

## **Réformes politiques et gouvernance en faveur des pauvres dans le domaine des terres domaniales/publiques: un point de vue critique de la société civile**

*Les terres domaniales/publiques ont toute leur place dans les discours contemporains sur la politique et la gouvernance en faveur des pauvres en raison de leur superficie terrestre à proprement parler et du nombre de ruraux pauvres directement concernés. Toutefois, cela n'est pas véritablement compris par les acteurs étatiques et autres, y compris par de nombreux acteurs de la société civile. Il est capital de définir les principaux critères d'une «politique foncière favorable aux pauvres» et d'une gouvernance démocratique des terres domaniales/publiques. C'est ce que cet article se propose de faire, en se fondant sur des observations et des enseignements tirés d'études spécialisées précédentes, ainsi que sur des cas empiriques figurant dans les bases de données d'organisations activistes, notamment celle du Réseau d'information et d'action pour le droit à se nourrir, organisation internationale de défense des droits de l'homme.*

## **Reformas de las políticas en beneficio de los pobres y gobernanza en las tierras estatales o públicas: una perspectiva crítica de la sociedad civil**

*La cuestión de la tierra estatal o pública se repite con frecuencia en los debates actuales sobre las políticas en favor de los pobres y la gobernanza, a causa de la magnitud de su alcance en todo el mundo en términos de superficie efectiva de tierras y del número de personas pobres del medio rural directamente concernidas. Sin embargo, los agentes estatales y no estatales principales, incluso muchos de la sociedad civil, no la comprenden del todo. Es de especial importancia especificar los criterios fundamentales de una «política de tierras en favor de los pobres» y la gobernanza democrática de la tierra respecto a los terrenos estatales o públicos. Este es el objetivo que se intenta alcanzar en este artículo, a través de elementos y enseñanzas de estudios académicos anteriores y también de casos prácticos extraídos de bases de datos de organizaciones activistas, en particular la de la organización internacional de derechos humanos Información y red de acción para el derecho a alimentarse.*

# Pro-poor policy reforms and governance in state/public lands: a critical civil-society perspective

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*State/public land is a key category in contemporary discourses around pro-poor policy and governance because of the enormity of its scope worldwide in terms of actual land area and the number of rural poor directly linked to it. However, it is not fully understood by mainstream state and non-state actors, including many civil-society actors. It is especially crucial to specify the key criteria of a “pro-poor land policy” and democratic land governance concerning state/public lands. This paper attempts to do that, using insights and lessons from previous scholarly studies and also empirical cases drawn from activist databases, including that of the international human rights organization FoodFirst Information and Action Network.*

## INTRODUCTION

With state/public lands under increasing pressure from private interests and public concerns, an increasingly important question is how to ensure full and effective access for the rural poor in state/public land. Against this backdrop, the international non-governmental organization (NGO) FoodFirst Information and Action Network (FIAN) was asked by the Food and Agriculture Organization of the United Nations (FAO) to contribute a civil-society perspective. In this paper, we propose a set of criteria that we believe moves towards a framework capable of prioritizing effective access to land for the rural poor, of anticipating the obstacles to achieving this, and of identifying steps forwards. FIAN offers especially relevant practical knowledge on this issue, drawn from an extensive network of country-based human rights advocates and advocacy groups. Insights from FIAN’s knowledge base are supplemented by interviews with key informants, including Ben Cousins of the Institute for Poverty, Land and Agrarian Studies (South Africa), Rafael Alegria of La Via Campesina (Honduras), and Saturnino Borrás Jr of Saint Mary’s University (Canada). The paper is divided

into four sections. The next section explains the relevance of the issue of pro-poor policy-making in specifically state/public lands, and then puts forward our ideas of the building blocks of a pro-poor land policy in state/public lands. The third section presents five case studies, each showing how a human-rights approach can contribute to truly pro-poor land policy-making. We conclude with a discussion of implications and recommendations.

## RELEVANCE OF THE ISSUE

For many segments of the landless or near-landless rural poor whose rights are fragile, insecure or absent/non-existent, land and their connection to it has a multidimensional meaning and importance. Effective access to land – understood here as the recognized right to land, coupled with the actual control of it, its uses and its fruits over time – is central to existence. Not only is land essential for constructing a rural livelihood, it is also a factor in laying the foundations for social inclusion and access to basic services. Without it, rural poor households risk being left uncounted by state census takers and are more likely to face difficulties in sending their children to school, accessing basic health care

services, etc. At the same time, effective access to land is also important for autonomous political incorporation; when national transitions to elective civilian rule in the 1980s and 1990s failed to eliminate local authoritarian enclaves, many rural poor people were left captive to landed elite control. For indigenous communities, land is a component of territory and central to maintaining culture and collective identities.

With three-quarters of the world's poor considered *rural* poor, it is significant that much of the land occupied by rural poor people today is state/public land. While there are no exact data available on how much agricultural and/or cultivable land falls into the state/public category globally, most can agree that the amount is significant. According to Ribot and Larsen (2007), some 1.6 billion poor people live in forested lands worldwide, roughly 80 percent of which is considered state/public land. However, while many poor people live and depend on state/public land, their hold on it is often insecure and problematic. Competing claims and social conflict are generally accepted facts of policy-making in private lands, but in fact the same is true in state/public lands as well (Borras, 2007a).

State/public lands are often sites of struggle between contending social groups and classes for officially recognized access to the land resources needed to build decent livelihoods. For the rural poor, this may involve struggles for state recognition not just of their right to the land, but also their "right to have rights" more generally, and so is also linked to larger nation-state building. If land policy in general plays a pivotal role in both rural livelihoods construction and nation-state building, then the question of what kind of land policy to adopt is profoundly important.

In thinking about what kind of policy is best suited for the state/public land sector in particular, one must begin by assuming the pre-existence of societies in state/public land and examining those that have taken shape there historically –

a failure to do so would be disastrous. This is because the distinction between "private" and "public" is mainly a formal-legal one, devised by centralizing state authorities in an earlier era in the effort to claim "foreign" or "frontier" lands and populations and make them "legible" for modern nation-state building (Scott, 1998). With the weight of central-state law behind it, the distinction endured, and today, for example, much of the land across Africa is state-owned as a legacy of colonialism (B. Cousins, personal communication, 2008). Yet rarely did the formal-legal distinctions drawn by bureaucrats in cities accurately reflect the complex human realities that existed in the countryside. Moreover, as time passed and societies changed, the formal-legal distinction was often blurred by the normal ebb and flow of both authorized and "unauthorized" human activity. This is especially true for "remote" areas where the central state and its laws were often little more than a distant abstraction. Where state authority was lacking, and amid overlapping and competing claims, local societies often evolved their own ways of regulating who has what rights to which land for how long and for what purposes.

Many scholars now view property rights not as "things" but as historically dynamic social relations shaping and shaped by an array of state and non-state institutions (Moore, 1998; Juul and Lund, 2002; Tsing 2002). If the concept of state/"public" land requires "unpacking", then so too does any given state/public land. Three aspects warrant attention. The first is social history: what are the social relations and modes of access that have evolved over time, and who was included or excluded? The second aspect is the basis for allocation or distribution of the land resources: who should receive how much of which land, for how long and for what purposes? This is the policy challenge, especially in the African context: deciding "what kinds of rights, held by which categories of claimants, should be secured through tenure

reforms, and in what manner, in ways that will not merely ‘add to possibilities of manipulation and confusion’” (Cousins, 2007). The third aspect has to do with making social change in settings marked by power imbalances: where the transfer or reinforcement of access to a given land territory is necessary, how can the desired intervention be made? The underlying issue is power: “Power relations are key to understanding how tenure regimes work in practice, since ‘struggles over property are as much about the scope and constitution of authority as about access to resources’” (Cousins, 2007).

The first part of the puzzle is a matter of de-facto claims; the second is a matter of *de-jure* rights; and the third is a matter of change strategy. Each dimension is important, but all three must be taken into account if a state/public land law and policy are to be effective. Here, we take full and meaningful effective access to land for the rural poor as the most desirable objective of a land policy today. By effective access to land, we mean both the recognized right to land coupled with the actual control of it, its uses and its fruits over time. This basic principle is stringent enough to preclude insecurity or fragility of tenure, and still broad enough to address a variety of problematic situations in state/public lands from the point of view of the rural poor.

To illustrate, in South Africa, for example, an approach is needed that “makes socially legitimate occupation and use rights, as they are currently held and practised, the point of departure for both their recognition in law and for the design of institutional frameworks for mediating competing claims and administering land” (Cousins, 2007). This is because “the nature of the development taking place is skewed towards private sector companies (tying in with commodification and also scales of production) and the thrust of agrarian change is towards larger scale and capital intensive forms of production”, with serious (negative) implications for existing production and livelihood

systems and uses of the land resource (B. Cousins, personal communication, 2008). By contrast, in the Philippines, a huge problem is the de-facto control of much state/public land by wealthy/landed elites who illegally grab it, enclose it and then exploit it for personal gain by imposing informal wage-labour and share-labour regimes. What is needed here is a policy that is explicitly redistributive in character. This is also the case in Honduras, where there is a lack of political policy instruments for “re-capturing” state/public lands held illegally by private elites or for transferring effective access to peasants, rural women or indigenous communities. In such cases, rural poor are able to remain on the land only “by means of resistance” (R. Alegria, personal communication, 2008).

Both aspects of effective access, i.e. recognition of poor people’s rights and enforcement (or re-enforcement) of their control over the land, must be achieved for a state/public land policy to be considered truly pro-poor. No land policy is ever neutral, but necessarily transforms the status quo either by reinforcing or undermining it. However, the outcomes of state/public land policy are shaped not only by design but also by processes of promulgation and implementation. In reality, a single land law or policy can result in multiple outcomes because no land policy is self-interpreting or self-implementing (see Houtzager and Franco, 2003; Franco, 2008). Beyond design, what matters is how and to what extent a policy is adopted, interpreted, implemented and made authoritative by real people in society. Stepping back, drawing on Borras and Franco (2007), one can see that four broadly distinct policy paths are possible (Table 1).

## **TOWARDS AN ALTERNATIVE FRAMEWORK FOR A PRO-POOR LAND POLICY**

Too often, “pro-poor” land policy-making has had the reverse character and effect in reality. It is not enough to claim that land policies aimed at public lands are pro-

TABLE 1

**Paths of change and reform in land policies**

Type of reform	Dynamics of change & reform; flow of wealth & power transfers	Remarks
(Re)concentration	Land-based wealth & power transfers from the state, community or small family farmholders to landed classes, corporate entities, state or community groups.	Change dynamics can occur in private or public lands, can involve full transfer of full ownership or not, can be received individually, by group or by corporate entity.
Non-(re)distribution	Land-based wealth & power remain in the hands of the few landed classes or the state or community, i.e. status quo that is exclusionary.	"No land policy is a policy"; also included are land policies that formalize the exclusionary land claims/rights of landed classes or non-poor elites, including the state or community groups.
Distribution	Land-based wealth & power received by landless or near-landless working poor without any landed classes losing in the process; state transfers.	Reform usually occurs in public lands, can involve transfer of right to alienate or not, can be received individually or by group.
Redistribution	Land-based wealth & power transfers from landed classes or state or community to landless or near-landless working poor.	Reform can occur in private or public lands, can involve transfer of full ownership or not, can be received individually or by group.

Source: Borras and Franco, 2007.

poor; it must be so in practice, in terms of both the process and the outcome. In this section, we propose a set of criteria that can be used to inform policy-making so that it is more capable of generating truly pro-poor land policies and policy outcomes.

### Human rights approach

A human rights approach to land is anchored in the human rights tradition, where: (i) people are viewed as rights holders, rather than "beneficiaries"; (ii) states are viewed as duty bearers with the obligation to respect, protect and fulfil people's human rights, rather than "service providers"; and (iii) governments should be held accountable when they fail to meet this obligation and rights are violated. For states, the UN Committee on Economic, Social and Cultural Rights (UN, 1976, 1990) identifies the following obligations:

- to guarantee that all rights will be exercised without discrimination;
- to take deliberate, concrete and targeted steps towards the full realization of economic, social and cultural rights within a reasonably short time by all appropriate means, including particularly the adoption of legislative measures;
- to move as expeditiously and effectively as possible towards the full realization of economic, social

and cultural rights and not take any deliberately retrogressive measures;

- to use the maximum of available resources in the State Party and in the community of States;
- to prioritize in State action the most vulnerable groups;
- to ensure the satisfaction of, at the very least, minimum essential levels of each of the rights. Thus, for example, a State Party in which any significant number of individuals is deprived of essential foodstuffs, of essential primary health care, of basic shelter and housing, or of the most basic forms of education is, prima facie, failing to discharge its obligations under the International Covenant on Economic, Social and Cultural Rights (ICESCR).

The human rights tradition intrinsically involves a pro-poor approach. However, because there is no explicit human right to land in international human rights law, the obligations related to access to land have not yet been fully determined. Nonetheless, the right to land of rural communities is implied in other human rights recognized in international covenants, such as the right to property, the right to self-determination, the right of ethnic minorities to enjoy and develop their own culture, as well as the right to an adequate standard of living.

A number of relevant international legal instruments, mainly on the human right to food, lend support to the idea of a human right to land and other productive resources, with vulnerable people as the main rights holders (Table 2).

The idea of a human right to land remains contested. If the goal is to construct a framework for land policy-making that is truly pro-poor, then a human rights approach is a powerful tool precisely because it takes sides – it is not pro-elite. A human rights approach to land policy-making contains three basic elements. First, its starting point is recognition of the heterogeneity of rural societies and of the most vulnerable humans, especially as rights holders, including: “peasants, family farmers, indigenous peoples, communities of artisanal fisherfolk, pastoralists, landless

peoples, rural workers, afro-descendants, unemployed workers, Dalit and other rural [poor] communities”. Second, it encompasses the “actual and effective control over the land resource” including the power to control the “nature, pace, extent and direction of surplus production and extraction from the land and the disposition of such surplus” (Borras, 2006). Third, it includes land understood as territory where people live and reproduce communities and cosmologies, as established by the ICESCR and reinforced by the special rapporteur (Monsalve, 2006).

In practice, this means that truly pro-poor land policy-making is class conscious, with a commitment to ensuring that benefits go to the landless and near-landless working classes. In recognizing the plural interests of

TABLE 2  
International legal instruments and human rights to land

Article 11 of the International Covenant on Economic, Social and Cultural Rights (1966/1976)	<p>“1. The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties will take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent.</p> <p>2. The States Parties to the present Covenant, recognizing the fundamental right of everyone to be free from hunger, shall take, individually and through international co-operation, the measures, including specific programmes, which are needed:</p> <p>(a) To improve methods of production, conservation and distribution of food by making full use of technical and scientific knowledge, by disseminating knowledge of the principles of nutrition and by developing or reforming agrarian systems in such a way as to achieve the most efficient development and utilization of natural resources;</p> <p>(b) Taking into account the problems of both food-importing and food-exporting countries, to ensure an equitable distribution of world food supplies in relation to need.”</p>
General Comment 12 of the Committee on Economic, Social and Cultural Rights (1999)	<p>“26. The [national] strategy should give particular attention to the need to prevent discrimination in access to food or resources for food. This should include: guarantees of full and equal access to economic resources, particularly for women, including the right to inheritance and the ownership of land and other property, credit, natural resources and appropriate technology; measures to respect and protect self-employment and work which provides a remuneration ensuring a decent living for wage earners and their families (as stipulated in article 7 (a) (ii) of the Covenant); maintaining registries of rights in land (including forests).”</p>
Voluntary Guidelines on the right to food adopted by the FAO Council (in 2004)	<p>“Guideline 8B Land</p> <p>8.10 States should take measures to promote and protect the security of land tenure, especially with respect to women, and poor and disadvantaged segments of society, through legislation that protects the full and equal right to own land and other property, including the right to inherit. As appropriate, States should consider establishing legal and other policy mechanisms, consistent with their international human rights obligations and in accordance with the rule of law, that advance land reform to enhance access for the poor and women. Such mechanisms should also promote conservation and sustainable use of land. Special consideration should be given to the situation of indigenous communities.”</p>

Sources: UN, 1966, 1999; FAO, 2005.

landless and near-landless rural poor (e.g. landless peasants, rural labourers, indigenous communities and artisanal fisherfolk-cum-rural labourers), a land policy is more capable of anticipating its differential impact among the rural poor. This is important in situations where a limited supply of land has many land rights claimants. Forestlands in particular often host multiple classes accessing different resources therein: food, wildlife, fuelwood, non-timber forest products, timber products (Leach, 2007; Agarwal, 1994; Peluso, 1992). Truly pro-poor land policy-making also recognizes the distinct land rights of women as peasants, rural labourers, forest dwellers or pastoralists, and as women. As farmworkers, farmers, herders and fuelwood gatherers, rural poor women typically have their own connections to land resources, independent of the men within the household, entitling them to distinct land rights (Agarwal, 1994; Kabeer, 1999). Conventional land policies have tended to exclude women either by design or during implementation (Deere, 1985; Agarwal, 1994; Razavi, 2003; Whitehead and Tsikata, 2003).

Meanwhile, truly pro-poor land policy promotes or reinforces the distinct right of ethnic groups to their territorial claims as peasants and as a distinct people. Land (and land reform) policies have generally been blind to ethnic dynamics. Encroachment into indigenous territory has taken place via colonization, resettlement and extractive industry, undermining indigenous peoples' effective access to the land (Holt-Gimenez, 2008). Many violent conflicts today have an ethnic dimension to them, as in the Plurinational State of Bolivia (Assies, 2006), the Congo (van Acker, 2005), Namibia (van Donge, Eiseb and Mosimane, 2007), Rwanda (Liversage, 2003; Pottier, 2006) and Viet Nam (Sikor, 2006a, 2006b). Many land conflicts are historically grounded, so setting right the social injustices that have been committed against vulnerable segments of society is important in its own

right. However, a social justice perspective is crucial for the long-term success of any land policy as sources of conflict left unresolved or new sources created by a flawed land policy are sure to constrain, if not undo, its success in the long run. Land policies that are ahistorical, banking on "here and now" economic interpretations of land, risk undermining the legitimate historical claims of at least some (if not all) affected segments of the rural poor, and only further postpone inclusive development, setting the stage for new rounds of social-political conflict.

Land policies are never neutral. Any public policy that claims to be "pro-poor" must self-consciously and explicitly articulate what it means by "pro-poor" and how it qualifies as "pro-poor". By pro-poor, we mean here a land policy that explicitly contains the following key features, interpreted flexibly depending on specific concrete agrarian conditions: (i) transfer or protection/reinforcement of land-based wealth to the landless and near-landless rural poor; and (ii) transfer or protection/reinforcement of social-political power to the landless and near-landless rural poor. A truly pro-poor land policy will seek to explicitly transfer land-based wealth to, or protect the existing land-based wealth of, the landless and near-landless rural poor. Land-based wealth means the land, water and minerals therein, other products linked to it such as crops and forest, as well as the farm surplus created from this land. A truly pro-poor land policy will also seek to transfer land-based political power to, or protect the land-based political power of, the landless or near-landless rural poor. This means being willing to confront, rather than avoid, the social-political conflicts inherently associated with land-based social relations and any serious attempt to recast them (Putzel, 1992). By political power transfers we mean both the power to control all decision-making vis-à-vis the land resource and the power to participate fully in development decision-making that affects rural poor people's lives and livelihoods.

## SELECTED CASES

There is no “silver bullet” that can guarantee a truly pro-poor outcome in state/public land policy-making. However, some initiatives show that, while achieving this may be difficult, degrees of change in the right direction are possible. Some cases are briefly summarized below.

### Case 1. Mozambique: 1997 Land Law

This case involves state/public land that is occupied and used in ways governed by customary law, yet vulnerable to disruptions caused by war and to the impact of overlapping laws, agencies and actions. The case shows how such challenges might be faced through more inclusive land policy-making processes. The 1997 Land Law is considered innovative partly because of the unusual degree of investigation, consultation and public deliberation that went into it.<sup>1</sup> These processes have been discussed in detail by Tanner (2002) and space limitations prevent us from expounding further here. What is important to point out is that the Mozambique case shows that opening up land policy-making in the formulation phase to “new” knowledge and voices is possible and does have value. Among other things, it ratified a widely shared understanding that the basic starting point for the new law ought to be the protection of existing local occupation and use rights.

### Case 2. The Philippines: redistribution via community-based forest management

This case involves a remote area of timberland (state/public land) in the Philippines that had been enclosed and converted into a 210-ha, tenanted coconut and citrus farm by a local landed elite family in Mulanay, Quezon Province (Borras, 2007a). The family managed to keep their acquisitions hidden and beyond the reach of state law for many years. However, by the mid-1990s, state land policy, namely,

the 1988 Comprehensive Agrarian Reform Program (CARP), was harnessed, leading to redistribution of the area to 76 tenants. Of the two components of the CARP pertaining to state/public land, it was the Community-Based Forest Management Programme, which establishes long-term land stewardship contract arrangements between the state and groups of individual tillers, that was applied in this case.

### Case 3. Brazil: distribution via “reservas extrativistas” (RESEX)

This case involves the experience of peasant women in Ciriaco, Maranhao, Brazil, and also highlights the importance of rights advocacy groups and initiatives in helping to make state law authoritative in society. In Brazil, “reservas extrativistas” (extractive reserves, RESEX) are areas of valuable forest resources protected by the state for the sustainable use of traditional populations. The main purpose of such reserves is to ensure access to land and resources along with the continuation of the traditional way of life for the indigenous populations. Despite the existence of a national decree ordering the creation of the Ciriaco RESEX, the government delayed. Lack of funds was one issue. Another was that local landowners had illegally taken over the area, using violence to harass the inhabitants. In 1998–99, several organizations (including FIAN) carried out actions in support of the peasants, even as landowner harassment continued and the RESEX decree expired. Negotiations with the federal government continued and, in 2000, an official working group was established to undertake technical studies, a new social economic survey and the organization of inhabitants, leading to a remaking of the decree. Under growing national and international pressure, the government obtained the resources needed to carry out the demarcation and to pay compensation to the landowners. More than 50 certificates of ownership were then issued, one for every proprietor within the RESEX area, and by 2003 more than 80 percent of the area was in the hands

<sup>1</sup> Prior investigation revealed a favourable consensus among activists, academics and foreign land experts on the 1997 Land Law, a view later validated by B. Cousins (personal communication, 2008).



of 160 families, who received 20 ha of land each, while availing themselves of government credit programmes.

#### **Case 4. Viet Nam: distribution via (re)allocation of forestland**

Our fourth case is about how a problematic government land policy in state/public land in Viet Nam unexpectedly led to pro-poor results (Borras, 2007b). The land policy at the centre of the story has two parts. The first part entails the 1993 Forest Land Allocation Programme (FLAP1), an anti-poverty measure that targeted upland (mostly indigenous) rural poor and aimed to increase sustainable agroforest productivity. The crux of this programme involved distributing a forestland allocation (with a certificate called a “green book”) to rural poor households and communities. After ten years of implementation, the programme suffered numerous problems, such as lukewarm response by the target population, inequalitarian and exclusionary outcomes, and unreliable official accomplishment claims. In response, the government made numerous reforms to the original programme, including a new Land Law in 2003 and Decree No. 181 in 2004 (collectively referred to as FLAP2), while the old “green book” certificate was replaced by a new “red book” certificate. The changes raised hopes for better outcomes, but elite capture of implementation continued in FLAP2. However, one bright spot did emerge – the case of the Bac Lang Commune, Dinh Lap District, on Viet Nam’s northeast border with China, where the forestland (re) allocation programme since 2006 has taken on a “generally participatory and empowering” character, “resulting in egalitarian and pro-poor outcomes” (Borras, 2007b). The case study discusses what factors made such positive outcomes possible.

#### **Case 5: West Bengal, India**

Our final case involves forestland management in West Bengal, India, where disputes between the state and forest dwellers over access to state forestland are common. Marginalized communities

like Dalits and tribal people often inhabit forestlands and depend on forest products for their survival. The Forest Law does not adequately recognize the rights of forest dwellers over forestland and forest resources. However, the state has realized that ignoring people’s rights would lead to destruction of this valuable resource and to more violations of the human rights of poor local communities. Several experiments have been conducted at the grassroots level, involving communities and government jointly managing the forest resources. The case of Arabari is the leading example of a successful practice of community forest management, and it has inspired the state and central governments to replicate the same model in other parts of the country. About 1 270 ha of degraded sal forests were taken up for revival on a pilot basis. Initially, 618 families, comprising a population of 3 607, were involved through “forest protection committees”. Encouraged by the experience, the state government later decided to encourage participation of forest-fringe populations in managing and rehabilitating degraded forests all over southwest Bengal. The movement spread like wildfire. Although informal and voluntary at first, it acquired the character of a formal institution when, in 1990, the state government officially recognized the forest protection committees (FPCs) in southwest Bengal. More than 1 250 village FPCs (spread over an area of 0.152 million ha of degraded forests) were formed during the next eight years. Today, more than 2 090 rural communities in the state participate with the government to manage 0.3 million ha of natural forests.

#### **CONCLUSIONS AND RECOMMENDATIONS**

In this paper, we have tried to show that basic pro-poor principles can be built into policy-making frameworks. In addition to urging policy-makers to take these insights seriously, we conclude with a few more general recommendations. First, if effective

state/public land policy-making involves understanding the underlying complexities of diverse local situations (and then allowing this understanding to inform the effort to devise truly pro-poor land policies), then it follows that substantial and significant resources must go into sociological-anthropological research and grounded knowledge accumulation, involving a wider range of data-gathering/analysing actors and processes than is usually done in policy-making circles. Second, given the importance of sustained and systematic rights advocacy from below by civil-society organizations in supporting rural poor peoples' efforts to claim their rights, it follows that substantial and significant resources must also go to expanding civil-society rights advocacy work. Finally, given that competing interests and conflict *in the context of real power imbalances* are part of the reality inside state/public land (much like in private land settings), it also follows that policy-making as broadly understood cannot ignore or shy away from this fact of life; it must fully acknowledge it in order to face it creatively and confront it head on. Policy-making initiatives that fail to do so are likely to fail to make a positive difference in effecting truly pro-poor change.

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