



2

A Historical Perspective on Land Tenure Security

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How Did We Get Here?

Why do vast numbers of people in rural areas of the Global South lack tenure security over the lands they use (RRI, [2015a](#); USAID, [2016](#))? We answer this question by examining how various processes in the course of socioeconomic development have produced this outcome. In doing so, we intend to show that the answer—far from being straightforward or obvious—is more complex than one might suppose. Our overarching argument is that understanding the past is essential for addressing present challenges tied to tenure insecurity.

Answering this question is encumbered by several obstacles. First, there are no historical measures of tenure security. Recall from Chap. [1](#)

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that we define tenure security as the landholder's perception that rights will be upheld by society (Sjaastad and Bromley, 2000). For lack of historical information on peoples' perceptions of land tenure security, we use information on past patterns of land dispossession and regaining of land control as a proxy for tenure insecurity and security. We draw attention to certain historical developments and trends that we believe have obvious (if not measured) impact on tenure security. Moreover, we look at episodes of contested land rights and their violations as a stand-in measure of security gained and lost. Parts two and three of this chapter, focusing as they do on a historical period when there is no measurement of tenure security, are necessarily conjectural and hypothetical. Parts four and five, which encompass the period after World War II, are more empirically grounded.

Second, we are undertaking a vast topic that could itself be a whole book, recognizing the relevance and importance of providing historical context for contemporary tenure security issues. Of necessity, our chapter is more a theoretical sketch with a few historical illustrations rather than the historical treatise that the topic deserves. We sacrifice detail to reveal the forces and trends that might otherwise escape our attention.

Third, the general propositions we make mask variations across and even within continents and countries. Because tenure security can vary by gender, ethnicity, and other social categories as well, a deeper analysis of tenure security requires careful study of the local context and history of any given population group of interest.

There are several assumptions and values underlying this effort that should be disclosed. We recognize that tenure security, in practice, has sometimes been a zero-sum situation where gains in tenure security of the powerful are often achieved at the expense of the security of the less powerful (Broegaard, 2005; Chomba et al., 2016; Robinson et al., 2018). With equity in mind, we are concerned mainly with the tenure security and rights of less powerful "common" people in rural areas. Recent reports by donor and development agencies imply the emergence of a normative focus on the tenure rights of the poor (IFAD, 2015; World Bank, 2019). Unfortunately, some donor initiatives push for large-scale impact through uniform approaches that fail to recognize the nuance required in attending to issues of equity in land rights and tenure security. We are

concerned about those who have suffered in the development process, in particular, Indigenous Peoples and their customary systems, other traditional peoples, and peasant farmers (Gilbert, 2016; Komey, 2008; Lawry, 2014). We are concerned not just about land, but also about non-land resources above and below the land (e.g., water, forests, and minerals) because they too have been the object of appropriation in the development process. Moreover, we believe that customary land and resource claims have inherent value and can be legitimate even if not formally recognized by the state (Peters, 2009; Unruh, 2006). We believe hierarchy and class (e.g., who holds power) are key conceptual lenses for understanding the historically salient trends and shifts we document.

The chapter is comprised of five parts. In the next section we explain the ways socioeconomic development has often placed rural people in developing countries in a disadvantageous position with regard to their tenure security. In the third section we identify the structural and natural forces at work in the development process and how they produce varied outcomes. In the fourth section we look at major episodes in the ebb and flow of rights and tenure security. The concluding section points out the relevance of these historical insights as we enter an uncertain and volatile period.

Development and Dispossession

Across history, dramatic changes have occurred in the way humans have lived on planet Earth, due largely to the development and spread of capitalism. How did rural people view the security of their access to and control of land in the feudal centuries (mainly ninth through the fifteenth), during early capitalism (beginning in the seventeenth century) and at the time of the emergence of industrialism (beginning in the eighteenth century)? It's difficult to know with certainty for lack of information, but we can suppose it exhibited the wide range of possibilities we see today. At one extreme, peasants on *early* feudal estates (Editors of Encyclopedia Britannica, 2012) and slaves on eighteenth-century American plantations had no meaningful control over their livelihoods and had no land tenure security. At the other extreme, some customary

hunting and gathering societies living far from cities and villages (and therefore far from the ravages of emerging capitalism) probably had reasonably strong confidence in future land and resource control—if we set aside the possibility of territorial conflict.

In what follows, we make the case that precarious access to and control over land would undergo changes in its causes, geographical scope, and intensity in the ensuing centuries. As socioeconomic change unfolded, the causes of land tenure insecurity were no longer just nation states, city states, kingdoms, and chieftains fulfilling territorial ambitions, but were also driven by centers of urban economic production seeking land (Royston, 2002; Unruh, 2007), increasing demand for natural resources (raw materials) and labor, and growing markets for selling their products (Cattaneo, 2001; Firmin-Sellers, 2000). The growing and shifting causes of land tenure insecurity first grew within and then across national and continental boundaries. Land markets and the process of formalization and commodification were factors that increased tenure security and insecurity (Deininger et al., 2011; Kelly & Peluso, 2015).

In medieval times under feudalism, and more specifically under the manorial system (organization of the economy under feudalism), aristocrats provided peasants (small farmers or landless laborers) military protection against outside aggression in exchange for services on land they supplied (La Croix, 2002; Ellsworth, 2002; Editors of Encyclopedia Britannica, 2012). These services were typically of four kinds: money; labor through the use of the peasants' own plow and oxen; reaping and processing of the harvest; and military service (Editors of Encyclopedia Britannica, 2012; Ellsworth, 2002). As explained above, early on, feudal tenure was insecure inasmuch as the lord could evict the peasant tenant at any time. With the passage of time feudal tenure became more secure. Through cultural change and recourse to royal courts, lords could no longer arbitrarily force peasants off the land, but instead had to ensure permanent access to that land (Editors of Encyclopedia Britannica, 2012). This arrangement signaled the beginning of the idea of secure land tenure (Bruce, 1998; Ellsworth, 2002). Feudalism went into decline from the eleventh century onward. With the growth of the money economy and of cities and towns, and with increasing demand for agricultural surplus, it became more efficient and profitable to have free workers who paid rent or received wages (Editors of Encyclopedia Britannica, 2012).

We define capitalism as “an economic system based on market competition and the pursuit of profit, in which the means of production or capital are privately owned by individuals or corporations” (OECD, 2020). While according to some observers, capitalism and globalization have played a role in reducing global poverty (Chandy & Gertz, 2011; Ortiz-Ospina, 2017), these same forces have triggered or aggravated uneven access to land, often to the detriment of rural tenure security in the Global South (UN-Habitat, 2014; UN, 2020). Exponential growth of capitalist production has translated to considerable geographic reach in the search for profits through additional land, resources, labor, and markets. Contemporary cases of this are discussed in the next section of this volume (Chap. 7) concerning large-scale land acquisitions (i.e., “land grabs”) in parts of Africa. An important associated phenomenon, made possible in part through capitalist development (Magdoff & Foster, 2013), is the exponential net increase in the global human population—growing from approximately 650 million in 1750 to 7.7 billion now (a more than ten-fold increase). Just as important, from the standpoint of increasing resource pressure and extraction, is exponential average per capita growth in resource and energy consumption (although with considerable disparity) (FOE, 2009; Ritchie, 2020). The creation of a largely urban consumer class underlies the vitality of capitalist development and the growth in consumption (Naik & Oldfield, 2015; Ghosh, 2019).

No less important in terms of rural impact have been the ways in which early capitalism actively suppressed land rights. This was not limited to the Global South. In England, for example, the Enclosure Acts of 1750–1850 overtook the common lands used by small farmers, preventing their access and creating the basis for much larger farms owned by the wealthy (Rosenman, 2012). Many rural people who had heretofore relied on those lands for survival were forced to migrate to urban areas in search of wage labor opportunities.

International commodities trade long predates the birth of capitalism and the industrial revolution. But the onset of capitalism and industrialization led to *colonialism* (the practice of acquiring control over another country, occupying it with settlers, and exploiting it economically) and *imperialism* (the practice of extending a country's power and influence

through diplomacy or military force), which shifted the search for land, labor, and markets from the industrializing North to Africa, Asia, and Latin America.

A combination of economic drivers, woven together with religious and racial ideologies, were key to motivating European white settlers to suppress the rights of other peoples and lay claim to vast areas of land around the world. The Doctrine of Discovery, proclaimed as a papal edict in the fifteenth century, laid the groundwork for the outlook that white Christians were intellectually and morally superior to non-white and non-Christian people and that “discovery” and occupation of lands inhabited by “barbarians,” “savages,” and “heathens” was an essential first step in the civilizing process (Mark & Soong-Chan, 2019; Miller et al., 2012; Special Rapporteur on Human Rights, 2010). The idea of racial superiority manifested itself in a wide array of proclamations and campaigns aiming at land seizure across countries of the Global South, as well as North America (Bonds & Inwood, 2016; Smith, 2012).

In the eighteenth and nineteenth centuries, opportunities for the production of cotton and tobacco in the United States and sugar in Brazil led to the importation of hundreds of thousands of slaves from Africa to meet growing agricultural production goals (Galeano, 1997). The search for gold in the Andes, mining ores in the Congo Basin, and spices in the Netherlands Indies were the entry point for incipient colonization in those regions. There were genocidal conflicts that greatly reduced Indigenous populations and constrained them to restricted areas in large areas of the South. European settler populations subjugated wide areas of the globe, created governance structures that turned countries into dependent clients, and organized production and development activities to be of direct service to foreign occupying armies and economic elites (Braudel, 1979; Cardoso & Faletto, 1979; Wolf, 1982; Harvey, 1982).

The simple sketch we have given of this apparent “march of history” suggests that the process of socioeconomic development has led relentlessly and uniformly to the appropriation of lands and suppression of land and resource access in remote rural areas. But this is not the case. As we shall see in the next section, in which we decompose some of the basic elements of the development process, the trajectory of change in land tenure security is far more complex than a cursory glance would suggest.

Development Dynamics and Tenure Security Complexity

We identify four forces at work in the development process that help explain the variability and complexity of pressures on access to land and resources across time (what we call tenure security today): vertical social interactions; horizontal social interactions; technological dynamism; and catastrophes (both natural and human-induced). Some of the synergies among these four forces that will be alluded to are for illustrative purposes. Although it would have been possible to include a fifth category on tenure policies, we chose not to, seeing that such policies are in a sense subsumed in, and artifacts of, the other categories. Moreover, we recognize that, in the land tenure literature, attention to policies tends to overshadow the structural forces shaping them. Several chapters in the following sections of this volume explore different land tenure policies, including the post-colonial period of land reform and formalization (Chap. 11) and more recent national and global policy shifts toward recognition of Indigenous Peoples and local communities (Chap. 4).

Vertical Power Interactions

People lose access to land or can feel insecurity at the perceived risk of losing the land they have long held and used because someone, or some group, more powerful than them can take it away. Vertical land pressure (induced by hierarchies of power) is a constant across recorded history. The more powerful actors seeking land or resources could be an invading army, the state (acting either through the threat of violence or eminent domain), or a private enterprise. A key characteristic in these interactions is the use of violence, intimidation (threat of violence), or other threat of reprisal (e.g., legal confiscation or economic penalties) by the powerful actor(s) to accomplish their goals. Across time the threat of land appropriation has become more sophisticated, layered (e.g., collaborative and coordinated activities of the military, state, private enterprises, and groups of individuals), and far-reaching in a geographical sense. In the past, land appropriation often involved direct violence linked to increasingly

sophisticated use of weaponry, counterinsurgency, rape, and torture as an instrument of conquest, and other forms of subjugation (e.g., Escobar, 2004; Daudelin, 2003; Grajales, 2013; Ward & Marsh, 2006). In recent decades there has been increased use of forms of subjugation that are less visibly brutal and achieve their goal through economic coercion, negotiation, and manipulation (e.g., Dell'Angelo et al., 2017; Regassa et al., 2018; Alden Wily, 2012). Also, in recent decades, there has been a growing role of land speculation, offshore land investment, loan sharking, drug trafficking, and coercive conservation in land appropriation (e.g., McMichael, 2012; McSweeney & Pearson, 2016; Peluso, 1993; Agrawal & Redford, 2009). This trend is further discussed in Chapter 7 of this volume.

Across history there has always been resistance to vertical oppression and threats of land appropriation. Although often futile (in the sense that land is often seized precisely because the claimant is more powerful), organized resistance movements have had some notable successes. Examples are agrarian movements involving guerrilla warfare against oligarchies in Latin America (Stavenhagen, 1970; Teubal & Ortega Breña, 2009), the deployment of “weapons of the weak” (covert but powerful resistance to domination through non-cooperation or cultural resistance) (Scott, 1998) to undermine elite control and act in defense of land and resources, and international and national coalitions in support of Indigenous land rights that have been helpful in achieving formal statutory Indigenous land claims (e.g., Anaya & Grossman, 2002).¹

Horizontal Social Interactions

The sources of land pressure are also horizontal, in the sense of being created by the multiplied presence of people with more or less equal power. Exponential and accelerating rates of human population growth—with the highest rates experienced recently in the Global South—have greatly increased population density, land scarcity, and competition in rural areas. Note that there are important synergies with vertical pressure. For

¹ The breakthrough international court case of *Awas Tingni* in Nicaragua opened key legal pathways for claims by Indigenous Peoples all over the world.

example, in Latin America the seizure of vast areas of the best lands for as pasture by rich landlords led to a growing number of land-poor and landless peasants competing for remaining land or migrating to cities (Carlson, 2019; Kay, 1997; Shaw, 1974). Land reforms that may have been able to redistribute lands to the rural poor instead avoided doing so in favor of colonizing rainforest areas, which were lands often already customarily-held by Indigenous groups (Jones, 1990). Migration is a key factor in land scarcity and pressure (Bilsborrow, 1992; Bilsborrow & DeLargy, 1990; Carr, 2009). Migrations to settled areas can be the result of seasonality (e.g., for fruit harvesting and pastoralism); state-sponsored relocation (e.g., Indonesia's transmigration program of the 1980s to reduce land pressure in Java (Fearnside, 1997)); war involving religious, ethnic, or racial persecution (e.g., refugees in search of security on either a temporary or a permanent basis); or natural cataclysm (more on this further in the chapter).

Although there has been considerable human population growth and an increase in displacement and human migrations, this does not translate monotonically to increased rural land pressure. Some of the release in pressure is planned (e.g., Indonesia's transmigration), but much of it is spontaneous and unplanned. A key characteristic of capitalist development has been the growth of urban areas, where much of manufacturing and industrial production takes place and where there is a growing service and tertiary sector. The rural "push factor" (land and employment scarcity and low income) is matched by the urban "pull factor" (relatively higher wages). Net rural outmigration in developing countries is part of what explains the steady growth of urbanization in countries of the Global South (Keats & Wiggins, 2016:5). Economic crisis can reverse this process. Examples are the "return to the village" in Cameroon in the aftermath of the devaluation of the CFA franc in 1985 (Franqueville, 1987), and the current urban to rural migration resulting from COVID-19 (Shylendra, 2020; Boillat & Zähringer, 2020).

However, in net terms urbanization has proceeded across the planet, with Africa as the only remaining continent with majority rural population (UN, 2019). Another pressure relief valve is intensification in agricultural production. Greater yields on a unit of land through technological development (see below) can potentially contribute to relieving land

scarcity and competition (Byerlee et al., 2014). The Danish economist Ester Boserup demonstrated that increased agricultural population density can induce innovation and increase production, contrary to Malthusian theory (Boserup, 1965).

Technological Dynamism

In hundreds of ways that cannot all be catalogued here, technological innovation is at the heart of the capitalist and industrial revolutions that have expanded the consumption of resources and appropriation of lands in rural areas. Invention of the steam engine in the seventeenth century, closely followed by the fossil energy-fueled internal combustion engine, greatly increased the capacity and efficiency to access natural resources, transform them into processed consumer goods, and deliver them to markets. The transportation revolution (from walking, to animal draught, sail boats, engine-powered boats, railroad system, and air travel) meant not only improved speed, capacity, and efficiency of transport, but also increase in the means of the military, state, and private enterprise to conduct their work at increasing distances. Likewise, the communications revolution (voice, written letter, telegraph, telephone, electronic mass media, Internet) contributed to the same outcome.

Yet in all sorts of identifiable ways, technological dynamism has also contributed to reducing land pressures in rural areas. Agricultural intensification through irrigation, fertilizers, pesticides, fungicides, and high-yielding varieties of seeds has not only increased yields on per unit areas of lands and increased the number of harvests in a year (Pingali, 2012), but the application of technology is viewed as key to future global food security (Rosegrant et al., 2014; Fuglie et al., 2020). Agricultural intensification, diversion of rural labor from agricultural to non-agricultural activities, and migration to urban areas can logically make rural land pressure lighter than it would otherwise be. As explained by García et al. (2020), agricultural intensification can spare land for nature (i.e., reduce agricultural land demand), but it can also have a rebound effect involving further expansion of cropland. Technological development is an essential facet of rural-to-urban migration described above. The relatively high

subsistence wage in urban areas is directly related to increases in productive efficiency in the manufacturing and industrial sectors over time. Rural to urban migration is motivated not just by economic factors (higher average wages), but also by security (e.g., avoidance of war and conflagration) and culture. These two-edged effects of technology are also evident, for example, in the case of advancements in communication. Electronic dissemination of information (news, entertainment) to remote regions has drawn attention to alternative life experiences outside the rural realm and made migration to the city attractive to some. However, the same communication advances, notably the cell phone, have also enabled some agriculturalists to increase production and income, enhancing the security of rural livelihood (Aminou et al., 2018; Fabregas et al., 2019).

Catastrophes—Natural and Human-Induced

Since time immemorial natural disasters of various kinds have been a threat to rural people's access to and control over land. There is ample documentation across the centuries of mass migration provoked by natural disasters such as floods, droughts, fires, earthquakes, landslides, pestilence and disease (such as the plague), insect infestation and consequent crop decimation, earthquakes, and tidal waves. There are also catastrophes caused by human agency that can profoundly disturb rural land tenure security. Examples are excessive or inappropriate resource use and consequent drop in productivity (e.g., over-grazing, hillside agriculture, and landslides) and industrial disasters (e.g., Bhopal chemical disaster in India). The most notable contemporary case is the climate crisis, which is an exacerbating factor for droughts, extreme heat events, hurricanes, and other natural disasters. The World Bank has predicted that climate change will force 140 million people to migrate by 2050 (Rigaud et al., 2018). Increasing average temperatures are also altering the optimal locations for the production of certain crops. Producers of these crops will be forced to either adapt locally or relocate. Evidence is emerging that hot temperatures are decreasing labor hours in rural communities in tropical low-latitude countries, threatening existing livelihood activities that are often tied to the land (Masuda et al., 2019). Rising seas threaten inundation of

coastal lands, which is where the highest densities of human populations currently live (Podesta, 2019; Le, 2020). It is forecast that the most devastating consequences of threatened crop production will happen in rural areas of developing countries (Morton, 2007; Mendelson, 2008; Nelson et al., 2009; FAO, 2016; FAO, 2017; Arnall, 2019; Sloat et al., 2020). Chapter 2c of this volume explores the relationship between this shifting and increasing food insecurity and land tenure insecurity.

Historical Trends in the Ebb and Flow of Security and Insecurity

We have seen that, in broad terms, the diversity, geographical reach, and intensity of threats to rural tenure security have tended to increase over time—with considerable variation across and within countries, and with forces that increase insecurity often encountering other forces that decrease it. Are there any clear net tendencies in the ebb and flow of tenure security across space and time? It is not possible to answer this question with a high degree of specificity because of insufficient information, especially from the distant past, and because of the wide diversity of patterns across countries. Nevertheless, we can illustrate trends by pointing to a sequence of deprivation, gains, and rollback in the last century.

Roughly in the first half of the twentieth century we can see increasing threats to rural land access across the developing world. In Asia and Africa, capitalist penetration into the countryside was implemented through strong colonial domination, often facilitated by a captive national government acting as a client and surrogate to foreign powers (Newbury, 2000). Resistance to seizure of land and resources, and to colonialism in general, was uneven among countries (Maddox, 1993; Tussing, 2017; Chandavarkar, 1998; Bogaerts & Raben, 2012). Cities were not yet absorbing a large flow of migration from the countryside, with a consequent build-up of rural population. In the agricultural sector, there was wholesale appropriation of lands by occupying powers and rural elites, and increasing rates of landlessness (Frankema, 2010). In Latin America the dynamics were similar but with a tendency toward direct rather than

indirect rule. By the early 1900s, the extremely inequitable land ownership system (called “latifundio-minifundio”)² had already taken hold throughout the region, as demonstrated by Gini coefficient data from that era: 78 in 1920 Brazil, 80.3 in 1914 Argentina, and 83.7 in 1927 Chile (Frankema, 2008).³ The Mexican revolution (1910–1920) was the best organized, earliest, and most successful movement to fight and partially reverse this inequality (McLynn, 2002). It resulted in the legal recognition of the *ejido* in the 1917 Mexican Constitution, which set the stage for land redistribution and the formal recognition of communal agrarian landholding (Perramond, 2008).

Across all three regions of the Global South, national governments carried forward eighteenth- and nineteenth-century state ownership over forest estates; the aim was to assert control over resources deemed strategic and to occupy remote areas for the protection of national borders (Peluso, 1992; Scott, 1998; Fay & Michon, 2012). Appropriation of forests as part of the national estate caused tenure security and displacement for Indigenous Peoples in remote regions. Forest estates were then exploited for timber, minerals, and petroleum and subsequently converted to plantation agriculture—a pattern that intensified in the second half of the twentieth century. Wars of national liberation and/or guerrilla movements across the developing world in the middle of the twentieth century were in part a response to rural exploitation (Wolf, 1969).

By the second half of the twentieth century, most developing countries gained independence from colonial powers. Nevertheless, post-colonial elites in many countries deepened control over land and resources and exploitative practices. Under neo-colonialism, national elites (in government and in the private sector) continued to benefit financially through trade and aid relationships with wealthier countries and consolidated a process of national capital accumulation for their own gain. During this period, leftist movements acquired national control and waged war

² “This dualistic tenure system is characterized by relatively few large commercial estates known as latifundios, which are over 500 hectares and numerous small properties known as minifundios, which are under 5 hectares. Minifundios are mainly subsistence-oriented smallholdings and are generally farmed by peasant households” (Wikipedia, 2020a).

³ The Gini coefficient for land ranges from perfect equality at 0 to perfect inequality at 100. For comparison, the earliest data from Indonesia (1963) show a Gini of 52.7 (Frankema, 2008).

against former colonial powers (e.g., Congo and Vietnam). In the 1960s and 1970s we witnessed the emergence of leftist social movements in defense of land rights, and in some countries, guerrilla warfare was waged against national governments allied with oligarchies, for example, in El Salvador (Wood, 2003) and Nicaragua (Baracco, 2005). Movements for land tenure reform and land redistribution aimed to right extreme inequalities in the agricultural sector. In the Americas, agrarian reforms were undertaken in almost every country, sometimes by left-wing governments (e.g., Nicaragua and Cuba), but also by moderate governments responding to external and internal pressures and attempting to diffuse social unrest (de Janvry, 1981; Kay, 1997). Some analysts claim the transformations made by those reforms are disappointing: they were poorly or partially implemented, unleashed new conflicts, and were met with counter-reforms that, in the end, benefited capitalist farming while further marginalizing peasant farming (e.g., Kay, 1997). Lipton (2009) observes, “At least 1.5bn people today have some farmland as a result of land reform, and are less poor, or not poor, as a result. But huge, inefficient land inequalities remain, or have re-emerged, in many low-income countries. Land reform remains both ‘unfinished business’ ... and alive and well” (Lipton, 2009: p. 8). A 2020 study finds that, in most countries, land inequality is increasing and that: “This trend directly threatens the livelihoods of an estimated 2.5 billion people worldwide involved in smallholder agriculture” (Anseeuw & Baldinelli, 2020:7).

More recently, national and sub-national movements in the forest sector emerged to defend forest land rights as well as to demand forest tenure reform (Larson & Dahal, 2012). Most notably in the 1970s and 1980s, some developing country governments began to devolve forest management to Indigenous People and local communities; the initial motivation of this devolution was forest restoration rather than the recognition of rights, but also with the goal of conserving and sustainably managing forests (Larson & Dahal, 2012). Various factors motivated this change, including acknowledgment that state-led forest management has been a failure; willingness of governments and the private sector to relax their grip on lands that have already been stripped of most of their timber wealth; a worldwide trend toward decentralized governance; greater acceptance of collective and customary systems; and increasing

effectiveness of international and national campaigns to recognize the human rights and resource rights of Indigenous Peoples (Larson & Dahal, 2012; Barry et al., 2010). The area devolved is documented in detail by the Rights and Resources Initiative (RRI) and updated every five years (RRI, 2020). As explained by RRI, “As of 2017, Indigenous Peoples, Afro-descendants, and local communities had legally recognized rights to 15.3 percent of the world’s forests, a 40 percent increase from 2002. Over 98 percent of this progress occurred in developing countries. Communities now have legal rights to 28 percent of the developing world’s forests in Africa, Asia, and Latin America” (RRI, 2020).

This notable progress notwithstanding, in the last 10–15 years, in some developing countries, we are witnessing a slowdown and the threat of rollback of some gains for land rights and tenure security made in the last half century. Dating from the time of the 2007–2008 global recession, agribusinesses, governments, and speculative investors in wealthier countries have appropriated 20–60 million hectares of land (about 1% of agricultural or 1% of forest lands worldwide) (Wikipedia, 2020b). Through this “land-grabbing” phenomenon—defined as very large land acquisition through either buying or leasing—investors have aimed at food production (about 37% of investments) and biofuel production (about 20% of investments). Among the motivations have been the emergence of shortages of arable lands in richer or rapidly growing economies, and the aim to produce a larger share of food, fiber, and fuel abroad and import them. Another factor is recovery from the effects of the global economic recession, which temporarily lessened rural investment; it has since been restored. A disproportionate share of this activity has been in Asia, notably Indonesia, Malaysia, and India (Von Braun & Meinzen-Dick, 2009; Borras Jr et al., 2011; GRAIN, 2016; Land Matrix, 2020; Wikipedia, 2020b). Land grabbing has also involved appropriation of water resources (Rulli et al., 2013). In terms of the typology explained earlier, this phenomenon is best understood in the sphere of vertical dynamics and can be viewed as a reassertion of coercive power by elites at the top of international and national power hierarchies. (For more discussion of land grabbing as a more recent phenomenon, see chapter 2d.)

In the forest sector in some countries, there has been a slowing or even a reversal of progress on extending tenure rights to Indigenous Peoples

and communities (RRI, 2015b pages 19–21; RRI, 2018 pages 21–23). This includes some areas appropriated in the interest of conservation (Agrawal & Redford, 2009). In recent years, there has been a growing number of murders, death threats, acts of sexual violence, and legal and illegal intimidation against people in resource-rich areas in developing countries (Sunderlin et al., 2018). In 2016, there were at least 201 forest defenders murdered, followed by 197 victims in 2017, in various conflicts over land and resources (Global Witness, 2017). A 2017 letter composed by rights defenders in 29 countries demanded that the United Nations urge governments to increase legal protection from violence. The letter states: “We need global action to counter the threats we face. This is not just a struggle for resources, it’s a struggle for justice and social equality” (Human Rights Defenders, 2017).

The Current Situation

In countries of the Global South, tenure insecurity is widespread for common rural people in both agricultural and forest landscapes. Knowing how we got into this situation is vital because it gives insights into the scope of opportunities for deflecting further threats, maintaining gains achieved, and improving tenure security.

The variability of tenure security is firmly rooted in the dynamics of capitalist development. We therefore need to be attentive to the contemporary permutations of this economic system which so pervasively affects human existence and natural resource use on planet Earth. Attention to capitalism is often set aside as a given or ignored as a topic too intractable, large, or disturbing to talk about. Its importance is in direct proportion to its absence from the discussion.

With this theoretical framework as a backdrop, we have seen that there are four overarching factors at play in historical capitalist development that can both aggravate or ameliorate rural tenure security in the Global South: vertical power interactions; horizontal social interactions; technological dynamism; and catastrophes whether natural or human-made. There are cross-synergies among these four factors that are alluded to notionally in this chapter that deserve further research attention.

Furthermore, we have postulated a succession of epochs in rural tenure security: undermining of tenure security under rapid expansion of rural capitalist development and colonial domination in the early twentieth century; some (by no means thoroughgoing) improvement of tenure security through rural to urban migration, resistance to oppression, and devolution of tenure rights to some Indigenous Peoples and local communities in the late twentieth century; and undermining of tenure gains in recent years in relation to the land-grabbing phenomenon, rollback of some rights, and human rights violations against defenders of land and resource rights. We emphasize that there is a great deal of variation in these tendencies across and within countries.

We are entering an uncertain and potentially volatile period for tenure security. On the one hand, rhetorical commitment to the importance of secure tenure rights has never been stronger among multilateral agencies, international development organizations, and the donor community, as evidenced in the current set of Sustainable Development Goals (SDGs) and related targets. Notably, there has been official recognition of the importance of Indigenous management of tropical forests and associated strengthening of tenure rights in relation to global climate change mitigation (IPCC, 2018). On the other hand, land grabbing, rollback of rights, and violence against land and resource rights activists have all increased.

In this context, we believe it is appropriate to call for an ever-stronger commitment to upholding and strengthening tenure security for rural people by governments, donor organizations, and NGOs. Relatedly, it is important to expand research on tenure security to propel and support this stronger commitment.

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