of young people and how they access land. The table could also help determine whether targeted anthropological, agronomic or economic studies are needed to shed more light on key questions that cannot be answered on the basis of current knowledge.

Analytical table with a 'youth perspective' for development projects and public policies

that take better account of future generations' interests

Summary of the intervention

Name of the intervention	
Nature of the intervention	*Development project or policy*
Geographic area concerned	
Implementation period	
Target beneficiaries	
General objective	
Specific objectives	
Main characteristics of the intervention	
Funding	
Type of analysis	*Developing an overall intervention framework, ex-ante project analysis, ex-post project analysis, etc.*

Part One: Understanding the Context

A – Families. Their development and current situation	
a. Typology of families in the intervention area *See Part I. Diverse social groups based on kinship*	• What types of family are found in the area (nuclear or extended families, lineage groups, domestic communities, etc.)? - Are they from distinct ethnic or social groups? - Are they hierarchical or segmented, e.g. by the prior settlement of certain families in the area (founding families of villages, migrant families, etc.), distinct social origins, etc.? - How are they linked to the differentiation between production and marketing systems and changes in these systems?

a. Typology of families in the intervention area *See Part I. Diverse social groups based on kinship*	• Who makes decisions about different aspects of family life (marriages, managing family assets, managing and/or transferring land use rights, transferring knowledge, organising production, distributing produce, building up and managing reserves such as granaries, use of family income, etc.), and what is their jurisdiction? • How has the structure and functioning of these different types of families changed in the recent past? What are the consequences for young people?
b. Strategies for family alliances (marriages, etc.) and non-family alliances *See Part I. Diverse social groups based on kinship*	• Are there strategies for alliances between families? Are other alliance strategies being developed locally or externally? • Are marital unions formalised and do they involve commitments from the spouses' relatives? Do women have to move in with their husband's family when they marry? If so, how does this weaken the position of the woman and her children, particularly in terms of access to land and support?
c. Analysis of different production systems (in relation to family types) *See Part I. Describe the production structures* *and* *Part I. Male and female reproduction and production*	• How are the roles, responsibilities and rights of each member of the family unit distributed in the productive use of different parcels on the family farm? What crops are produced collectively? Do different members of the family unit have access to individual plots? • Do different members of the family unit have other sources of income/activities in addition to agricultural activities, and do they involve migration? Is the family income supplemented by hunting, gathering, fishing or artisanal activities? • What is the social division of labour within the family (are activities undertaken by all members, or by certain members in particular)? Who benefits from the fruits of these different activities (women, young people, elders, everyone, etc.)? • Is the social division of labour the same in local pastoral systems? • Are there any projects in the area to develop irrigated fields or pioneer fronts? If so, how do land allocations take account of younger and future generations? • Are there any projects to extend agricultural land in the area? What kind of land is concerned (forests, rangelands, etc.) and how do different groups access land in these areas? • Identify complementarities and/or incompatibilities between the annual work calendar for the family production system and other activities that family members can or could have inside or outside the project area, especially young people. • Where do young people feature in the social distribution of work and access to land on family farms? How do these modes of production positively and negatively affect young people's ability to participate in social affairs and operate autonomously? • Are local opportunities conducive to the development of multiple activities, and under what conditions?

d. Intra-family solidarity and tensions (men and women) *See Part I. People and communities. What are their governance mechanisms ?* *and* *Part I. The development of market relations and changing forms of governance*	• What solidarity mechanisms are implemented within families / kinship groups: - for care of the elderly? - for illness, widowhood, divorce? • Have these mechanisms been wholly or partially replaced by non-family arrangements? If so, what kind of arrangement (health insurance, retirement, etc.)? • What social obligations does each member of the family structure have to other members? How does this work at the level of the nuclear family, extended family, etc.? • What rights and responsibilities do members have for each other? What are the factors that weaken family solidarity? • Are there conflicts between children and parents, or between men and women? If so, what are they about?
e. Forms of access to work outside the family framework *See Part I. The development of market relations and changing forms of governance*	• What are the systems for accessing work outside the family framework (paid labour, sharecropping, etc.), and what are their implications for family labour? • What consequences do these forms of access to work outside the family have for young people?
f. Pathways to self-determination and access to land for young people (men and women) in different types of family *See Part II. How can we think about and analyse the different ways in which young people access to land ?*	• What are the life cycles of individuals and families? • What major stages (transition to adulthood, marriage, etc.) mark the process of young men's and women's involvement in the agricultural production system and management of family assets (ability to have their own work force, residential autonomy, autonomous consumption, financial autonomy, etc.)? • Are there temporary/transitional land arrangements for women or for children before they become adults? What are the conditions, timescale, and degree of autonomy in managing and using produce? • When setting up new households: - do the couple live on the young man's or woman's family or lineage group land, and can they start producing on their own account? - or do they have to look for land outside the family (loan, rental, etc.)? - or do they have to migrate to 'virgin' areas or other regions while waiting for a subsequent 'inheritance'? • At what age and under what circumstances are family assets transferred (when the parents die, during their lifetime, when children get married, etc.)? • At what age and under what circumstances do children and young people start to benefit directly from the fruits of their labour? • To what extent do children participate in family tasks? Is there competition between schooling and this kind of work?

f. Pathways to self-determination and access to land for young people (men and women) in different types of family *See Part II. How can we think about and analyse the different ways in which young people access to land ?*	• How do young people become mobile (rural-urban migration, mining, etc.)? • What are young people's levels of education, professional skills and opportunities to access knowledge outside their community? • Do young people think they have more of a future in agriculture or in other sectors? • Is there a group of young people in the project area who have fallen out with their families? If so, how has this affected their living conditions? • Are there local youth or producer organisations that are mobilising to improve young people's access to land, etc.? Are these efforts linked to political issues?
g) Nature of land rights and how they are transferred within families (men and women) *See Part I. The development of market relations and changing forms of governance* *and* *Part II. How can we think about and analyse the different ways in which young people access to land ?*	• How are rights transferred within families (gifts, inheritance, delegated rights)? Which rights are transferred, what obligations do beneficiaries have, and what compensation is there for sibling who are not included in the arrangement? • Which family member(s) holds use or administrative rights to agricultural land (soil, trees), forests, buildings and water? What is the nature of these rights and where do they come from? • Are these rights transferred equally or unequally between men and women and between older and younger siblings? Are these practices based on customary law, religion, national legislation, etc.? • In what way do these arrangements favour or disadvantage young men or women, or certain young people in particular? • In what way do land relations and land rights secure or weaken production systems? What are the factors of exclusion from access to use rights? • Are any of the land rights transferred within families paid for in cash or in kind? Are these transfers final or reversible? Are these market or pseudo-market transactions? • What are the advantages and disadvantages of policies to formalise land rights through land titles that apply to the land and resources of families, lineages or domestic communities? • Can young people access other forms of formalised land rights (attestations, certificates, etc.) that are more flexible than formal land titles?
h) Methods of transferring land rights outside the family or lineage *See Part I. The development of market relations and changing forms of governance* *and* *Part II. How can we think about and analyse the different ways ...*	• What discrepancies, incompatibilities or overlaps exist between customary land rights systems managed within families or communities and the national legal framework? • What kinds of temporary transfers (rental, loan, sharecropping, etc.) are there that enable people to access land outside their family or lineage group? • How are definitive rights transferred to beneficiaries who are not members of the family or lineage group?

h) Methods of transferring land rights outside the family or lineage *See Part I. The development of market relations ...* *and* *Part II. How can we think about and analyse the different ways in which young people access to land ?*	• Under the rules of the domestic community, who has the right to sell ownership or use rights for a certain period of time? Who are the de facto sellers in the current situation? Who are the buyers? What level of family and social proximity is there between sellers and buyers? • How are land markets organised? How are they regulated? Are they factors of exclusion? Do they affect family relations, etc.? • How are transfers of land and use rights recognised? Are these transfers formalised? If so, how?

B – Other organisations and institutions that contribute to the governance of land and natural resources in the intervention area	
a. Identify production systems not based on 'family/farmer' logics *See Part I. Describe the production structures*	• Are there any capitalist businesses that employ waged labour or systems based on captive labour, etc. in the intervention area, or in apparent relation to it? (See definitions in the guide, and explore in more detail in section 3 of the analytical table). • How do they affect land access, the circulation of labour, and access to other resources, especially water? • Are there any contract farming projects in the area? How do they take account of young people?
b. Identify local government institutions	• Traditional and community institutions: - Their nature and functioning. - Are they recognised by the State? Do they have legal status? • Local governments, municipalities: - Are their members elected or appointed by central government? - What are their functions and what resources do they have at their disposal? - What degree of autonomy do they have from central government?
c. Describe current NR governance systems not directly linked to family structures *See Part I. The development of market relations and changing forms of governance*	• List and describe existing governance systems for each type of natural resource. • Do these systems operate with or without local autonomy (State participation, etc.)? • Who is included in their decision-making bodies? Are checks and balances in place? Are there any opposition forces? • How have these different mechanisms evolved in the recent past? • For each of these questions, what are the implications for young people?
d. Coexistence, overlaps, interactions and contradictions between different governance systems	• How do the different ways of regulating and recognising transfers of rights in customary/family frameworks link into or contradict each other and (national) institutional and legal mechanisms? • How has the weight they respectively bear changed? What are the consequences of these changes?

C – Main characteristics of the agrarian system under consideration	
a. Description of the project zone	• Describe the natural environment (soil, topography, climate, availability of surface and ground water, vegetative cover, subsoil, etc.). • Amenities (roads, urbanisation, ports, irrigation, etc.). • Summarise the main features of historic land occupancy.
b. Agrarian dynamics	• What are the current forms of land use? • What are the main production systems? • How have they changed over time, and how do they differ from one another?
c. Demographic dynamics	• What are the different demographic dynamics in the project area and general region? Have they changed in recent decades? • What types of migration exist (emigration/immigration, temporary/permanent, seasonal/non-seasonal, etc.)?
d. Main components of the 'agrarian system'	• Which kinds of agricultural production system (in the broadest sense) are found in the intervention area (see guide for definitions of categories): - 'Family' production systems? - Companies (capitalist or socialist) using mainly waged labour? - Cooperatives? - Other? • How do these systems fit into value chains and markets? Which processing or service companies are present or working in the area (marketing, local industries or crafts, managing irrigation infrastructures, etc.)? • Are there any private or public institutions that provide services to people in the intervention area (schools, retirement homes, etc.)? If so, list them.
e. Internal dynamics in the project area	• Describe the main local trades and markets for products and services. • What employment opportunities are there outside family structures, in agriculture or other sectors? Can we get an idea of the different rates of pay for external work and agricultural work in the family framework? • To what extent does work flow between different sectors? Are these flows seasonal? Who do they involve?
f. External links between rural and urban areas, between town and country, and with other rural areas	• What are the main links connecting the intervention area to the outside world? • What are the main trade flows with the outside world (production and consumption)?

f. External links between rural and urban areas, between town and country, and with other rural areas	• What are the main work force flows? Are they seasonal? Who migrates, and for what type of activity? Are they permanent or temporary migrants? What level of remuneration can migrants obtain? • What are the main flows of financial resources between the intervention area and the outside world (subsidies, investments, remittances from migrants to their families, etc.)?

Part Two: Evaluating an Intervention

A – After completing the assessment in Part 1, review the description of the intervention. How does it explicitly take account of young people and the interests of future generations?	
a. Nature of the intervention	• Is it a planned territorial development project or policy whose impact is to be assessed at the local level? • Does its wording explicitly consider the impact the intervention will have on young people and, more generally, on future generations? • Does the intervention include a component that explicitly targets young men and/or young women? • Does the intervention include specific monitoring indicator(s) for young people?
b. Identify the beneficiaries	• Who does the proposed intervention identify as its main 'beneficiaries'? Are they considered as 'individuals, or perceived as 'members of social groups' that may or may not be based on kinship and alliance relations? • Does the project plan to carry out a 'youth' assessment in order to understand their place in the family setup, their development strategies and their life trajectories? • Does the proposed intervention take specific account of young people's needs in family farms and as they gain their independence? • What impacts will promoting new activities that offer attractive work opportunities and compete with 'traditional' activities' have on young people?
c. Impact on changes in agrarian structures	• How does the intervention propose to modify the current development of agrarian structures (size of holdings, type of production unit, production logic)? • Are the changes in agrarian structures immediate and direct (e.g. where a project helps producers get started through programmes to develop new agricultural fronts in forests or savannahs, set up irrigation schemes, drain marshes, develop farmland affected by agrarian reforms or land reserve mechanisms, etc.)?

c. Impact on changes in agrarian structures	• Or will the expected changes be due to developments in existing medium- or long-term trends?
d. Impact on the evolution of family structures	• How can the project (or policy) directly or indirectly (induced effects) change the nature and functioning of families? • Does the project provide for mechanisms to support changes in existing 'family' or 'community' governance mechanisms (e.g. internal family or community mediation)?

B – Assessing the relevance of the intervention in terms of its impact on pre-existing dynamics	
1. Economic dimensions *This enables us to compare the economic situation with and without a project, and should therefore make it possible to evaluate the difference between trajectories with and without a project.*	
a. Agrarian structures	• How will agrarian structures develop over the next few decades with or without the intervention (nature and size of production units)? • How will young people's access to land change with or without intervention?
b. Net wealth creation (value added)	• Does the economic evaluation show a net creation of added value in the territory? • Where does this come from?
c. Changes in the distribution of added value between actors	• Who will benefit from the extra added value created? Who, if anyone, will lose out? • How would the distribution of added value among actors evolve without the intervention? • How will the distribution of added value within production structures evolve – between the family workforce, waged, permanent and temporary labour, land holders, banks (or similar entities), local governments and the State? • How will the intervention change the distribution of added value within the value chain (supply, production, marketing, processing)? • How much of this added value will go to young people? • Will more or less of the added value remain in the project zone if the intervention proceeds?

2. Ecological dimension: reintroducing land matters into the environmental and social management components of interventions	
a. Amount of non-renewable and environmental resources used (biodiversity, organic matter, water, etc.)	• Which non-renewable resources are used? How has their use changed? • Have there been environmental and social impact assessments (ESIAs) of land-related issues such as biodiversity (natural and domestic) and the management of organic matter (storage by soils and trees, recycling organic matter) and water?
b. Biodiversity conservation (natural and domestic)	• How will natural and domestic biodiversity evolve?
c. Management and changes in organic matter	• How is soil fertility maintained? Is this done by managing existing local organic matter or by using external inputs? • How will the carbon stock evolve with changes in land use and the effects of forestry or deforestation?
d. Water management	• How will modes of access to water change (surface and ground water, reservoirs, etc.)? Who will be the winners and who will be the losers?
e. Contribution to global warming	• How will greenhouse gas emissions change?
3. Social dimension of the implications of the intervention and consequences for young people and future generations	
a. Effects on family structures and generational transition	• How are family structures and demographic strategies changing? What are the consequences for intergenerational solidarity (training young people, care of the elderly)? • How can the intervention change the mechanisms for transferring use rights between generations?
b. Peacekeeping	• How might internal tensions evolve inside or outside the intervention area?
c. Reducing inequality	• Will inequality decrease or increase?
d. Resilience of social and solidarity structures, etc.	• How can we expect the intervention to change the ways that children and the elderly are cared for, and more generally affect various solidarity mechanisms? How will this affect the resilience of kinship groups?
4. Political dimension of the implications of the intervention and foreseeable changes in natural resource governance. Consequences for young people and future generations	
a. Effects on governance bodies	• How will the governance bodies for natural resources, and especially soils, evolve? • If new bodies take over from previous mechanisms, have provisions been made for the necessary knowledge transfers and learning processes?

b. Managing contradictions and difficulties	• What contradictions might arise between the different institutions? • How can people learn from successes and failures? • What would be the consequences of a failed measure or policy? Would they be reversible or not?
c. Impact for young people and future generations	• What direct or indirect impacts will the intervention have on the political commitment of young men and women in the territory?

C — Review and prospects. Opportunities to improve the intervention and/or alternatives to the project or policy	
a. Overall rating of the intervention	• Assess the positive and negative effects identified in the examination of the various economic, ecological, social and political dimensions of the intervention, at the local and national level and in relation to global issues. • Closely consider the intervention's impact on the development of agrarian structures and young people's entry into agriculture and employment.
b. Possible improvements to the project	• Identify specific improvements, add-ons and compensatory mechanisms that could improve the intervention without substantially changing its nature.
c. Alternative interventions	• Explore other possibilities for development projects or policies. These may be of a radically different nature, and may not have the same disadvantages as the current/proposed intervention. • Explore the main indicators that might characterise these possible alternatives in order to compare them with those of the current intervention.
d. Conclusions	• On the basis of these observations and exploration of other lines of work, make a recommendation to accept, make minor modifications to, or comprehensively reformulate the project or policy. ●

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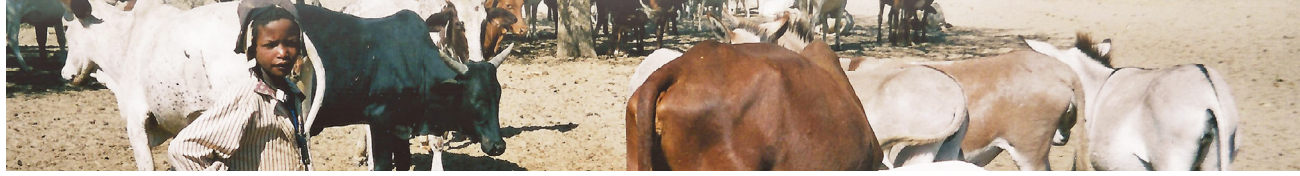

Young people's access to land

With the global population predicted to rise to over 9 billion by 2050, youth employment is one of the key challenges we face in the 21st century. Many African countries are expected to see more and more young people enter the labour market. Most of them come from rural areas and are already struggling to find work on family farms as landholdings pass from one generation to the next.

This guide considers **how young people get started as agricultural producers** in the global context of a degraded biosphere, increasing inequalities, massive migration and proliferating conflicts. The kind of modernised family farming seen in Western Europe, large-scale production and corporate agriculture cannot resolve the worldwide environmental, economic and social challenges we face today. The only way we can try to redress the current ecological imbalances while producing more wealth per hectare and generating more jobs is through agricultural models based on family or peasant farming.

This kind of paradigm shift will be impossible without major economic, social and political changes. We need to **reintegrate the economy into society and rebuild the commons** in order to push back against the increasing individualisation seen in so many societies.

Old and very diverse forms of kinship and family-based organisation still play an important role in many respects. But the examples presented in this guide show that they are no longer sufficient when land and natural resources need to be managed in ways that can deal with problems at very different scales, from the local to the global. This means that we need to continue to **invent and build new communities and new institutions** by accelerating the implementation of multiple regulatory mechanisms, especially those concerned with access to land.

This guide explores two issues that are often overlooked in current approaches to agricultural development: the way that changes in agrarian structures over several generations affect different types of 'family'; and land markets.

The result of multi-disciplinary exchanges and reflection by members of the 'Land Tenure and Development' Technical Committee, this guide combines elements of economics, sociology, anthropology, history, law and political science with case studies from several continents and themes from the Committee's previous publications. It does not provide ready-made solutions for different development actors, but sets out lines of thought they can follow to in order to deepen their knowledge of the field and ask the right questions.

*The **'Land Tenure and Development' Technical Committee** is a working group composed of French Cooperation experts, researchers and decision-makers. Since its creation in 1996 it has worked with numerous French and international actors to support the French Cooperation in developing strategies and supervising action on land issues.*

In addition to the White Paper by French Cooperation actors (2009), it has produced an analysis of large-scale land appropriations (2010), the Guide to due diligence of agricultural investment projects that affect land rights (2014), a study that builds on policies to formalise land rights (2015), a document on a commons-based approach to land (2017), and many other works and tools intended to improve our understanding and efforts to address the challenges associated with land issues in developing countries. Full versions of these publications are available on the 'Land Tenure and Development' portal (www.foncier-developpement.fr), which the Committee set up to provide access to quality information on this field.

***AGTER** is an international association created under French law. It has worked on issues relating to the governance of land, water and natural resources since 2005, leading a process of reflection and collective learning in a network of institutional and individual members that enables farmers, professionals, spokespersons from citizen groups and researchers in various disciplines from about 30 countries to share their practices and work across language and cultural barriers. In 2016, AGTER organised a World Forum on Access to Land in association with CERAI, an event in Valencia (Spain) that brought together 400 participants from 70 countries. In the face of land grabbing, land concentration, and resource depletion and degradation,*

AGTER supports the emergence of new political and social forms of land and natural resource management designed to protect and preserve ecological balances at every level, from the local to the global. Its main publications are available on its trilingual documentary resources site (www.agter.org).

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