

# Farmer–herder conflicts, pastoral marginalisation and corruption: a case study from the inland Niger delta of Mali

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This study aims to explain a farmer–herder conflict in the inland Niger delta of Mali. We focus on the interests and motivations of the actors involved in the conflict and the rent seeking of the local administration in handling the conflict. Since independence, the customary pastoral leaders (the *jowros*) have gradually lost power and wealth to the benefit of previously underprivileged farmers (the *rimaybé*). We argue that this process is mainly the result of national policies and laws giving priority to agricultural development at the expense of pastoralism. The result has been large-scale conversions of dry season pastures to rice fields. This pastoral marginalisation also results in increased land use conflicts between herders and farmers. In addition, rent seeking by local officials is perpetuating land use conflicts in the area. Hence, officials are benefiting from conflicts, while especially pastoralists, but also farmers, are losing out. The droughts of the 1970s and 1980s, leading to a more rapid encroachment of rice fields on pastures, as well as the power vacuum that emerged in the early days of the decentralisation process, further aggravated land disputes. Finally, we use this case study to call for an inclusion of issues of rent seeking and corruption more centrally in political ecology.

KEY WORDS: Mali, farmer–herder conflicts, political ecology, rent seeking, corruption

## Introduction

In this study, we aim to explain a local land use conflict between herders and farmers in central Mali. Such conflicts have frequently been attributed to increasing natural resource scarcity caused by population pressure and land degradation (e.g. Baechler 1998; Homer-Dixon 1999) or, more recently, by climate change.<sup>1</sup> This scarcity narrative has, however, been questioned by both peace and conflict studies (e.g. Binningsbø *et al.* 2007; Raleigh and Urdal 2007) and case-based political ecology studies (e.g. Bassett 1988; Turner 2004; Benjaminsen 2008).

Seen from a political ecology point of view, the scarcity narrative lacks both ecological and political detail and therefore misses important aspects.

Political ecology is an evolving case-based approach that tends to focus on the power relations in land and environmental management. Land degradation and the marginalisation of local people through state policies and practices are among the most central themes within political ecology (Robbins 2004). Since Watts (1990, 128) complained that political ecology displayed ‘a remarkable lack of politics’, ‘there has been a veritable explosion of scholarship . . . in political ecology that has taken up the challenge to deal in a more sophisticated way with the role of politics in shaping human–environment relations’ (Walker 2007, 363). In line with Paulson *et al.* (2003, 209), we understand politics ‘as the practices and processes through which power, in its multiple forms, is wielded and negotiated’.

Moritz (2006, 107), however, criticises political ecology studies, and in particular studies of natural resources management in West Africa, for not having paid 'enough attention to politics, or the right sort of politics: "belly politics"'. This is a Cameroonian expression that was further articulated by Bayart (1993). It 'is a complex mode of government' that denotes 'the accumulation of wealth through tenure of political power (implied in the proverb "the goat grazes wherever it is tied")' (Bayart *et al.* 1999, 8). This form of government has also been referred to as the neopatrimonial state 'in which officeholders systematically appropriate public resources for their own uses and political authority is largely based on clientalist practices, including patronage, various forms of rent seeking, and prebendalism' (van de Walle 2001, 52). Following from this, we understand corruption as the conflation of the public and private domains for personal benefits by people with political or administrative power. It comes, however, in many forms and, according to Olivier de Sardan (1999, 28), who discusses corruption in West Africa, it is important to distinguish between 'big-time corruption', which is 'practiced at the summit of the state (presidents, ministers, directors of important offices, directors of public or parastatal enterprises), involving millions or even billions of CFA francs . . . with the "petty corruption" of policemen, clerks, nurses or customs officers'. He also underlines, however, that the two forms can be seen as two poles of a continuum. The term 'rent seeking' is often associated with the issues of corruption and bribery. It implies extracting value from activities without making any contribution to productivity, and it is usually linked to the misuse of governmental authority.<sup>2</sup>

Referring to sociological and anthropological studies in Africa, Olivier de Sardan (1999, 25) also states that corruption is an understudied topic in light of the 'rampant corruption affecting the totality of African countries'.<sup>3</sup> Within the field of natural resources and environmental studies, political ecology has contributed more to the study of corruption and rent seeking than most other approaches (e.g. Ribot 1998; Robbins 2000; Brockington 2008). However, even within political ecology, there seem to be relatively few studies and surprisingly little focus on this topic. For instance, among perhaps the eight most prominent textbooks in political ecology (Stott and Sullivan 2000; Peluso and Watts 2001; Zimmerer and Bassett 2003; Forsyth 2003; Robbins 2004, Neumann 2005; Paulson and Gezon 2005; Biersack and Greenberg 2006), none dealt explicitly with this issue or included 'corruption' or 'rent seeking' in the index. We would, however, think that this is an important topic for political ecologists, since both the

environment and the poor may suffer due to rent seeking by elites.

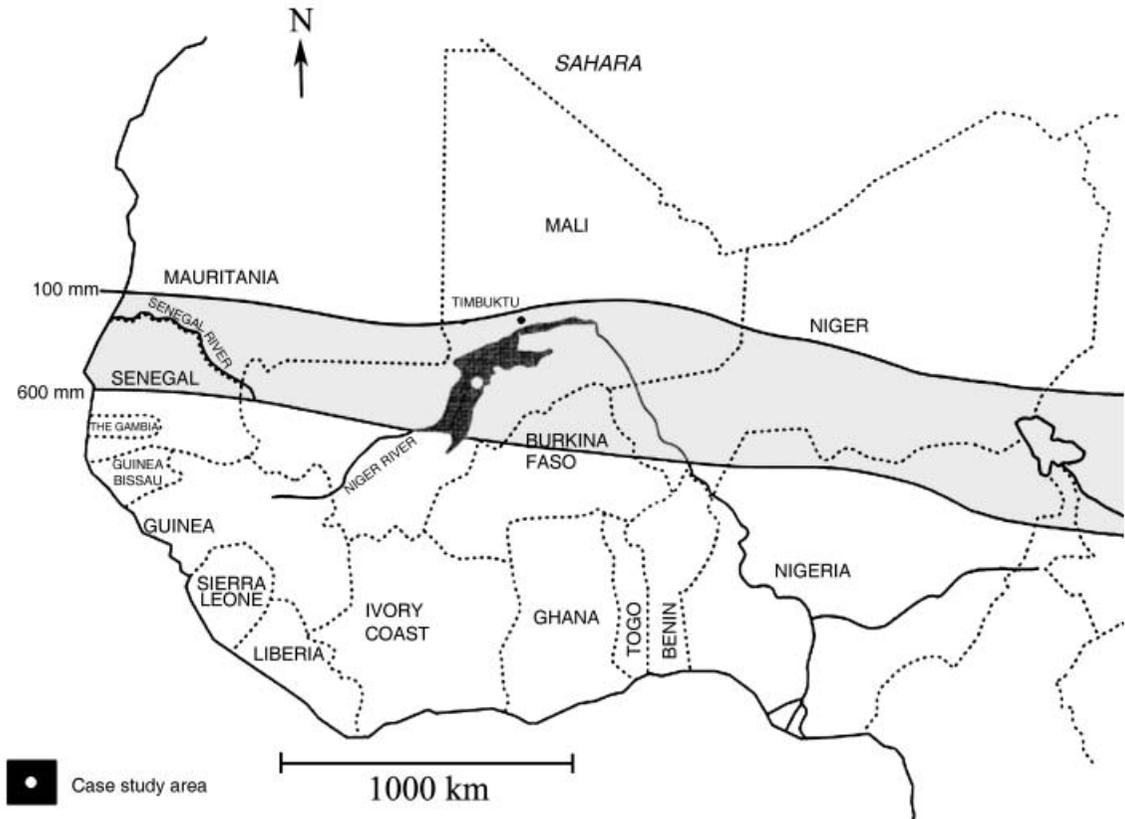
Moritz (2006) contends that the reason for the relative neglect of these issues among political ecologists is that political ecology has thus far had a tendency of adhering to structural explanations. With its origins in neomarxism and dependency theory, this is perhaps true for parts of the research field, but many political ecologists today also employ actor-oriented approaches inspired by, for instance, peasant studies and common property theory (Robbins 2004). One good reason for corruption remaining a rarely explored empirical topic in social sciences, such as geography, sociology and anthropology, might simply be that 'ethnographic data on corruption are not easily available' (Engelsen Ruud 2000, 272).

### Study area

The study was carried out in the inland Niger delta in Mali (Figure 1), which is the largest wetland area in West Africa. This is a vast floodplain that in good years covers up to 30 000 km<sup>2</sup>. The flooding in the delta depends on the annual rainfall in the upper catchment area of the Niger River in Guinea and southern Mali. For centuries, the area has provided rich resources for rice cultivation, fishing and pastoralism. A number of reports hold that in recent years the delta has been marked by numerous and increasing land tenure conflicts (Moorhead 1991; Turner 1992; Ba 1996, 2008; Barrière and Barrière 2002; Cotula and Cissé 2006).

The pastoral system in the delta is based on livestock remaining in the dry season grazing area during December–June, combined with the use of dryland pastures in the rainy season. In the Sahel,<sup>4</sup> the length of pastoral migrations among Fulani may range from 40 to 500 km (Turner 1999). From the beginning of the rainy season in June/July, many delta pastoralists move northeast or northwest before they return to the delta some time in the dry season.

The main fodder resource in the delta is *burgu*,<sup>5</sup> which grows in deeper water than paddy rice. Paddy fields have during the last decades expanded enormously at the expense of *burgu*. According to Kouyaté (2006), about one-quarter of the *burgu* areas in the delta have been converted to rice fields since the 1950s. This can partly be explained by decreased levels of flooding in the Niger River (Figure 2) especially as a result of the droughts of the 1970s and 1980s, as well as the construction of the hydro-power dam downstream at Sélingué that was completed in 1982 (Turner 1992; Cotula and Cissé 2006). Since the Sahel drought of the mid-1980s, flood levels have, however, again increased



**Figure 1** The inland Niger delta of Mali and its location in the Sahel (100–600 mm of annual rainfall).

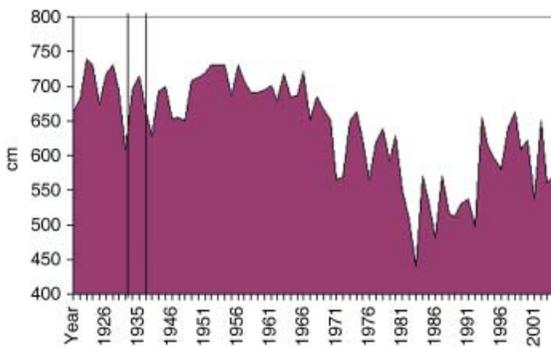
somewhat (Figure 2). According to official censuses, the population of the Mopti region, which covers most of the delta, increased from 910 713 in 1964 to 1 478 505 in 1998 (Cotula and Cissé 2006).

We carried out fieldwork in the central delta in November 2006 and September 2007. Data collection consisted of in-depth interviews with customary chiefs, village chiefs and their councillors, mayors and other commune employees, administrative officials at the district (*cercle*) level, lawyers, judges and other employees at the Primary Court in Mopti, officials of the parastatal (*Office Riz Mopti*), farmers, and pastoralists. In addition, one of us comes from the area and has since 1998 been directing the NGO Eveil operating in the delta and focusing on civic education on the issue of governance and citizenship (see Ba 2008). This permanent presence in the delta since the early 1990s has made it possible to obtain detailed information on the practices of corruption and rent seeking.

### A history of land legislation and politics in the delta

The current land tenure system in the delta is based on the principles introduced by invading Fulani warriors in the fourteenth century, the so-called Ardobé (Ba and Daget 1962). The Ardobé constituted the military and political leadership in the area for more than 400 years from about 1400. They 'provided floodplain land to subordinates for farming, which led eventually to the bounding of their spheres of influence into *leyde*' (Turner 1999, 110). Furthermore, the Ardobé introduced local chiefs (*jowros*<sup>6</sup>) to manage the *leyde* (sing. *leydy*). The *jowros* who were noble Fulani (*rimbé*) pastoralists were 'owners of grass', and, hence responsible for the management of pastures in these territorial units.

In 1818, Islamic clergymen mobilised a jihad and conquered the delta region through the leadership of Cheikou Amadou. This resulted in the establishment of an Islamic theocratic state, the Dina, based in Hamdallahi, south of Mopti. 'Cheikou Amadou



**Figure 2** Maximum flood levels, Niger river, Mopti, 1922–2006. The vertical lines represent gaps in data  
 Source: Direction Nationale de l’Hydraulique et de l’Energie, Bamako

adopted the territorial model of the Ardobé to force Delta households to settle into leyde composed of the pre-existing leyde of the Ardobé and new leyde carved out of the remaining floodplain’ (Turner 1999, 110). The Dina also codified and formalised many of the resource management principles and rights introduced by the Ardobé. For instance, through this codification, the *jowros* were formally granted the authority to manage the *leyde*, rights to *burgu* fields were defined, and a list of livestock entry routes in the delta was established in order to keep farmers’ fields at a distance (Gallais 1967). While the *jowros* managed pastures, the allocation of agricultural land was devolved to a *bessema*, a chief of the low caste *rimaybé* farmers. All users of *burgu* pastures paid a fee to the *jowro* and a clear ranking order of herds was established, deciding the order in which they would enter the *burgu* areas. In addition, a village chief (*jomsaré*) would be responsible for handling administrative and political issues.

In 1893, the French defeated the Toucouleur who in 1862 had conquered the Dina, and in 1895 the colony of French Sudan was established. The colonial government was dependent on the *cercle* as its main administrative unit. The *cercle* was governed by a French *commandant* whose directives passed to the local population through a *chef de canton*, who was picked out among the local chiefs in the area.

The principles of spatial organisation and resource management inherited from the Dina were sustained by the French administration (Vedeld 1997; Barrière and Barrière 2002). Some *jowros* became *chefs de canton*, while the *jowros* in general maintained their role as managers of pastures. The French also agreed that the *jowros* were entitled to receive a rent from the users of *burgu* pastures.

The Dina code and its associated rights are today seen as part of ‘customary law’ in Mali and contrasted to Roman law introduced through the French colonial system. The historic relationship between customary law and state law is a much-discussed topic in the literature on African land tenure. One currently important position holds that conceptions of ‘tradition’ and ‘custom’ are largely results of constructions or inventions by colonial authorities (e.g. Ranger 1983). This literature has provided important insights into the practice of indirect rule, colonial co-optation of African chiefs, and the exploitation of the peasantry by the combined force of the colonial state and local elites. However, these views are essentially based on empirical work in southern Africa. In studies from other parts of the continent, questions have recently been raised about the validity of these conclusions. Informed by his own historical studies from Tanzania, Spear (2003, 3) argues that ‘the case for colonial invention has often overstated colonial power and ability to manipulate African institutions to establish hegemony’. It therefore makes little sense to talk about ‘invention’, because ‘(t)radition was both more flexible and less subject to outside control than scholars have thought’ (p. 26). While Spear focused on chieftaincy and ethnicity, Lentz (2006) has extended the argument to the issue of land tenure based on studies in West Africa. She contends that not all statements about past authority in land matters are results of recent ‘inventions’.

While a revised and milder form of the Dina code was endorsed by the colonial government, it would be an exaggeration to state that the current remnants of the Dina are colonial inventions. Even though the Dina is seen in Mali as a great product of African pre-colonial state formation, applying its principles today is also a contested issue. It is perceived as biased towards the Fulani, as well as being reminiscent of a past when a few pastoral leaders controlled land, resources and people. This depiction of the Dina and the *leyde* system as an indigenously developed pastoral system is also ironic and ‘somewhat misleading, since its agriculturally-rooted territorial form was imposed upon, and openly resisted by, Fulani pastoralists’ (Turner 1999, 110).

In 1960, Mali gained its independence, and the country’s first President, Modibo Keita, was inspired by socialist ideas of industrialisation and agricultural modernisation. Pastoralism was looked upon as an obstacle to development in general. An aim of the Keita government was to convert pastoralists into ‘productive’ citizens by taking up farming (Benjaminsen and Berge 2004). The socialist government also saw the *jowros* as feudal landlords and generally tried to undermine their authority.

After a coup d'état in 1968 and the establishment of the military government of Moussa Traoré, the position of *jowros* was gradually rehabilitated, and towards the end of Traoré's reign, before he was toppled in another coup d'état in March 1991, the *jowros* had again become powerful local actors through alliances with officials of the single party. After the introduction of democracy from 1991, a Constitution committed to decentralisation was accepted by referendum in 1992, and in 1993 and 1995, laws on decentralisation were adopted by the National Assembly. However, how to deal with land tenure conflicts remains one of the key challenges of the decentralisation reform.

In French Sudan, the state and individuals with title deeds were the only formally recognised landowners. After independence, as a heritage from colonial law, the Land Code of 1986 (*Code domanial et foncier*) acknowledged property rights only in the case of individually held title deeds. Customary rights were defined as use rights with a much weaker status than titled land. The Land Code of 1986 has more recently been replaced by a Land Ordinance<sup>7</sup> (*Ordonnance du 22 Mars 2000 portant code domanial et foncier*). However, this new law remains focused on 'mise en valeur'<sup>8</sup> and does not address pastoral land tenure and its various challenges. The livestock policy of 2004 is also largely focused on the modernisation of the livestock industry and neglects land tenure conflicts as an issue.

### The politics of a land tenure conflict

The conflict presented here takes place in Saremala village in Sulali sub-*leydy*, which is one of five smaller *leyde* within the larger *leydy* of Kounary. The Kounary is one of 31 *leyde* in the delta (Legrosse 1999).<sup>9</sup> Sulali covers 83 km<sup>2</sup> and Kounary extends over 405 km<sup>2</sup> (CIPEA 1983). This case was chosen because it is close to the urban centre of Mopti and Sévaré and hence it suffers from high pressure on the land. In 1896, Kounary *leydy* became a canton with the main *jowro* as *chef de canton*. After independence, the Kounary was split into several *arrondissements* within the Mopti cercle, and presently the area lies within five communes. The *jowro* of Sulali resides in Saremala village, which is today situated in Sio commune, still within Mopti cercle.<sup>10</sup> The village is located by the Bani River, which joins the Niger near Mopti. The majority of the villagers consist of *rimaybé*, while there is a minority of *rimbé*. The *rimbé* are agro-pastoralists who spend the months of November to June in Sulali, while the rest of the year is spent on transhumance in the Seno-Mango area to the north-east, about 200 km away. There are two main *burgu* areas in

Saremala. First, there is the *harima*, which is reserved for the free pasture by milk cows that do not follow the yearly transhumance. The *harima* is managed by a village committee, including both the *jowro* and the village chief. Second, there is the *burgu* area managed by the *jowro* with fees collected from users entering the delta in November (Figure 3). It is particularly this second area that is suffering from agricultural encroachment.

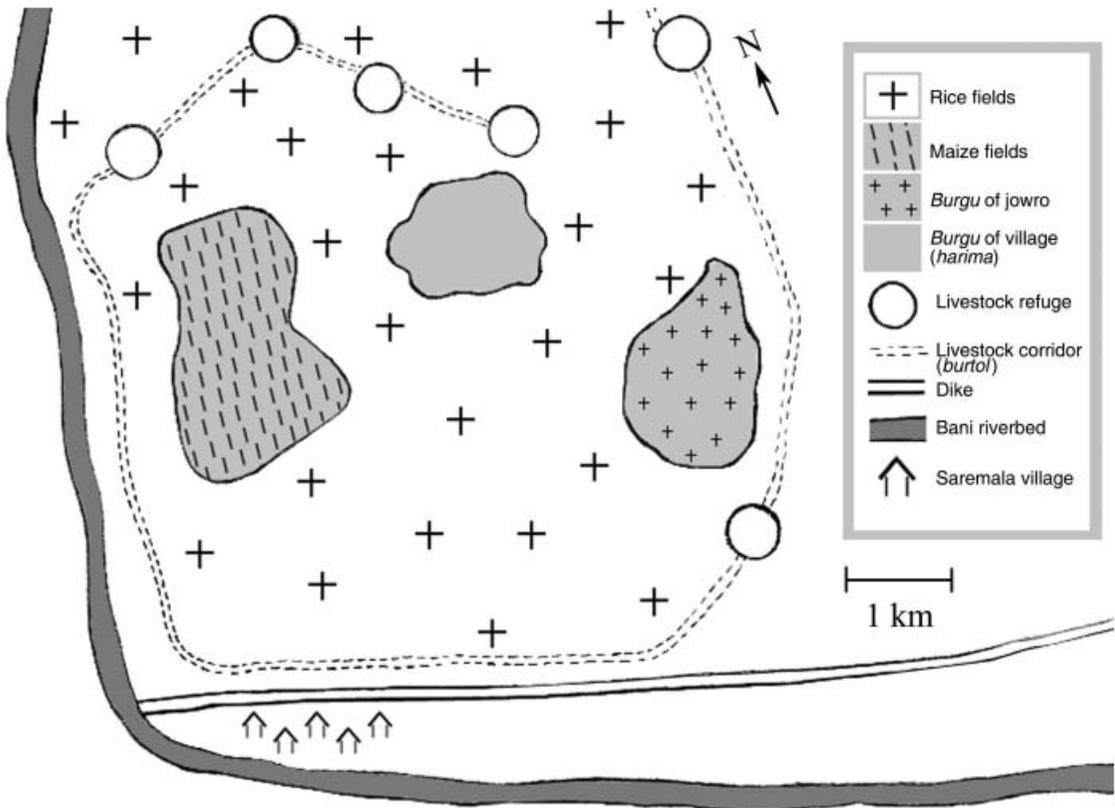
### Development interventions in the Kounary

The Office Riz Mopti (ORM; before 1991 called *Opération Riz Mopti*) has played a central role in the expansion of agricultural land in the Kounary. ORM was established with World Bank funding in 1972 as one of several sector-oriented state development agencies. Its main focus has since been to expand the area under controlled flooding for rice cultivation in parts of the delta. This means constructing a series of dikes with weirs to control the water level and canals to distribute the water to fields. Each plot is 1 ha and applications for plots are open for all Malians. The main technical problem with this system is that the control of the water level is far from perfect without pumps. Hence, large areas remain dry or insufficiently flooded. Of the 33 000 ha of rice fields created before November 2006, 13 000 ha are left fallow due to lack of water.<sup>11</sup>

While ORM has never been concerned about livestock problems,<sup>12</sup> the *Opération de Développement de l'Élevage dans la région de Mopti* (ODEM) was established in 1975 to promote livestock development. ODEM was a state agency based in Sévaré, also funded by the World Bank, and whose aims were to restore ecological equilibrium, promote the production and productivity of livestock, improve the socioeconomic conditions of the population, and promote the marketing and export of cattle to relieve pressure on grazing land and to earn foreign exchange. However, the approach followed was technocratic and top-down, leading to disappointing results according to Shanmugaratnam *et al.* (1991) and de Bruijn and van Dijk (1995). In 1991, the World Bank discontinued its funding and the activities were phased out.

### History of the conflict

Because of Kounary's proximity to urban centres and the fact that ORM has been particularly active in the area, agricultural encroachment has probably been faster in the Kounary than in other parts of the delta. This encroachment has over time shifted the wealth and influence of the *jowros* in favour of *bessesmas* and *rimaybé* farmers in general. During



**Figure 3** A resource sketch of Saremala village land that was developed in the field with the help of villagers. It is not geo-referenced. Hence, the scale is approximate.

the 1970s and 1980s, the encroachment on pastoral land escalated through the combined effect of drought and agricultural policies. The droughts left many rice fields dry and farmers therefore moved down the riverbed and cultivated the *burgu* areas. At the same time, there was a deliberate conversion of *burgu* to rice fields by the ORM, which led to a massive loss of *burgu* pastures in the Sulali *leydy*.

The conflict in Saremala involves three main groups of actors: the families and supporters of the *jowro*; the *bessema*; and the *jomsaré*. The main issue is about overall rights to agricultural land in terms of control of income from land allocations, as well as the spatial management of the agricultural/pastoral interface. The *rimaybé* population of the village is divided in two camps – a larger group supporting the *bessema*, which seeks independence from the *jowro*, and a smaller group allied to the *jomsaré* that is still loyal to the *jowro*. However, the present *jomsaré* or village chief has changed sides in the conflict and has thus become a supporter of the *rimaybé* majority. Due to a conflict with the *chef d'arrondissement* in 1993, the village

chief at the time (the older brother of the present chief) was removed from his position because he had accused the administrative leader of incompetence and refused to pay taxes. The *chef d'arrondissement* then used his mandate and authority as a government official to replace the village chief with the chief's younger brother (the present chief). This event escalated to the point that during an argument the older brother used a machete and crippled his brother's right arm. The fact that the *jowro* lost an ally in the village chief further decreased his influence on land matters. Some claim that the younger brother changed sides in the conflict because he did not get his share of the benefits that his older brother enjoyed through his alliance with the *jowro*. However, in an interview with us, the village chief stated: 'They (the *rimbé*) see us as subordinates who do not have any rights . . . we can continue to live together, but not in servitude in a democratic society.'

While the conflict in Saremala escalated in the 1990s, its roots can be traced back to the colonial period. *Chefs de canton* were then responsible for

collecting taxes from the population and they did this through the village chiefs. It is well known that the *chefs de canton* used this position to enrich themselves. As a favour to the village chief and perhaps to increase his own income, the *chef de canton* of the Kounary therefore took land from the *bessema* and allocated it to the village chief. This created the cleavage between the two *rimaybé* camps.

Today, the *rimaybé* loyal to the *jowro* do not own much livestock and remain as subordinate farmers,<sup>13</sup> but the majority camp has over the last few decades become wealthier and more independent through the expansion of agricultural land that is controlled by the *bessema* at the expense of *burgu* pastures controlled by the *jowro*. By selling rice, the *bessema* camp has been able to invest in livestock. This is a further challenge to the *jowro's* power base. It is said in Saremala that, today, *rimaybé* of the *bessema* camp have more livestock than the *rimbé* pastoralists. The latter have instead become herders for the former. This shift in influence has led the *jowro* to insist that the *bessema* is under his authority and that the latter is not an independent land manager.

In the first immediate years after 1991, government presence in rural areas was weak, and there was considerable uncertainty of future directions with the introduction of democracy, the restructuring of government services and decentralisation. People took advantage of this void by taking possession of land or by making claims to land in various ways.<sup>14</sup> This also happened in Saremala. Farmers expanded fields into pastoral areas, while the *jowro* again attempted to take control of farmland. Farmers usually give a small token portion of the harvest (about 5 kg) to the 'landlord' as recognition of land ownership, but the *jowro's* ambition had clearly changed into aiming for a system of sharecropping, which was strongly resisted by the *bessema* camp.

In mid-1993, another issue came up that sparked off a series of events, which escalated towards a violent conflict. Due to agricultural expansion by ORM and by local farmers, herders did not know where to pass anymore with their livestock to reach the *burgu* pastures. They complained that the traditional *burtol* (livestock corridor) had been closed by cultivation. The *jowro* therefore requested the state administration for assistance to create a new *burtol*. This was granted and a corridor of 7 km length and 150–300 m width was cleared. However, neither the farmers nor the pastoralists were happy with this decision. While the farmers lost fields, the problem for the herders was that the corridor did not join any other *burtol*, and hence the challenge of getting in and out of the area still remained.

Frustrated by the situation, the *jowro* now decided to take the matter to court as a last resort,

claiming customary rights to all the village land. On 25 August 1994, the Primary Court of Mopti (*Tribunal de Première Instance*) decided in his favour granting him customary rights to all the land, not just pastures. However, this decision was appealed by the *bessema* camp, and on 31 May 1995 the Appeal Court in Mopti (*Cour d'Appel*) decided that while the *jowro* has customary rights, the *rimaybé* farmers have use rights to the same land. While both parties interpreted this ambiguous decision as being in their favour, the *jowro* appealed the decision to the high court. At the same time, he acted as if his ownership of the land had been reconfirmed by the court by telling the farmers to stop all cultivation, but farming continued.

At the time of the rice harvest in December 1995, the *jowro* announced a general moratorium on the harvest and that harvested rice would be confiscated by force. The village chief called in two gendarmes and 16 armed guards whom he paid 10 500 FCFA (16 euros) per day to protect them during the harvest. However, despite this protection, a clash occurred at one of the rice fields on 23 January 1996 causing two deaths and 16 wounded farmers and pastoralists. The village chief claims that the guards had been paid off to look the other way and not to intervene on this occasion.

On 18 February 1997, the High Court (*Court Suprême*) in Bamako declared the Appeal Court's decision to be void and sent the case back to this court. However, the Appeal Court in its decision of 2 July 1997 maintained its previous decision, saying that the Saremala land is the customary property of the *jowro*, implying that he is the customary land manager and that only he can allocate land to other users. But the court went even further, by granting the *jowro* all three aspects of a property right defined by French law, namely *usus*, *fructus* and *abusus*. '*Usus*' is the right to use, '*fructus*' implies the right to enjoy the products of the land (e.g. harvest, rent), and '*abusus*' means the right to dispose of property through donation, sale, destruction etc. Taken literally, by granting the *jowro* the right of *abusus*, this decision gave him much more power than he would otherwise enjoy under any interpretation of custom. It is also contradictory in another sense, because according to Malian law, only the state holds the right of *abusus* on non-titled land. However, the court at the same time authorises the farmers in Saremala to continue to use the land they have cultivated for decades. This would mean that the farmers are also granted *usus* and *fructus*. In practice, this means that the *jowro* and the *rimaybé* are given the same rights (*usus* and *fructus*), which is interpreted by both parties as a victory. An independent interpretation of the ruling might, however, conclude that the *rimaybé*

have more to celebrate, because they have been granted rights that they might not otherwise enjoy according to custom.

#### *Causes of the conflict*

The main cause of the land use conflict in Saremala is clearly the large-scale conversion of *burgu* pastures to rice fields that has taken place during recent decades and that has put pastoral production under increased pressure. These conversions are again mainly the result of the general policy and laws of '*mise en valeur*' favouring agriculture at the expense of livestock keeping. Land laws that focus on state ownership and that marginalise customary practices have played a key role in the ongoing exclusion of pastoral use since colonisation. This situation is not peculiar to Mali. In fact, pastoral marginalisation as a result of agricultural policies and land legislation favouring farmers is a well-known phenomenon in the African studies literature (see e.g. Bonfiglioli and Watson 1992). A *Fulbé* from Burkina Faso, interviewed by Hagberg (2005, 51), expressed perhaps a general feeling among many African pastoralists: '... the government is supporting the farmers, and only God is supporting the Fulbe [the pastoralists]'. Studying farmer–herder conflicts in neighbouring Côte d'Ivoire, Bernardet (1984) also pointed at insufficient pastoral land rights as a key cause of these conflicts, while Bassett (1988) argued that the conflicts came from the state's ambition to develop export-oriented meat production attracting pastoralists from Burkina Faso and Mali to Côte d'Ivoire.

In the area around Mopti and Sévaré, where this case study was carried out, the main agent to implement the policy of agricultural expansion has been the Office Riz Mopti. One of the *jowros* interviewed estimates that currently about 80% of the *leydy* of Kounary is cultivated, while he thinks that 40% at the most was cultivated at independence. People interviewed also stress that neither farmers nor livestock keepers were consulted when ORM confiscated *burgu* land and closed livestock corridors. One *jowro* claimed that ORM had 'robbed' his community of land worth many billions of FCFA.<sup>15</sup> He called it 'an aggressive hold-up' and added that 'ORM – c'est une catastrophe'. Another *jowro* claimed that 'everything ORM has done is bad'.

Farmers who use ORM fields today pay 14 250 FCFA per ha in fees. These fees are supposed to be used by management committees for maintenance. Farmers, however, complain that canals get clogged up and dikes disintegrate, while they do not know where the money goes. But if they do not pay the fees, ORM will allocate their fields to someone else. Corruption by a rent seeking bureaucracy is

also perpetuating conflicts. For instance, in order to open up a new livestock corridor, a *jowro* has to pay off a number of state technicians and administrators. One well-informed interviewee in a key position wanted to highlight that the administration benefits from the informality of *jowros*. As long as they only have informal power, they need the support of the administration in order to be able to manage pastures effectively. This support is obtained through payments. 'A *jowro* who tries to be correct without paying off the administration will never be able to do anything', the interviewee said.

The yearly entry of livestock into the delta, the dates of which are discussed at annual conferences and widely announced, is a particularly lucrative business. Herders pay fees per head of livestock to the *jowros* at the various entry points. At the entry dates, key politicians and public administrators tend to show up to claim their shares of the income. In fact, some *jowros* are said to distribute all the income from these occasions just to keep the powerful people on their side. This corroborates Turner (2006, 61) who states that '(e)ach year virtually all of the money (the *jowros*) obtain in the form of pasture taxes is spent in the form of bribes'. By distributing these bribes, the *jowros* establish relations with administrative officers that are indispensable. It has often been stressed to us that the one who pays the most to the administration is also the one who will be most listened to. This also goes for the legal system. Both sides of the Saremala conflict complained about all the expenses involved in the court cases. Millions of FCFA have been spent by the parties thus far to cover lawyer fees, court fees and bribes to judges. Through receiving payments from both parties, the courts' decisions will be ambiguous. This again will contribute to perpetuating conflicts. In the interviews, we often heard complaints that the rural population has become a cash cow for state officials.

In addition to the two structural factors behind the conflicts, agricultural policy (as a background cause) and rent seeking (as an obstacle to solutions), the droughts of the 1970s and 1980s, as well as the decentralisation reform of the 1990s, have further aggravated land disputes. Expansion of farm land at the expense of pastures caused by a growing population is a common phenomenon throughout Africa. The droughts led to a more rapid encroachment of rice fields into *burgu* areas, while decentralisation in the beginning created an uncertainty around future power structures and policies. This led actors to try their luck and make claims to land in various opportunistic ways, which is illustrated by the acts of the *jowro* and the *rimaybé* farmers in Saremala in the early 1990s.<sup>16</sup> As shown by other studies in other parts of the delta

(e.g. Legrosse 1999; Turner 1999; Cotula and Cissé 2006), agricultural encroachment is a continuous process and a major threat to the pastoral system. In these parts of the delta, agricultural expansion encouraged by the *'mise en valeur'* policy, the droughts of the 1970s and 1980s, as well as opportunistic behaviour in the early days of decentralisation, are the main factors behind the loss of key pastures. The process seems to be quicker, however, in the Kounary than in most other parts of the delta, due to the presence of the parastatal and the proximity to the urban centres of Mopti and Sévaré.

### Conclusions

For many centuries, the *jowros* have represented a powerful pastoral elite dominating land management in the delta. Since independence, however, they have gradually lost power and wealth to the benefit of previously under-privileged farmers, such as the *rimaybé*. We argue that this process is mainly the result of national policies and laws focusing on agricultural modernisation. While the social outcome of this process is positive in terms of the promotion of democratic values such as equity and justice, it also implies a threat to an ancient production system that will not survive unless there is sufficient dry season grazing available. This process of pastoral marginalisation also results in increased land use conflicts between farmers and herders. Since the *jowros* still have legitimacy as pastoral leaders, it is difficult to imagine a strengthening of pastoral production in the delta without passing through their authority.

The droughts of the 1970s and 1980s played a role in the agricultural encroachment that was driving the conflict. Drought and scarcity are, however, largely insufficient as explanatory factors, since flood levels in the river have increased again after the Mid 1980s. The power vacuum that emerged in the early days of the decentralisation process also accelerated land disputes. Corruption is a major obstacle to solving these conflicts, leading local government officials to become the winners through their exploitation of conflicts for their own rent seeking, while especially pastoralists, but also farmers, are losing out. Hence, while corruption does not seem to have serious environmental consequences in this case, it has severe implications for the livelihoods of many poor farmers and pastoralists.

While the main causes of the conflict studied, and the obstacles to solving it, are structural, it was also necessary to study the motives and interests of individual actors in order to understand the origins and escalation of the conflict. These actors are both farmers and herders involved in conflicts, as well

as government officials who seem to be gaining from a perpetuation of conflicts, and therefore act accordingly. In this form of government, the state's elites and bureaucrats use their power through various forms of rent seeking to exploit institutional ambiguity to the detriment of the poor. In order to understand farmer–herder conflicts better, we therefore believe it is necessary to study what actors have to gain from these conflicts, in addition to wider analyses of historical and structural changes relating to policies, laws and custom. This would demand using a combination of structural and actor-oriented approaches.

Finally, since corrupt practices may potentially have negative implications for both the environment and for poor people's livelihoods, and since the study of causes of environmental degradation and marginalisation figure prominently within political ecology, we think that political ecology would benefit from a more explicit focus on this issue.

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### Notes

- 1 Climate change as a cause of farmer–herder conflicts in the Sahel has during the last few years become part of a dominating policy narrative. UN Secretary General Ban Ki-Moon has for instance claimed that climate change is increasing violence between herders and farmers in Darfur (Ban 2007). Following up on this, the Norwegian Nobel Committee awarded the 2007 prize to former US Vice President Al Gore and the IPCC for raising awareness on climate change issues based on the idea that there is a close linkage between climate change and conflicts. At the ceremony in Oslo in December 2007, the Committee Chairman highlighted farmer–herder conflicts in the Sahel as typical examples of this linkage ([http://nobelpeaceprize.org/eng\\_lect\\_2007a.html](http://nobelpeaceprize.org/eng_lect_2007a.html)).
- 2 Source: *The new Palgrave: a dictionary of economics* (vol 4), Macmillian, London, 1998.
- 3 On corruption in West Africa, the study by Blundo and Olivier de Sardan (2007) has later been published. Within political science and economics, there are a number of studies that have been published on corruption during the last decade, but most of these works are of theoretical and general nature and rarely include empirical studies of the practices of corruption.

- 4 The Sahel is defined here as the savanna zone south of the Sahara with between 100 and 600 mm of long-term annual rainfall.
- 5 In fact, the floodplain itself, as well as its pastures, are also called *burgu* in Fulfulde (the language spoken by the Fulani). These pastures consist primarily of *Echinochloa stagnina*, *Paniculum laetum* and *Polygonum lanigerum*, but the term *burgu* is often associated with *Echinochloa*, since this plant is considered the most important grazing resource (Legrosse 1999).
- 6 We here use 'jowro' (sing.) and 'jowros' (pl.), which correspond to oral use in French and English. The alternative would be the Fulfulde terms 'jowro' (sing.) and 'jowro'en' (pl.).
- 7 In French legislative terms, a *loi* is a piece of legislation enacted by vote of the National Assembly, an *ordonnance* is enacted by the head of State, a *décret* is an enactment of the executive, often used to clarify a *loi* or *ordonnance* or to provide the guidelines for its application, and an *arrêté* is formulated and promulgated at the ministerial, or even the regional level (Elbow and Rochegude 1990).
- 8 Increasing the value of land though productive use, which usually means farming.
- 9 The *leyde*, however, also display a certain plasticity. New units may develop and their shapes and borders may change over time (Legrosse 1999).
- 10 According to Kouyaté (2006), Sio commune is one of the communes in the delta with the highest level of transformation of land from *burgu* to rice fields.
- 11 Interview with ORM staff, 25 November 2006.
- 12 Statement by ORM employee interviewed in Sévaré, 24 November 2006.
- 13 The *rimbé* generally do not appreciate the *rimaybé* owning livestock. This is seen as a sort of rivalry and threat to their privileged position. Hence, to be allied with the *rimbé*, the *rimaybé* need to accept a position as subordinate farmers.
- 14 Several interviewees said that every time there is a change of power, land claims and conflicts increase. This supports the notion by Bierschenk and Olivier de Sardan (2003, 152) that '(e)ach change of political regime at national level opens the way for the emergence of new local political institutions and new actors on the local political scene.'
- 15 One euro is 655 FCFA.
- 16 Recently, an inter-communal forum has been facilitated by Eveil as a conflict prevention and resolution mechanism in the case study area. While the forum is officially applauded in the region as a model example of a grassroots development initiative in the spirit of decentralisation, it is also covertly resisted by the administration since it represents a threat to its power and rent-seeking opportunities.

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