

# ***Outside the autochthon-migrant configuration: access to land, land conflicts and inter-ethnic relationships in a former pioneer area of lower Côte d'Ivoire***

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## ABSTRACT

This paper discusses land issues in a specific Ivorian context: that of a former no man's land located in lower Côte d'Ivoire. In this region, one does not find the autochthon-migrant dichotomy that generally structures the land issue in southern Côte d'Ivoire. This situation therefore offers an opportunity to document the conditions of access to land and inter-ethnic relationships in a situation characterised by the lack of autochthonous stakeholders. In this context, land rights and land transfers have been moulded by the interplay between migration flows, the dynamics of the smallholder plantation economy, and the rise of land markets. The picture that results is a patchwork, in terms of ethnic land control, where land rights are quite secure. The crucial land issue arises from the active land lease market, with a large acreage of land rented out to Burkinabè pineapple producers – again, without major conflicts. This situation is contrasted with the neighbouring Abouré country, where a conflict over tenancy practices arose in 2001.

## INTRODUCTION

The autochthon-migrant (Ivorian or foreigner) dichotomy structures the land issue in southern Côte d'Ivoire. The smallholder coffee and cocoa

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plantation economy has expanded in forested Côte d'Ivoire in areas of low population. Its development therefore relied on the sometimes massive arrival of immigrants from regions ecologically unsuited to coffee and cocoa cultivation (centre and northern savannah of Côte d'Ivoire, Burkina Faso, Mali), as wage labourers who were also looking for '*forêt noire*' (black forest)<sup>1</sup> to clear in order to create plantations.<sup>2</sup> The autochthon-migrant relationship regarding access to land was most often characterised by the social embeddedness of land right transfers in the *tutorat* institution. Traditionally, the *tutorat* perpetuates a patronage relationship between autochthons and strangers (in the sense of 'non locals'), to whom rights in land are extended on the basis of a moral economy principle: any individual has a right of access to the resources required to ensure his own and his family's subsistence. In the name of this moral principle, autochthons cannot refuse land to 'good strangers' – i.e. those who respect the bundle of duties associated with their social incorporation into the local community, and consequently contribute to the reinforcement of the community under the locally prevailing social order. The land transfers and the socio-political dimensions of the *tutorat* relationship are thus intimately entangled: as a social institution, the *tutorat* regulates both the transfer of land rights and the incorporation of the strangers into the local community (Chauveau 2006; Chauveau & Colin 2005). The migrant owes his *tuteur* a perennial gratitude (transferred to his heirs), expressed through gifts of agricultural products, contributions to his *tuteur's* expenses at times of funerals, and so forth.

With the development of the smallholder plantation economy, the increasing monetarisation of the migrant's 'gratitude' tended to bend such transfers towards the commoditisation of land access – except that the social obligation that the migrant (or his heirs) owed his *tuteur* (or his heirs) did not vanish. In such a *tutorat* (or '*neotutorat*') type of access to land, the payment of a certain amount of money does not conclude the transaction or end the relationship, but, rather, establishes and perpetuates it. Tensions and conflicts between autochthons and migrants often find their roots in disputes over the content of land rights and duties that were transferred to the migrants through a *tutorat* relationship, as 'gift' or as 'sale'. These tensions have long been documented in different areas of southern Côte d'Ivoire (Dupire 1960; Raulin 1957). The conflicting interests were kept under control during the colonial period as well as during the first decades of independence to the detriment of the autochthons, as public policies tended to favour settlement by strangers in order to stimulate economic development, relying on the principle 'the land belongs to he who cultivates it' (Chauveau 2002; Dozon 1997). The issue has

resurfaced openly and widely in the past ten years, with autochthons contesting past land transfers in order to establish a 'land fee', or even to get the land back. In this process, young autochthons who no longer have economic prospects in the urban sector play a leading role. The political debate has taken up the question of land rights as a major issue, in a context where public authorities no longer indiscriminately support the migrants' interest. The post-Houphouët-Boigny era marks 'the return of autochthony' in the guise of '*ivorité*'. In that debate, the Ivorian–foreigner opposition prevails over the usual opposition between autochthons and Baoulé or Dioula<sup>3</sup> migrants. The 1998 land law, voted in unanimously but not yet enforced due to the current crisis, clearly goes that way by excluding foreigners from land ownership. The law also implicitly privileges autochthony as the main source of legitimate entitlement to ownership rights, opening up the possibility of excluding Ivorian Baoulé and Dioula from legal registration (Chauveau 2002). The land issue has become a burning question in the current socio-political context of Côte d'Ivoire, especially since the dramatic events that started in September 2002.

This paper deals with the relationships between access to land, inter-ethnic relations and land conflicts in a situation which is distinctive in the general context of southern Côte d'Ivoire sketched out above. This former no man's land in lower Côte d'Ivoire offers quasi-experimental conditions in which to analyse access to land, in a situation where the role of *tutorat* in land transfers, and more broadly the autochthon–migrant dichotomy – a fundamental ingredient of the struggles over land – is absent. Even if it is atypical – or precisely because it is atypical – this case is quite revealing regarding the land issue in the current socio-political context of Côte d'Ivoire.

Empirical data come from investigations conducted in three villages, Djimini-Koffikro, Kongodjan and Petit-Paris. In Djimini-Koffikro (3,000 inhabitants), the ethnic appropriation of land is a real patchwork, with Baoulé, Agni and Abouré as the dominant groups. Kongodjan (530 inhabitants) is a Sénoufo village, in terms of population as well as land control. The village of Petit-Paris (300 inhabitants) is populated by Abourés and Mossis, but the Abourés own most land.<sup>4</sup> The pioneer phase developed in this micro-region from west to east, starting in Djimini-Koffikro in the twenties, then in Kongodjan in the thirties and Petit-Paris in the forties – a time lag which provides an opportunity to capture the incidence of the evolution in the perception of land scarcity on access to land in this context. Djimini-Koffikro was the object of intensive field research from 1983 to 1985, including the mapping and 'biography' of all plots in the village (origin of the first cultivation rights, then transfers

through inheritance, *inter vivo* gift or sale). Exhaustive data were also collected on land use and tenancy contracts (Colin 1990). A second fieldwork phase started in 2001, aimed at capturing the dynamics of land rights, distribution and use, since the 1980s. Intensive case studies have been combined with exhaustive surveys regarding landowners and tenants in the village, dealing with land transfers and land conflicts. In Kongodjan as well as in Petit-Paris, the current research, which started in 2002, parallels that conducted in Djimini-Koffikro. This paper relies mainly on the Djimini case, but also draws on comparative elements from Kongodjan and Petit-Paris. Even though this paper focuses on these three villages as part of a former no man's land, we also draw some comparative elements from Georges Kouamé's ongoing doctoral research on the neighbouring Abouré country of Bonoua.

The first part of the paper explores the Agni reaction to the massive arrival of 'strangers' during the colonial period, and analyses the dynamics of land appropriation in the absence of autochthonous land stakeholders. It shows the role of shared principles in the regulation of the emergence of property rights in land, and underlines the lack of inter-ethnic tensions or conflicts regarding land property rights. The structuring feature of the land issue in the region is less a matter of ownership rights, than the development of a very active land lease market for pineapple production by Burkinabè tenants. The second part of the paper deals with that issue, underlying the quite smooth functioning of that market in the area under study, which greatly contrasts with the neighbouring Abouré country, where severe troubles occurred in 2001 when young Abourés tried to expel the Burkinabè tenants. The last section of the paper deals with the situation in the region in the current socio-political context. This situation is characterised by the total absence of inter-ethnic open conflict, which however conceals perceptible tensions. As one might expect, the land issue as such constitutes only one part of the story in these tensions.

THE EMERGENCE AND TRANSFER OF LAND RIGHTS IN A FORMER  
'NO MAN'S LAND': THE DYNAMICS OF LAND APPROPRIATION  
IN THE ABSENCE OF AUTOCHTHONOUS STAKEHOLDERS

*A no man's land? The Sanwi kingdom facing the strangers' infiltration*

The research area is located at the furthestmost bounds of the Agni kingdom of Sanwi, in the Eotilé vassal territory, not far from the Abouré country (Figure 1). As fishermen, the Eotilé settled along the banks of

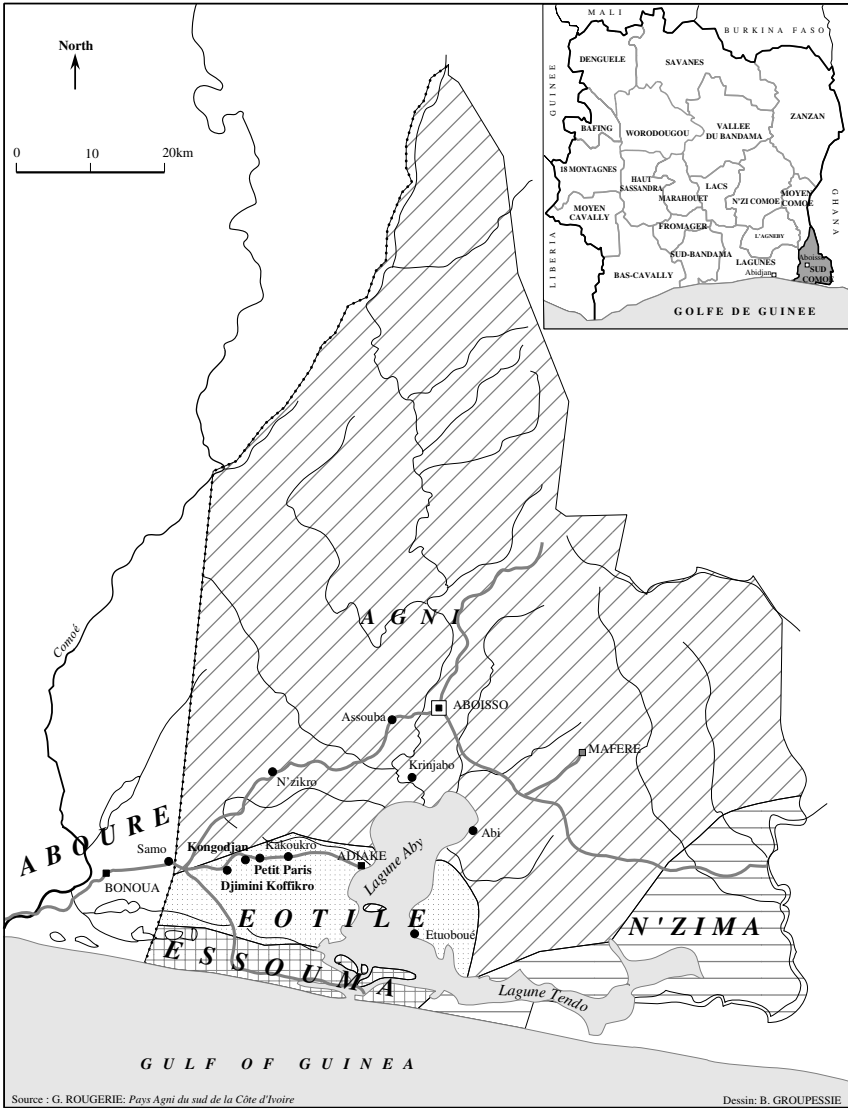


FIGURE 1.  
Map of Sanwi.

the lagoons, and not in the interior of the country (Rougerie 1957). The south-western border of the Agni kingdom isolated it from the Abouré country of Bonoua, and remained unoccupied until the early twentieth century.

Strangers originating from various regions of Côte d'Ivoire (and to a much lesser extent from Upper Volta and Mali) started to settle progressively in unoccupied forested areas of the Sanwi kingdom during the Agni exodus to the Gold Coast, from 1913 to 1918.<sup>5</sup> According to Dupire, the king of Sanwi, on his return in 1918 to Krinjabo, suggested to his subjects that they let the strangers keep the land they had occupied because he worried about the demographic weakness of Sanwi. However, a few years later, facing increasing immigration pressure, the Krinjabo Court and Sanwi notables did try to control the immigrants' settlement. In 1935, the *chefs de canton* asked the strangers to request authorisation before settling and to pay a fee (whose amount was not stated). The *palabres de conciliation* (conciliating meetings) did not succeed due to the opposition of the strangers' representative (see below) (Dupire 1960: 214). In 1951, another conciliation meeting suggested the recognition of the strangers' rights over all plantations created at that time, and the prohibition of new clearings without the authorisation of an Agni authority (*chef de terre*, village chief, *chef de canton*, superior chief) – regardless of whether authorisations were granted free of charge. Some *notables* tried unsuccessfully to obtain an annual fixed fee (three loads of coffee, i.e. 102 kilograms) to the benefit of the king's finances. These measures were not implemented, due to the strangers' opposition (Dupire 1960: 215). In 1954, a King's Court regulation<sup>6</sup> stated that no stranger could acquire or clear any land in Sanwi without the authorisation of an Agni *chef de terre*. The stranger's approach had to be respectful and meet the local uses. He had to pay to the customary chief an annual *assasitouo* (land tax), corresponding to one-fifth of the harvests. He would lose his rights if he left the kingdom. On his death, his plantation became the property of the crown, unless his heir claimed it within six months, in which case he was entitled to half of the plantation, the other half remaining for the crown (Dupire 1960: 216–18).<sup>7</sup> According to Dupire, no signs of enforcement of these measures were noticeable at the end of the fifties. Lastly, on 2 April 1958, the *Code foncier agni du royaume du Sanwi* (the Agni Sanwi land code) was produced, which developed the 1954 measures (Amon d'Aby 1960: 174–5; Dupire 1960: 161–5, 218–19). This provided for the constitution of a land register, to record the land over which strangers had use rights in each administrative district and the land fee collected. Land sales were restricted to the transfer of the use right, and the buyer had to be a subject of the kingdom, i.e. strangers were excluded. A stranger could clear a forest, but under a lease arrangement (*asseema*), for nine years or for an indeterminate length of time; at the end of the lease, he had to be compensated for the improvements he had realised (the value of the plantations). The land rent had to be one-third of

the harvest, and the tenant had no right to expand or sell his plantation. As in the preceding attempts, these rules, which aimed at turning the strangers of the Sanwi kingdom into mere usufructuaries, remained unenforced. How can one explain these successive failures of the Agnis to control the strangers' settlements?

A first element to consider is the role of the French administration, which tended to support the migrants – a policy later followed by the independent state (Chauveau 2002). The colonial administrators, considering that equal opportunity among Africans was the best way to promote economic development of the territory, remained deaf to the autochthonous claims. A note produced by the Agni *notables* presents the case:<sup>8</sup>

the colonial administrators favoured the disorderly settlement of incomers, settled the forest disputes in favour of the strangers under the sole justification of the effective exploitation, favoured them regarding the granting of permits to hold hunting guns ... The animosity, the irritation, came that way, sometimes causing pitched fights, sometimes the burning down of plantations, maintaining permanently an atmosphere of hatred towards the stranger, who benefited from the support of the administration.

One finds for instance the following piece in the political report of the Assinie-Maffia subdivision for the first term of 1934, which goes indeed in that way:<sup>9</sup>

Ehoutilés and Essoumas: these two tribes were living under a latent discord. The fault lies with the two chefs de canton. At the end of January a quarrel broke out between these two chiefs: the dispute was brought to me under the form of competing claims over the land and fisheries located at the mouth of the Ganda River. The issue was no more and no less than to systematically bleed the non autochthonous who had settled there and these two gentlemen did not agree over the share ... This matter was quickly sorted out, as the two chiefs were invited to no longer look after this area and to leave the non autochthonous in peace.

As early as 1911, the chief administrator of the Assinie Cercle commented: 'The King of the Sanwi, who resides in Krinjabo, nowadays just bears an honorary title and only has the authority delegated to him by the Administrator.'<sup>10</sup> The weakening of the Sanwi king's power begun before colonisation (Dupire 1960), but the kingdom clearly suffered from a systematic French policy aimed at weakening it, once it came under direct rule in 1903 (Sanwi administered itself as a French protectorate from 1844 to 1903), by questioning the customary jurisdiction, cancelling the court's sources of funds, and taxing the kingdom's subjects. The customary court of Krinjabo (where the strangers had no representative) never dealt with conflicts between Agni and strangers, as the latter were not forced to

answer a king's court notification – they instead resorted to the county court, where they were represented (Rougerie 1957: 95). According to Dupire (1960: 212) the person recognised by the French administration as the chief of the strangers' community also played an important role in resisting the Agni claims. He was a Toucouleur, made *Chevalier de la légion d'honneur*, and president of the magistrates' court (*tribunal civil*) of Aboisso. As the chief of the strangers' community between 1925 and 1948 – at the time of the 'invasion' of Sanwi by stranger planters – he systematically opposed the autochthonous demands, with the support of the French administration.

The heterogeneity in the effective Agni control of the kingdom's territory must also be taken into account in order to understand the strangers' penetration. The Sanwi offer a good illustration of the gradual control exerted by a social group over the territory it claims (Kopytoff 1987), with a decreasing control along a line going from the core of the Sanwi country (located between Aboisso and the Aby lagoon from north to south, and between Assouba and Maféré from west to east, where the percentage of migrants in 1953 was limited to 2–12% according to Rougerie), towards less populated areas (the western part of the Assouba canton, where migrants were already largely dominant in the 1950s), and farther, to areas coming under the authority of a 'central power' but which were beyond its effective control – as the western area of the Sanwi kingdom. What is today the Djimini–Kongodjan–Petit-Paris area was part of the kingdom's south-western border, a buffer zone under the mere formal control of the Agnis/Eotilés, isolating them from the Abourés. These lands were in practice free of any human activity at the beginning of the twentieth century. No autochthonous village claimed these lands, and ever since the settlement started, no Agni Sanwi or Eotilé ever came to claim rights over them. Such an area *de facto* corresponded to a 'no man's land' in terms of land control. The infiltration in this region of Abourés coming from Bonoua, especially from the end of the forties, led in 1953 to a boundary conflict between the Abouré country and the Eotilé *canton* (county), which makes it possible to specify the distinction between politico-territorial and land claims in such a colonisation zone. The Abourés claimed as theirs the entire region between Bonoua and the western shore of the Aby lagoon, whereas the Eotilés considered that the Abouré country stopped after the compound of Samo (Rougerie 1957). A meeting settled the limits between the Abouré compound of Allohouré (just west of Djimini) and Djimini-Koffikro. This point still marks the boundary between the Bonoua and the Adiaké *sous-préfectures*. This conflict over the ethnic group territory boundaries did not establish Eotilé land claims over the area which was



confirmed as being under their jurisdiction; in other words, the issue was one of sovereignty and not one of land property rights. The only formal intervention of Eotilé authorities that we could document in our investigations in our research area shows the same rationale. This intervention was induced by a conflict between a Mossi pioneer from Kongodjan and an Abouré from Petit-Paris. The old chief of Kongodjan, the only pioneer still alive in the village, remembers the case:

A. T. had given a forest to one of his labourers that he could not pay at the end of the contract. One day, as the Mossi was clearing the forest, an Abouré came and asked him to stop clearing because he had already marked the trees. The Mossi said that he had seen no signs and that it was A. T. who had shown him the place. The Abouré got angry and went to complain to his King in Bonoua. We were called before the King's Court and when we arrived, we were told that we had to pay money in order for the Court to deal with our case. We said that we had no money and so we could not pay. They told us to come back with the money. We went home and did not return to Bonoua. A friend from Djimini told us to go to Adiaké to meet the commandant [the chief of the colonial subdivision] because we were settled on Agni land in the Adiaké subdivision, not on Abouré land. When the commandant was informed, he asked us to present the case to the chief of Etuoboué [an Eotilé village located on the Aby Lagoon],<sup>11</sup> and he was there too. After hearing the story from the Abourés as well as from us, the Agni chief told the Abouré: 'You all came to settle on our land and we have said nothing and it is you, the Abourés, who want to prevent the others from working in order to feed themselves? You call the others thieves whereas in fact you are all stealing our land. Why did you take that matter before the Abouré King? You are not in Abouré country, you are in our country and when there is a problem we are the ones to deal with it.' Then, the Agni chief came to define the limit between the Abouré and the Mossi. Since then, we have had no trouble with the Abourés.

#### *Access to land during the pioneer time*

The pioneer phase in the Djimini–Kongodjan–Petit-Paris region did not turn into a conflictual rush, even though it lacked customary socio-political institutions and resort to colonial authorities remained exceptional. Briefly reviewing the history of access to land during the pioneer phase brings to light shared principles which played a central role in the coordination of individual actions. At the same time, it shows how the increasing perception of the vanishing of the black forest reflected upon actors' practices.

The first settler to arrive in what was to become Djimini-Koffikro was A. K., an Abouré who established a game encampment there in about 1915. In the 1920s, people from different origins arrived (mostly Baoulé

and Agni, but also Nzima, Gagou or Yacouba).<sup>12</sup> The abundance of black forest incited them to settle there to create plantations, at a time when the cocoa and coffee smallholder plantation economy was starting to develop. When they arrived, A.K. 'set up' the first newcomers in different areas – i.e., showed them where to start clearing the forest. These first migrants began, in turn, to set up the newcomers, each one in his respective sector. As 'regulators', A.K. and the first Baoulé, Agni and Nzima migrants designated to the newcomers where and in which direction they could start clearing the forest to create plantations. The clearing of the forest was then sufficient to ensure one's uncontested individual right over the land. The newcomer was set up in the forest, at such a distance from the other planters that he could not jeopardise an expected expansion of his neighbours' plantations, thereby creating a reserve of black forest for these planters. The limit was defined only when two clearing fronts came close, in order to avoid conflicts.

In the 1940s, competition over access to the black forest appeared. Without an *ex ante* delimitation of the forest to clear, and with the fundamental rule that it was the cutting down of the forest which created a property right, anticipatory strategies were then developed in order to protect one's interest. Installing newcomers in a given place became a way to stand in the path of pioneers from neighbouring villages. Clearing techniques were also sometimes used, consisting of multiplying the clearing fronts in order to isolate a central area as a reserve. Orienting the clearing of the forest in a given direction was also a way to create pre-eminence over a neighbour. These strategies nevertheless did not create conflicts, as the principle 'the labour creates the right' continued to legitimise these practices. Another element explaining the lack of conflict at that time is that by the end of the 1940s, all of what is now the village territory was appropriated, including reserves of black forest. In other words, when the rush for the forest took on a major emphasis at a regional scale, in the late 1940s and 1950s, property rights were already established and socially recognised in Djimini-Koffikro.

Access to land in Djimini-Koffikro was conditioned by the perception of the area as a no man's land. All the old pioneers interviewed in the 1980s said that at that time, 'the land belonged to nobody'. They knew that they were in Agni country, but the Agnis and the Eotilés lived far away. Indeed, the Agni who settled in Djimini do not consider themselves as 'the' autochthons – and they are definitely strangers in the Sanwi country, as they come from other Agni groups (Bongouanou and Indénié). Access to land therefore rested on shared principles, which legitimised and regulated land control and the organisation of settlements: (i) the

principle, commonly found in African contexts, that labour creates the right to land, and (ii) the principle that earlier arrival creates the right to regulate the settlement of newcomers. The fact that the 'regulators' were acknowledged as those organising the settlement of newcomers in the forest did not give them rights over the land cleared by these newcomers. They just received the usual bottle of gin, or some litres of *bangui* (palm wine). This lack of socially legitimised right over the uncleared forest explains why one does not find, in Djimini, access to land through the *tutorat* institution: there were no autochthonous hosts, and the first settlers did not turn later into *tuteurs* regarding newcomers, if one defines *tutorat* as an enduring system of social obligations, perpetuated after access to land.

The first Voltaic settler, A. T., a Sénoufo, arrived in Djimini-Koffikro in 1933. He was given access to the forest in an area located a few kilometres from Djimini-Koffikro, where he founded a compound, Kongodjan ('remote plot'). Kongodjan was later settled by Voltaic Sénoufos and Malinkés from Mali; since the 1960s it has been an independent village. A. T. himself turned into the 'regulator' for newcomers who gathered in his compound. As in Djimini, the encounter of the clearing fronts defined the limits between the pioneers' plots, and no *tutorat* relation was established through access to land. Kongodjan pioneers soon found themselves blocked in their progression in the forest by Abourés, who bypassed them when they settled in what became the village of Petit-Paris. As the old chief of Kongodjan recounts:

At that time, forest was everywhere, we did not imagine that we could be blocked up. We stayed together in our sector because chimpanzees destroyed our crops; it was easier to keep watch. Each day the Abourés were passing to enter the forest. When we were asking them what they were doing, they always answered that they were going hunting or collecting fruits. Instead, they were marking trees. When we wanted to clear the forest farther, we realized that the Abourés had taken everything by marking trees, even if the forest was still there. Really, we have been had! If we had known, we would have marked the forest from the beginning, but we did not think of doing that, we thought that the forest was plentiful and that we had time to clear it.

This case shows the encounter of two legitimising principles in forest appropriation. As in Djimini, Kongodjan pioneers considered that clearing the forest made the land yours; they were still relying upon a cognitive map which took for granted that land was abundant. The Abouré newcomers, on the other hand, had a clear consciousness of the increasing scarcity of the forest,<sup>13</sup> and relied on the principle that you can reserve yourself a place just by marking it. What is interesting is that people from

TABLE 1

The distribution of land possession at the end of the pioneer phase,  
by planters' ethnic group

|                               | Djimini-Koffikro      |                      | Kongodjan             |                      | Petit-Paris           |                      |
|-------------------------------|-----------------------|----------------------|-----------------------|----------------------|-----------------------|----------------------|
|                               | Acreage<br>(hectares) | Number of<br>estates | Acreage<br>(hectares) | Number of<br>estates | Acreage<br>(hectares) | Number of<br>estates |
| Abouré                        | 144.7                 | 7                    | —                     | —                    | 318                   | 11                   |
| Agni                          | 194.6                 | 12                   | —                     | —                    | —                     | —                    |
| Baoulé                        | 415.6                 | 44                   | —                     | —                    | 99                    | 2                    |
| Nzima                         | 91.1                  | 6                    | —                     | —                    | 5                     | 1                    |
| Northern Ivorian <sup>1</sup> | 55.6                  | 4                    | —                     | —                    | 100                   | 5                    |
| Other Ivorian <sup>2</sup>    | 95.9                  | 11                   | 22                    | 1                    | 40                    | 4                    |
| Total Ivorians                | 997.5 (95 %)          | 84 (94 %)            | 22 (15 %)             | 1 (6 %)              | 562 (96 %)            | 23 (96 %)            |
| Voltaic <sup>3</sup>          | 50.4                  | 5                    | 87                    | 14                   | 22                    | 1                    |
| Malian <sup>4</sup>           | —                     | —                    | 40                    | 3                    | —                     | —                    |
| Total foreigners              | 50.4 (5 %)            | 5 (6 %)              | 127 (85 %)            | 17 (94 %)            | 22 (4 %)              | 1 (4 %)              |
| Total                         | 1047.9                | 89                   | 149                   | 18                   | 584                   | 24                   |

In Djimini, the data are based on the measurement of all plots in the village. In Kongodjan and Petit-Paris, these results correspond to declarative statements. (1) Malinké, Sénoufo; (2) Gban, Yacouba; Attié; (3) Mossi, Sénoufo; (4) Malinké.

Kongodjan did not contest this second principle; they just regretted not having thought beforehand of using it. As a result of the conditions of access to land during the pioneer phase, one notes some ethnic polarisation of land control at the end of that phase (Table 1).

None of the villages possesses a specific land regulation authority. There is no *chef de terre*, no rituals provided by the first settlers or their descendants. Contrary to the usual practice in Côte d'Ivoire, none of the first settlers became the first village chief. In the three cases, the chieftaincy acts only as an administrative rung, with no real authority except to deal with minor problems. They just operate as the link between the villagers and the administration – the *subdivision de cercle* of Assinie-Maffia in colonial times, the *sous-préfecture* of Adiaké now.

*The pioneers' relief: intra-family rather than extra-family conflicts*

With the end of the pioneer phase, direct access to land under the conditions that have just been described no longer operated. From then on, access to land ownership came from inheritance, *inter-vivo* gifts or purchase (in the second part of the paper, we will turn to the issue of the delegation of use rights through the tenancy market).

The land market only operated significantly in Djimini, where a third of the total acreage of all land estates has been the subject of at least one transaction; two-thirds of the estates existing at the end of the pioneer phase have been sold partly or totally (Colin & Ayouz 2006). Two transactions occurred in Kongodjan (13% of the total acreage of the village's estates) and seven in Petit-Paris (4% of the total acreage at the end of the pioneer phase). As these transactions did not fall in any way within the *tutorat* framework, and in contrast to what is usually observed in southern Côte d'Ivoire, these land sales can be regarded as 'complete', or 'outright sales' (Hill 1963): the buyer is free from any obligation towards the seller, once the transaction is concluded. This transaction constitutes a transfer of the whole bundle of rights in the land. All transactions have been realised outside the legal framework, with in some cases a 'formalisation' through a simple written receipt. The fact that Djimini-Koffikro was an immigrant village facilitated the constitution of a land market on two counts: most pioneers could manage their land patrimonies as they wished, because these had not been acquired through customary inheritance, and their return to their native villages prompted the supply on the land market. Most land was indeed sold by planters leaving the village to go back home, or by planters' heirs unwilling to settle in Djimini-Koffikro. Apart from the Abourés, all ethnic groups have participated in land transactions. This ethnic exception – Petit-Paris shows the same Abouré specificity – can be explained by the proximity of Bonoua, and the fact that the pioneer's family would strongly disapprove his selling the land when it was so scarce in Bonoua. In Petit-Paris, those who sold land were Attié, Baoulé, Gban or Malinké. In the case of Kongodjan, the lack of land sales must be related to the fact that even if some pioneers went back home, most were replaced by family members (the two sellers were an Attié and a Malinké).

The opening of the land market in Djimini led more to a change in the composition of the group of planters than to a land concentration in favour of already settled planters (Colin & Ayouz 2006). In this process, ethnic or national control over land shifted to a certain extent, as some buyers originated from northern Côte d'Ivoire, Mali or Upper Volta (Table 2).

Most land property transfers after the end of the pioneer phase occurred through inheritance and *inter-vivo* gifts. Intra-family tensions and conflicts over these transfers are common. In Djimini-Koffikro, of the 54 estates for which we have information, 27 have been affected by an intra-family contestation of land property rights. These tensions are much more frequent in matrilineal groups, and become 'structural' among the Abourés.

TABLE 2  
The distribution of land estates in 2002, by ethnic group or nationality  
of landowners

|                                | Djimini-Koffikro      |                      | Kongodjan             |                      | Petit-Paris           |                      |
|--------------------------------|-----------------------|----------------------|-----------------------|----------------------|-----------------------|----------------------|
|                                | Acreage<br>(hectares) | Number of<br>estates | Acreage<br>(hectares) | Number of<br>estates | Acreage<br>(hectares) | Number of<br>estates |
| Abouré                         | 127.9                 | 11                   | –                     | –                    | 317                   | 28                   |
| Agni                           | 198.9                 | 21                   | –                     | –                    | –                     | –                    |
| Baoulé                         | 321.9                 | 46                   | –                     | –                    | 100                   | 5                    |
| Nzima                          | 140                   | 10                   | –                     | –                    | 5                     | 1                    |
| Northern Ivorian <sup>1</sup>  | 125.9                 | 11                   | 137.5                 | 18                   | 105                   | 4                    |
| Other Ivorian <sup>2</sup>     | 40.1                  | 3                    | 15                    | 1                    | 26                    | 3                    |
| Total Ivorian                  | 954.7 (89%)           | 102 (84%)            | 152.5 (100%)          | 19 (100%)            | 553 (94%)             | 41 (89%)             |
| Voltaic/Burkinabè <sup>3</sup> | 85.6                  | 14                   | –                     | –                    | 28                    | 4                    |
| Malian <sup>4</sup>            | 21.9                  | 5                    | –                     | –                    | 6                     | 1                    |
| Nigerian                       | 11                    | 1                    | –                     | –                    | –                     | –                    |
| Total foreigner                | 118.6 (11%)           | 20 (16%)             | –                     | –                    | 34 (6%)               | 5 (11%)              |
| Total                          | 1073.3                | 122                  | 149                   | 19                   | 587                   | 46                   |

Since the end of the pioneer phase, all families owning land in Kongodjan have acquired Ivorian citizenship.

Between the end of the pioneer phase and 2002, the total acreage controlled by the planters slightly increased through purchases in neighbouring villages.

(1) Malinké, Sénoufo, Tagbana; (2) Yacouba; Attié; (3) Mossi, Sénoufo; (4) Malinké.

Extra-family land conflicts are not uncommon, but concern mainly boundaries. Compared to other regions of Côte d'Ivoire, contesting property rights in land by questioning or renegotiating past conditions of access to land remains exceptional, even in the current socio-political and legal context. Six cases occurred in Djimini, and no case was documented in Kongodjan or Petit-Paris. Five of these conflicts relate to cases in which, at the end of the pioneer phase, planters gave some of the forest reserve they had constituted to wage labourers whom they could not pay at the end of their contract. The conflicts occurred when the former labourers tried to sell the land, or when the heirs of the planters who had 'given' the land asked for 'gifts'. What has to be underlined is that in all these cases, the claims occurred regarding plots of forest that were already clearly appropriated when they were given to the former labourers. The limitation (prohibition of sale) or attempts to get some belated profit (asking for 'tips') were justified on the basis of these conditions – thus leading to a type of situation corresponding to that often observed in southern Côte d'Ivoire, when autochthons try to renegotiate the past conditions of

migrants' access to land. No such claim has been formulated regarding plots cleared under the 'regulation' of the first migrants. Discussions today with the heirs of the first Baoulé pioneers who 'installed' most of the newcomers show that it is now completely out of the question to challenge the past access to the forest, as it would lack any element of legitimation – regardless of who got that access, whether foreigner or Ivorian, Ivorian 'from the South' or Ivorian 'from the North'. The sixth extra-family conflict over land property rights we mentioned relates to the only contestation of a land sale that occurred in Djimini, Kongodjan or Petit-Paris.

The general picture that emerges therefore is one where land rights are frequently contested within families, but remain quite secure otherwise, even in the present socio-political context. Compared with other regions in Côte d'Ivoire, we attribute this lack of conflict to the absence of autochthons who could present claims over land.

THE SURGE OF A TENANCY MARKET: 'BURKINABÈ TENANTS  
VERSUS IVORIAN LANDOWNERS'

The salient feature of the land issue in the region located between Bonoua and Adiaké is the emergence and dramatic development of a land lease market for pineapple production (Colin 2004). This market is grounded in a dichotomy between Burkinabè tenants who grow pineapple, and Ivorian landowners leasing out land. The striking observation that can be drawn in this respect is that our study area, in Adiaké *sous-préfecture*, kept out of the conflict that broke out in 2001 between the Abouré natives and the Burkinabè tenants in the neighbouring Bonoua region.

The emergence of a tenancy market in the region is directly linked to changes in the local smallholder plantation economy, combined with a strong immigration flow since the end of the 1970s. During the pioneer era, coffee and cocoa plantations were developed over all the area suitable for that purpose. The issue of the renewal of this form of plantation economy emerged as early as the late 1960s, with the ageing of the initial plantations. The intervention of different parastatals or private companies, which introduced new crops (coconut, oil palm, rubber, pineapple) through contract farming, 'boosted' the local economy. Nowadays, pineapple covers more than 400 of the 1,073 hectares of Djimini-Koffikro territory. The growth of pineapple production is mostly driven by a 'second immigration flow' of people coming from Burkina Faso, and having access to land through tenancy contracts. The mutation of the local plantation economy has been accompanied by a strong development of

TABLE 3  
Ethnic or national origin of people leasing land in and out in  
Djimini-Koffikro (2002)

|           |                                     | Landowners<br>leasing out <sup>1</sup> | Tenants                  |                  |
|-----------|-------------------------------------|--|--------------------------|------------------|
|           |                                     |  | Owning land <sup>1</sup> | Landless         |
| Ivorian   | Akan group <sup>2</sup>             | 101                                    | 14                       | –                |
|           | Ivorian from the North <sup>3</sup> | 12                                     | 8                        | 10               |
|           | Others <sup>4</sup>                 | 3                                      | –                        | –                |
| Foreigner | Burkinabè                           | 5                                      | 7                        | 125 <sup>5</sup> |
|           | Malian                              | 2                                      | 5                        | 15               |
|           | Others <sup>6</sup>                 | 1                                      | –                        | 9                |
|           | Total                               | 124                                    | 34                       | 159              |

(1) Including members of families owning land; (2) Baoulé, Agni, Abouré, Nzima; (3) Tagbana, Sénoufo, Malinké; (4) Yacouba, Gban; (5) mostly Mossi (116 out of 125); (6) Nigerian (landowner leasing out), natives from Togo and Benin (tenants).

the land lease market, which affected one-third of the total acreage of the village lands in 2002; 93 estates out of 122 were leasing land out. Almost 80% of the land cultivated in pineapple is leased, through fixed-rent or sharecropping contracts.

The dichotomy between landowners and landless people is almost complete, as only a small group of people owning land (or whose family owns land) lease in. Due to the history of migration and land appropriation in Djimini, the tenancy market shows a bi-polarisation between Burkinabè tenants and Ivorian landowners (Table 3). This dichotomy stretches beyond Djimini-Koffikro, and, in fact, characterises the whole area between Adiaké and the Abouré country of Bonoua.

With regard to the importance of leasing practices, the tenancy market is quite secure in the Djimini–Kongodjan–Petit-Paris area, even if it remains informal. Among 124 people leasing out land in Djimini (where we conducted the most extensive in-depth survey), only 32 (usually minor) problems were mentioned: late return of the plot or conflicts over the contractual obligations.<sup>14</sup> The same picture emerges from the tenants' perspective. Among 159 landless producers leasing land in, only 15 conflicts were documented (when a landowner leases out the same plot to two different tenants, or tries to take his plot back before the full harvest of the shoots, etc.). The tenancy market in the area is thus quite secure. The increasing use of 'pieces of paper' (*petits papiers*) is often seen in the literature as an efficient device to facilitate contractual enforcement (Koné *et al.*



1999; Lavigne Delville 2003). It is also recognised as such by both landowners and tenants in Djimini. However, 'writing things down'<sup>15</sup> is not (yet?) a general practice: it only affects 17% of the fixed-lease contracts and 3% of the sharecropping contracts. In contrast, the presence of witnesses is almost routine. The fact of not 'making a paper', when such a practice is presented as desirable in general conversation, can be explained by the combination of two registers: a paper is considered as unnecessary when people trust each other, and the social relationship is such that asking for a paper is often seen as totally inappropriate. Many tenants state it that way: 'I know my landowners very well; they are old people so asking them to make a paper would be as if I do not respect them.' Not asking for a paper does not always signify a trusting relationship, but can also reflect a concern for not creating distrust: 'I do not ask for a paper because I do not want the landowner to think that I distrust him.' The partner is usually not an unknown person and a screening process, on the basis of personal experience or reputation, is usually seen as efficient by the actors in order to prevent conflicts.

The lack of conflicts regarding tenancy practices does not preclude a perceptible resentment against Burkinabè tenants. The following interview, conducted in August 2001, clearly illustrates the general discourse one hears throughout the region, when discussing with young people whose families own land – Abourés in Bonoua, but also Baoulés or Agnis in Djimini. That discourse expresses a boiling resentment against the Burkinabès, whose economic success is particularly hard to come to terms with. The economic success of some Burkinabè pineapple growers is indeed quite perceptible: some have bought a tractor, a truck or a car. They employ annual wage labourers whom they bring from Burkina Faso – whereas Abouré, Baoulé or Agni planters can no longer find such labourers, and have to contract labourers on a daily or piece-rate basis, which is much more expensive. The bitter observation is then:

Look at this guy ... when he arrived, nine years ago, I employed him to weed my fields, and now he drives a Pajero ... The problem with the Burkinabès is that they have to stop pineapple business, they earn too much money! They go back home with the money; over 1000 Burkinabès in Djimini, how many have built a house here? Over all Djimini there are only two. They show no respect for us. They do not contribute to the life of the village. They have children but they send their girls back home, so they should leave our women in peace! Because they earn a lot of money, they can pay 25,000 to sleep with a girl here. As long as they behave this way and show that lack of respect, there won't be a solution to the problem. The Burkinabès do not want to work [for us as wage labourers]. If we take back the land, they will have to work ...

Anyone familiar with the literature dealing with autochthon–migrant relationships in southern Côte d’Ivoire will have noticed familiar arguments. Some decades ago, or even more recently, the accusing finger was pointed in the same way at Baoulé migrants: they invest at home the money they earn locally, they do not build a house in the village, they show no interest in village affairs, they show no respect ... (see Dupire 1960; Hecht 1985; Köbben 1963). Nowadays in the region, Baoulés have been substituted by Burkinabès in the role of the ‘ungrateful stranger’, the tension is rooted in land lease rather than in land appropriation rights, but the economic dynamism of (new) migrants remains the invariant crystallisation factor of resentment.

The authoritative argument of autochthony used against successful migrants reflects the idea that an unbalanced economic success in favour of migrants runs against the emic conception of the native community social order, grounded in the ‘natural’ political and resource-access pre-eminence of first comers (Chauveau & Colin 2005).

This resentment found all its expression in the troubles that occurred in the neighbouring Abouré country of Bonoua in 2001. On 16 January 2001, a young Abouré had an argument in the Bonoua market with a foreign watchman. As the Abouré ended up being knocked out, the news spread immediately, and Abouré youths rose up and destroyed more than 70 foreigners’ shops. In the following days, the youths organised a general meeting, which culminated with a note that they handed over to the Bonoua *sous-préfecture* and to the Abouré king’s court. This note proposed the establishment of a set of restrictive rules regarding foreigners in the Abouré country: among other things, it sought to impose a curfew on them, declare an Abouré monopoly over all trading and transport activities, prohibit marriage between Abourés and foreigners, and prohibit leasing out land to them; all these demands were rejected as illegal by the *sous-préfecture*. This attempt to redefine the relationship with non-Ivoriens was already under way even before the market incident. In September 2000, a ‘reflection seminar’ of the *Association des ressortissants de Bonoua*<sup>16</sup> dealt with ‘The evolution and adaptation of customs to the reality of social life in Bonoua’, stating that ‘leasing out land directly to non-Ivoriens is forbidden’. The king of the Abouré, the chiefs of the age sets and neighbourhoods, and *notables* signed the report.<sup>17</sup>

The first half of 2001 was thus marked by troubles in the Bonoua region over plots of land leased in by Burkinabè pineapple growers. Recently planted shoots were pulled up on some plots, and young Abourés stuck red flags or red sticks in plots which were being prepared for planting, when they suspected that these were leased in by Burkinabè planters. The

message was clear: do not plant pineapple or the plantation will be destroyed. These troubles did not spread to the Adiaké *sous-préfecture*, i.e., outside the Abouré country, but they did affect Burkinabè planters who leased in plots in 'Abouré territory' and lived in the Adiaké *sous-préfecture*. In Djimini, 27 planters were affected: 15 got the red flag and 12 had their plantations destroyed.

The situation calmed down after some months, and most planters resumed pineapple production.<sup>18</sup> From the Burkinabè perspective, there is no alternative source of income comparable to pineapple production. From the Abouré perspective, two registers of interests intervene: the land rent, for landowners leasing out, and the trading margin for the cooperatives and private brokers. Cooperatives in the pineapple sector are in fact pseudo-cooperatives organised around large pineapple growers. The Abourés from Bonoua have contributed greatly to the creation of these cooperatives, or have invested in them. The 2001 crisis ended in reduced production and delays in production plans, prejudicial to the trading margins achieved by the cooperatives or private brokers from buying the production of Burkinabè small planters and exporting it to Europe. Huge financial interests are at stake. As a Mossi grower in Tchintchébé (a compound close to Bonoua) commented in September 2003:

The uprooting of shoots has completely stopped. They themselves [the Abourés] want us to continue hard. If you need a plot to rent, you can find it right now everywhere. At that time it was hot, but thanks to God everybody has understood. That's something they did not understand: we plant, they buy, they transport, and they export ... If we don't work what are they going to do? Today brokers try to find fruits and they have problems, we are all behind schedule.<sup>19</sup> So there is no problem with them [the Abourés].

Why did the Abouré–Burkinabè conflict not spread to our research area, in Adiaké *sous-préfecture*, where numerous Burkinabè tenants produce pineapple, where the resentment against these small pineapple growers is perceptible, and where a number of Abouré landowners lease out land? First, one has to point to intra-family tensions and conflicts regarding land, which are particularly severe in the Abouré group and largely fuel the conflict (Kouamé 2006). A frequent complaint expressed by young Abourés is that the elders lease out too much of the land they inherited. At first, the argument is 'we don't have enough land to work', but it quickly boils down to 'our elders keep the money for themselves'. This 'sharing of the pie' issue is particularly marked among Abourés because of the high tensions over inheritance and the management of inherited land. In other words, the Abouré–Burkinabè conflict over land lease illustrates the more general issue of the activation of inter-ethnic conflicts by intra-family

tensions. In Bonoua, this conflict centred on the dynamics of the land lease market. In the general case of southern Côte d'Ivoire, it is rooted in the *tutorat* relation, i.e. in the distribution of land appropriation rights, with young autochthons (frustrated in their urban-oriented life projects) questioning the family heads and the local notabilities for being too conciliatory *vis-à-vis* the migrants at their expense (Chauveau & Colin 2005).

Second, as put forward by the people we interviewed (Burkinabès as well as Baoulés, Agnis or Abourés), 'here [Adiaké sous-préfecture], it is not Abouré land, the Abourés have no strength'. This point actually captures different ideas. First, the non-Abourés do not approve of what the young Abourés did (which does not mean that there is empathy towards Burkinabè tenants). Second, the Abourés are not in a position of strength, demographically and politically, in the area. Third, the authorities interceded to prevent the spread of violence in their jurisdiction. Indeed, not only the Adiaké *sous-préfecture*, but also the Agni chieftaincy intervened to stop the first attempts by young Abourés to threaten Burkinabè tenants in the *sous-préfecture*.

Lastly, even if the feeling that the Burkinabès' unbalanced economic success runs against the conception of the community social order is generally present in Djimini-Koffikro as in Bonoua, it did not result in an explicit confrontation in Djimini, because landowners (heirs of the first comers, or buyers of land cleared by the pioneers) cannot mobilise the political right of autochthony as an authoritative argument.

#### THE CURRENT SITUATION: THE CALM BEFORE THE STORM?

Since the 2001 events, no inter-ethnic conflict has been documented in the region between Ivorians and foreigners, or between Ivorians from distinct origins. Everywhere in our research area as well as in Bonoua, a flat calm reigns; not a single inter-ethnic conflict has occurred.<sup>20</sup> Whomever one speaks to, one hears at first the same discourse: 'Everything here is OK, there is no problem.' Regarding the 'Abouré–Burkinabè problem', the interplay of interests at stake seems to prevail. The following interview with a Baoulé planter in Djimini, illustrates the general first reaction of 'central and southern Ivorians': 'There has been no problem here. Here in Djimini we did not lay a finger on foreigners. Anyway, they behave in a good way. No one stood up to say that the rebellion was a good thing; no Mossi had bad-tempered gesture. Really the Burkinabès behaved well.' What appears clearly however, when pursuing the discussions, is that the resentment against Burkinabès – mainly Mossis – expressed before the

September 2002 events is stronger than ever. The idea of refusing to lease them land often crops up in discussions with young men whose families own land: 'When all the old men have died, we won't lease out land any longer to Burkinabès.' Some of them, however, are more realistic: 'It is said that we should not lease out land to Burkinabès but I say that it is not possible because when you lease out you have a reason. If today is the start of the new school year, if I have no money to send my children to school and if a Burkinabè comes to see me, I tell him OK, give me 100 000, and nobody can stop me.' The desire to break the basis of the economic success of the Burkinabè pineapple growers clearly conflicts with short-term monetary needs. Indeed, those claiming that in the near future no land will be leased out to Burkinabès are themselves quite active now as suppliers on that market. One might expect such a dissonance to further fuel the resentment against Burkinabès.

In addition to this economic-grounded tension, a political dimension is now added, as Burkina Faso is blamed for the September 2002 rebellion and for the partition of the country that followed. Very quickly the possibility of open local conflict and the expression of power relationships pops up: following the statement that 'our strangers behave well', one hears such discourse:

If they didn't, if there is a move, if we feel here that they support the rebels ... well, there is a camp of marine-commandos in Adiaké. They often come here and told us to inform them in case of trouble. So they [the Mossis] behave well ... If there is a move there won't be any forgiveness .... When you discuss with the youths, you see that they just wait for any spark in Djimini. They just wait for a Burkinabè to make a foolish mistake. Any spark and they start the fire. The Burkinabès know that, they understand and they do everything in order to have no fight with a young man from Djimini. They stay very calm; they refuse to have an argument. This could happen right now, suppose it is 6 p.m. and we hear that a Burkinabè head butted a Baoulé or an Agni during a football game, immediately all the Burkinabès will be attacked. It could turn bad here.

The Burkinabès are indeed aware of the potential risk of violent conflict and express a strong feeling of insecurity. A lot of them have repatriated their families to Burkina Faso – some had already done that during the 2001 events. They reduce their movements outside the village, as well as contacts with Ivorian people, to a minimum. A wall of silence seems to surround the region.

At this point, the evolution of the current situation is totally unpredictable: everything looks set for any commonplace dispute to spark an outburst, but equally, the status quo could go on, and the political tension progressively fade away to nothing if the national political situation

recovers. The resentment over Burkinabè economic success will remain anyway. This factor could always lead to an inter-ethnic conflict as long as the land lease market reflects the dichotomy between Ivorian landowners and Burkinabè tenants, and as long as pineapple production remains largely in Burkinabè hands; land relations as well as productive relations are in practice ethnicised. The collapse of smallholder pineapple production might be the unfortunate way through which the issue is indirectly solved. This collapse may be already on its way, with the imminent enforcement of stricter European norms regarding the chemical residues on imported fresh fruits. This quality screening will very likely operate a dramatic selection process among pineapple producers, leaving on the export market only those who practise an entrepreneurial type of production and excluding the vast majority of small producers, most of them Burkinabè.

The wall of silence we mentioned regarding Burkinabès and Ivorians is also perceptible regarding the relationships between ‘central or southern’ and ‘northern’ Ivorians in Djimini. The ethnicisation of political debate unsurprisingly turns the former into FPI or (often) PDCI supporters, and the latter into RDR supporters.<sup>21</sup> The political positions are indeed well established, but open political debate remains a taboo. Unlike the relationships with Burkinabè tenants, the tension among Ivorians lacks any land component. ‘Northern Ivorian’ landowners clearly do not feel insecure regarding their land rights and no ‘central or southern Ivorian’ has ever questioned these rights in our numerous interviews. This observation clearly differs from the well-documented cases of Lobi cocoa growers originating in north-eastern Côte d’Ivoire being expelled from south-western Côte d’Ivoire.



In southern Côte d’Ivoire, land relationships largely rely on the widespread conception of the embeddedness of land transfers within the *tutorat* institution, even if these transfers carry market-transaction flavours (Chauveau & Colin 2005). Because of the absence of a native population who could claim *tutorat* rights, this case study in lower Côte d’Ivoire differs from the general situation. The historical analysis has shown that, in this context, the lack of a native customary framework did not constitute an institutional vacuum, as principles shared by migrants of different origins prevented the pioneer phase becoming chaotic. The condition of access to land during the pioneer phase (no customary land right holders, no *tutorat*

institution), the absence of an autochthonous land stake, and the character of outright sales of land, largely explain the fact that land ownership rights are not questioned, except within families.

It is now recognised that when land transfers are socially acknowledged, the informal character of land rights and land transfers is not a major source of problems (Migot-Adholla & Bruce 1994; Platteau 1996). The difference between the case studied and the general situation of southern Côte d'Ivoire derives precisely from this perception of the legitimacy of past access to land and past land transfers, in the absence of autochthons in a position to claim 'superior rights' over land. However, if the current socio-political crisis continues, one cannot exclude the possibility of contestations over land ownership rights, even in the context of this former no man's land. Such contests could be legitimised not through the 'autochthon-migrant' register, which does not operate locally, but through the 'Ivorian-foreigner' register. This possible shift in registers would reflect a move from the local socio-political embeddedness of land rights and the local issues of citizenship and governance, to the national political arena, with the identity issue linked to *ivorité*. In other words, power and politics will ultimately determine the structure and functioning of the 'register' that legitimates land rights in all areas of the country.<sup>22</sup> However, even if the national identity issue does not translate into local contestation of foreigners' land rights, implementation of the 1998 land law would clearly open new perspectives in the region, as it would exclude all non-Ivorians from land ownership (Article 1), and convert them into tenants.<sup>23</sup>

Indeed, the implementation of the law, by converting all foreigners who acquired land 'customarily' into tenants, would reproduce throughout southern Côte d'Ivoire the dichotomy between 'foreign tenants' and 'Ivorian landowners' that characterises our study area. As such, that case to some extent offers an opportunity to analyse the incidence of the development of such a 'community-segmented' land lease market on inter-community relationships, but with a major difference: the development of such tenancy relations would not reflect, as in our case, an endogenous institutional change, but would be exogenously imposed on foreigners by the legal change and the power of the state through a redefinition of the bundles of rights over the land they acquired or inherited in the past.

In the context we studied, the development of a tenancy market decisively introduced national origin as a discriminating factor in land practices, and thus built up the arena for potential inter-ethnic tensions. These tensions do exist. They are rooted less in the tenancy contractual

practices as such, than in Burkinabè (mostly Mossi) economic success with pineapple production on leased land. Since September 2002, the national socio-political situation has strengthened that resentment, due to the perception of the role of Burkina Faso in the Ivorian crisis. The ingredients are available for serious troubles, but up to now the tension has not translated into any open conflict – and we have seen that even in the neighbouring country of Bonoua calm was restored after the 2001 events. Several elements can be mobilised to explain such lack of conflict in a very tense socio-political context. The lack of a land stake as such has already been mentioned: in the area covered by the research, resentment against Burkinabès is grounded in their economic success, but one does not find in addition, as often elsewhere in southern Côte d'Ivoire, a feeling of land dispossession, most land being owned by Abourés, Baoulés, Agnis, etc.

One must also take into account a major difference in economic stakes: in the central-western or south-western regions, the eviction of strangers might mean the opportunity to take over perennial crop plantations, i.e. a vegetal capital that one has just to maintain and harvest. Whereas in our study area the eviction of the strangers would mainly mean the loss of the land rent income, and of the intermediation gains in the pineapple sector. In other words, economic interests (and therefore the pay-offs from evicting strangers) over pineapple production differ radically from those related to cocoa production.

Beyond the specificity of that situation, a point of general significance to highlight is that inter-community tensions over land issues cannot be reduced to ownership rights. Let us assume that the 1998 law can effectively be implemented and enforced without bloodshed. This would turn the foreign cocoa or coffee farmers of southern Côte d'Ivoire into tenants, which might reduce the potential conflict induced by the natives' perception of the strangers' undue land control – it would indeed restore, in natives' perception, the link between land control and local citizenship. It would, however, also institutionalise on a huge scale a distinction between Ivorian landowners on the one hand, and foreign tenants on the other. One may reasonably question the socio-political viability of such a configuration. Furthermore, the foreigners' (and especially Burkinabès') economic success would remain a source of tension. This differential economic success, grounded in the Burkinabès' social organisation (access to cheap labour, efficient credit and marketing ethnic networks), was underlined through this case regarding pineapple production, but has also been extensively documented in southern Côte d'Ivoire in recent decades, for cocoa and coffee production.



Beyond the preoccupation with reconciling equity and efficiency – the bread and butter of current internationally recommended good governance policies regarding land issues – the Ivorian situation suggests that land issues are always intimately interwoven with identity questions, power and politics, and therefore that political concerns should be brought back to the forefront of the preoccupations of land scholars and experts.

## NOTES

1. In local terminology, 'black forest' designates a forest that has never been cut down in living memory. It is considered to be particularly suitable for coffee and cocoa plantations.
2. On southern Côte d'Ivoire, see Affou Yapi 1979, Chaléard 1979, Chauveau 2006, Chauveau & Richard 1977, Dupire 1960, Gastellu 1989, Hecht 1985, Köbben 1963, Léonard & Vimard 2006, Raulin 1957, Rougerie 1957, Ruf 1988.
3. The Baoulés originate from the savannahs of central Côte d'Ivoire and are part of the Akan group. They have been very active in the development of the coffee and cocoa smallholder plantation economy. Dioula is a generic term referring to Moslems from northern Côte d'Ivoire or Mali, mostly Malinké.
4. The Agnis, like the Baoulés, are part of the large Akan group. The Eotilés, Abourés and Nzimas belong to the *lagunaire* (lagoon) sub-group, also from the Akan group. The Sénoufo group originates from northern Côte d'Ivoire, Burkina Faso and Mali. The Mossis originate from Burkina Faso (former Upper Volta).
5. The Agnis were escaping taxation and especially, from 1916, military conscription. They returned at the end of World War I (Rougerie 1957).
6. *Le statut juridique des terres, rédigé et codifié par les chefs coutumiers du Sanwi*, 24 November 1954.
7. These rules were largely adapted from the 1904 *coutumier* based on information collected by Villamur and Delafosse.
8. *Circulaire du roi et des chefs de cantons du Sanwi sur les conditions d'installation des planteurs étrangers*, Aboisso, 29.12.1957, quoted from Dupire (1960: 225).
9. Archives, Adiaké *sous-préfecture*.
10. *Monographie du Cercle d'Assinie*, 1911, National Archives, Abidjan.
11. The informant presents that chief as an Agni chief, but he was certainly the chief of the Eotilé *canton* (county), as the *canton* chieftaincy was located in that village. In strangers' perception, Eotilés are not differentiated from Agnis.
12. The Gagous (or Gbans) originate from the west-centre and the Yacouba from the west of Côte d'Ivoire.
13. The Abouré had been driven back into a savannah region by the Agnis, and had a very limited acreage of soil suited for coffee and cocoa cultivation; their neighbours called them *Ehouwa*, landless men (Rougerie 1957).
14. Leasing out land might, in some situations, involve a risk, for the owner, of seeing his property rights over that plot questioned (Kevane 1997; Lyne *et al.* 1994). This risk is totally absent in the region.
15. These papers usually indicate the identity of the parties, the name of the witnesses, and the amount paid. The location of the plot and the duration of the contract are almost never mentioned.
16. Association of people originating from Bonoua, including students or executives who live in Abidjan.
17. On the Bonoua events, see Koné 2003, Kouamé 2006.
18. Two emissaries sent by the government, Affi N'guessan (president of the Front Populaire Ivoirien, the ruling party), and Constant Bombey (former *sous-préfet* of Bonoua, greatly appreciated by the Abourés), played a crucial role in the restoration of the situation.
19. November and December are the peak season for pineapple exports. The growers who do not export via cooperatives sell their production to brokers, who have to make advance deals with planters in order to respect boat freight provisions (otherwise they have to pay for unutilised cargo capacity they have reserved).
20. Last fieldwork observation made at mid-June 2006.

21. FPI: *Front Populaire Ivoirien*, President Gbagbo's party; PDCI: *Parti Démocratique de Côte d'Ivoire*, opposition party which presents itself as a follower of late President Houphouët-Boigny; RDR: *Rassemblement des Républicains*, opposition party that stemmed from PDCI, which supports Alassane Ouattara (and is accused by the FPI of being the political branch of the *Forces Nouvelles*, the rebellion).

22. We thank an anonymous referee for suggesting that we make this point explicit.

23. Under that scenario, the question is who could be legitimately entitled to land ownership: the Agnis or the Eotilés, and then, whom precisely among them? Or the heirs of the first Ivorian pioneers who 'regulated' the settlement phase? Or the state, as suggested by the law if no customary rights (as recognised by the law, i.e. held by Ivorian citizens) can be recorded?

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