

An evaluation of land reform implementation in post-genocide Rwanda: The case of the southern province

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It all starts here TM

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DECLARATION

I, Jean de Dieu Dushimimana declare that

An evaluation of land reform implementation in post-genocide Rwanda:

The case of the Southern Province

Is my own work, that all the sources used or quoted have been duly acknowledge by means of complete reference and that I have not previously submitted the thesis for a degree at another University.

Jean de Dieu Dushimimana

ABSTRACT

The present study focused on evaluating the land reform implementation in post-genocide Rwanda, particularly in the Southern Province's rural areas. The main objective of this study was to assess, based on empirical realities, the implementation of land reform through land registration and land use consolidation. In order to achieve this objective, a series of research questions were posed to collect data. The questions aimed to establish: how does land reform solve the problems of land-related conflicts and poverty in the Southern Province of Rwanda; what are the views and experiences of implementers and beneficiaries of land reform on possible weaknesses and strengths of land reform in post-genocide Rwanda and how can land registration and consolidation be implemented in order to contribute to positive land reform in post-genocide Rwanda, particularly in the Southern Province?

The study was based on three statements (hypotheses): Statement (Hypothesis) 1 (H1): *Land reform improves commercial agriculture*; Statement (Hypothesis) 2 (H2): *Land reform advances equality* and Statement (Hypothesis) 3 (H3): *Land reform stabilises rural social relationships*. Theories on land reform and human behaviours were investigated to understand and interpret the data of the findings on land reform implementation in the Southern Province. These theories included the neoliberal approach (applied to H1), the populist approach (applied to H2), the benefits theory (applied to H3) and the social and exchange theory (applied to H3).

Research methods employed were the mixed-methods approach of both paradigms recognised in social sciences, namely quantitative and qualitative designs, where the quantitative study formed the major part of the empirical investigation. A total of 385 farmers participated in the survey and answered general questions. Only questions related to the evaluation of land reform through land registration were answered by 364 people from the households whose land was registered and titled while 263 only answered questions related to land use consolidation. To supplement the survey results, interviews were organised with 79 participants. These included 24 farmers, 8 District Mayors, 10 representatives of the Rwanda Natural Resource Authority, 10 representatives of Rwanda Agricultural Board (RAB) in Ministry of Agriculture (MINAGRI) (agronomists), and 29 civil society members. Focus-group discussions (FGDs) were organised in which 56 farmers in total partook (i.e. 7 persons per district).

Overall, the present research study revealed that the land registration was successfully implemented in the Southern Province as was the case in other areas of the country. The land use consolidation, however, was only successful in marshlands where farmers regrouped in agricultural cooperatives and practised mono-cropping; in individual households it failed.

As far as the verification of statements (hypotheses) is concerned, the results of the present study partly confirmed the first statement (hypothesis) postulating: *Land reform improves commercial agriculture*. The same results also partly supported the arguments of the neoliberals that land reform advances commercial agriculture, and it fully supported the populist stance that advocate for agricultural development based on cooperating peasant households.

The second statement (hypothesis), *Land reform advances equality*, was also partly confirmed due to the various supporting realities including that nearly all the people were given land titles, women and the poor of the peasantry class benefited from land rights on the same level with others. There are also more results supporting the neoliberal and populist approaches to land reform as well as the views of the benefits and social exchange theories than results that reject these viewpoints.

For the third Statement (hypothesis), *Land reform stabilises rural social relationships*, delivered more supporting results such as the curbing of land conflicts and strengthening of social cohesion but it was limited by the persistence of the culture of inheritance that restrains land reform to address land fragmentation.

For a successful land reform, the study recommends that the Ministry of Agriculture (MINAGRI) to collaborate with the local leaders, beneficiaries and other stakeholders including civil society organisations, to improve the procedures and modalities of implementing the land use consolidation programme. This should be done by taking into consideration the priorities and needs of local people (beneficiaries) such as priority crops chosen by themselves. MINAGRI should also distribute seeds and fertilisers on time, address climate fluctuations biases and encourage cooperating farmers.

In short the present research makes recommendations to the Ministry of Agriculture (MINAGRI) and the Ministry of Natural Resources (MINIRENA) to address the identified weaknesses of land reform implementation, specifically land use consolidation. These recommendations will help ensure a further phase for the implementation of a revised and amended policy, which could deliver effective land reform in post-genocide Rwanda.

Key words: Land reform, Land registration, Land use consolidation, Rwanda, Post-genocide

LIST OF ABBREVIATIONS

ACTSA:	Action for Southern Africa
AFP:	Agence France-Presse (French Press Agency)
AfRES:	African Real Estate Society
ANC:	Africa National Congress
AusAID:	Australian AID
ADB:	Asian Development Bank
AU:	African Union
CAADP:	Comprehensive African Agricultural Development Programme
CASLC:	Commonwealth Association of Surveying and Land Economy
CEEC:	Central and Eastern Europe Countries
CIP:	Crop Intensification Project
COCOF:	Conseil Consultatif des Femmes
COPRORIZ:	Cooperative de Promotion des Riziculteurs
DAP:	Diammonium Phosphate
DFID:	Department for International Development (UK Government)
DRC:	Democratic Republic of Congo
EDPRS:	Economic Development and Poverty Reduction Strategy
EICV:	Enquete Integrale sur les Conditions de Vie des ménages (Integrated Household Living Conditions Survey)
EU:	European Union
FAO:	Food and Agriculture Organisation of the United Nations
FGD:	Focus-group discussion

FHIA:	Fondation Hundureña des Investigationes Agrícola
FRW:	Franc Rwandais
GDP:	Gross domestic product
GIEWS:	Global International and Early Warning (on Food and Agriculture)
HID/AIDS:	Human Immunodeficiency Virus Infection and Acquired Immune Deficiency System
HSRC:	Human Sciences Research Council (South Africa)
ICARRD:	International Conference on Agrarian Reform and Rural Development
ICG:	International Crisis Group
IDP:	Integrated Development programme
IFDC:	International Fertiliser Development Centre
ILC:	International Land Coalition
IMF:	International Monetary Fund
IMPABARUTA:	Imparaniramusaruro y'Abahinzi ba Runda na Taba
IRDP:	Institute for Research and Dialogue for Peace
LTR:	Land tenure regulation
MDG:	Millennium Development Goals
MIB:	Mission d'Immigration des Banyarwanda
MIGEPROFE:	Ministry of Gender and Family Promotion
MIJESPOC:	Ministere de la Jeunesse Sport et Culture (Ministry of Youth, Sport and Culture)
MINAGRI:	Ministry of Agriculture
MINALOC:	Ministry of Local Government

MINECOFIN:	Ministry of Economy and Finance
MINELA:	Ministry of Environment and Lands
MININFRA:	Ministry of Infrastructure
MINIRENA:	Ministry of Natural Resources
MINISANTE:	Ministere de la Sante (Ministry of Health)
MINITERRE:	Ministere des Terre (Ministry of Lands)
MLAR:	Market-Led Agrarian Reforms
MT:	Metric tons
MST:	Movement of Landless Workers
NEPAD:	New Partnership for Africa's Development
NGO:	Non-governmental Organisation
NISR:	National Institute of Statistics of Rwanda
OLL:	Organic Land Law
PNG:	Papua New Guinea
RAB:	Rwanda Agricultural Board
RGAC:	Rwanda Governance Advisory Council
RGB:	Rwanda Governance Board
RISD:	Rwanda Initiative for Sustainable Development
RNRA:	Rwanda Natural Resources Authority
RHODA:	Rwanda Horticulture Development Authority
RADA:	Rwanda Agricultural Development Authority
RPF:	Rwanda Patriotic Front-Inkotanyi
SMS:	Short Message Services

SACCO:	Saving and Credit Cooperative
SIDA:	Swedish International Development Cooperation Agency
SPSS:	Statistical Package for Social Sciences
ATR:	Agricultural Transformation in Rwanda (SPAT),
RCSP:	Regional Crop Specialisation Programme (RCSP)
UCORIBU:	Union des Cooperatives Rizicoles de Butare
USAID:	United States Agency for International Development
NUR:	National University of Rwanda
US\$:	United States Dollar
WB:	World Bank
WEC:	Western Europe Countries

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CHAPTER 1: INTRODUCTION

1.1 Orientation

The present study evaluates the implementation of land reforms, especially with regard to the consolidation of land use and land registration in post-genocide Rwanda. The area under discussion is the Southern Province of Rwanda. Land reform is generally viewed as a change of land tenure with the aim of solving land-related problems that the existing land laws are unable to address. Land reform has multiple definitions, depending on the context or the purpose assigned to it by the authorities of the country concerned (Roodt, 2001; Barraclough, 1999; MINITERRE, 2004).

Referring to the experiences of land reform in Latin American countries, Barraclough (1999), for example, argues that this reform consists of privatising communal or state lands and making these areas available to private organisations and individuals for the development of commercial agriculture by exporting crop production. The same author adds that land reform also takes place when the state takes over land from those landowners who have the largest assets, with partial compensation, and then distribute this land among poor, landless citizens, in order to extend the benefits of the land to more people than before.

Roodt (2001) has analysed the land reform process in South Africa critically. He views land reform as a process whereby a country changes the ways in which land is held. The process usually moves from an inequitable land holding to a more equitable one. The main purpose is to provide land to landless people for residential and agricultural purposes, and to ensure that the provided land is utilised productively.

According to the Ministry of Lands of Rwanda, land reform means to change the land tenure system. This includes developing a new regulatory and institutional framework in governing the land. The aim is to provide security of land tenure to land owners and to improve agricultural productivity. This is done in order to reduce poverty and land-related conflicts (MINITERRE, 2004).

In Rwanda, as in many countries in Africa, land has been identified as the backbone of the economy. Therefore land makes up a crucial element of socio-economic development. The majority of the population, if not all, depends on the land and its resources, including biotic and abiotic, or renewable and non-renewable resources (Homer, Dixon & Perceval, 1995; Nabahungu & Veisser, 2011).

The significant value of land in Africa currently has become a crucial issue in agrarian societies. In light of this situation, land is the essential factor that allows people the means to grow their own food, to elevate their economies and to sustain their dignity (Thapa & Niroula, 2008). Most of the African countries thus view land as a main resource that help agrarian economies achieve development by securing their livelihood, and provide access to citizenship and land tenure rights (Obeng-Odoom, 2011:4).

Across Africa the question has grown in importance regarding the use, ownership and access to the ever diminishing land and land-based resources. The reason is that land-related issues emerge as a central component of land policy and decision making on development, poverty and peace building. These issues continue to fuel brewing conflict on the African continent, especially in Kenya, Uganda, DR Congo, Rwanda, Zimbabwe, and South Africa (Medard, 2010; Anseeuw & Alden, 2010:19; ICG, 2004; Hendricks, 2001). Currently the land question is acknowledged to be one of the critical challenges facing South Africa, in which the land reform process is very slow. The result is that Black people are becoming impatient and more land is needed that can be redistributed to those who were dispossessed of their land in the past (Ntsebeza & Hall, 2007).

Kariuki (2004:1) argues that land is a metaphor of power, and in particular forms a central pivot of political power. Therefore this issue makes up the centre of a number of conflicts in Africa. In the same context, Park (2007) argues that there seems to be a complex relationship between land and conflict. Land is considered a precious commodity and is central to the livelihood processes of a society. Therefore it is not surprising that land has often featured as the object of conflict-related issues. Examples of these are: unequal land repartition, gender inequality in land access and ownership, unclear boundaries, as well as scarcity of land resources such as water in Uganda, pasture in Kenya and Tanzania, and family land in Rwanda (Park, 2007; ICG 2004). Currently the findings of researches conducted in Kenya and Tanzania revealed that orphans and women widowed due to HIV and Aids remain in land-related disputes as the father/husband dies after selling off the family land without informing the family members (Aliber & Walker, 2006). This may also be the case with some land issues in Rwanda.

A review was done on the inhabitants' historical experience of land dispossession in Zimbabwe and South Africa (Kariuki, 2004). Attention was also given to the land policy debates in Kenya, Uganda and Rwanda (Musahara & Huggins, 2004; Palmer, 2000; Liversage, 2003; Keny, 2001). The review supports the arguments above on the importance and the place of land in socio-economic and political situations. The value of land does not relate merely to agriculture production, but also to pastoral and mining production. Land is where human beings can obtain material objects of the world or utilise its powers. It is also a standing-place, a storehouse of

labour. Therefore the person who owns land has also virtual ownership over the inhabitants of the area concerned (George, 1879 cited by Anseeuw *et al.*, 2011). Moreover, this justifies how land is a means of power which affords it high value. This also explains why land continually has been at the heart of agrarian and political conflicts in the above-mentioned countries.

The present study focused on post-genocide Rwanda, and specifically the Southern Province. Rwanda is a small country with a total surface of 26 338 square kilometres with increasing demographic pressure from approximately 8 million people in 2002 to 10,5 million people in 2012 (MINAGRI, 2012; NISR, 2012). A further increase from up to 13 million people by the 2020's is estimated by the National Institute for Statistics (NISR, 2012). The country is densely populated with an average demographic density of 415 persons per square kilometres (NISR, 2012), which makes Rwanda country with the highest population density in Africa. The surface of the Southern Province is 5 701 square kilometres and it sustained a population of 2,6 million in 2012 (NISR, 2012).

According to the Rwandan Ministry of Agriculture (MINAGRI, 2012), the economy of Rwanda is largely agrarian. The total estimated surface for arable land is 24 700 square kilometres. The remaining space consists of forests, marshlands and marginal lands in the hillsides where permanent and routine cultivation of crops are not tenable (MINAGRI, 2012:5).

During the pre-colonial period, the land tenure was governed by customary law; the latter recognised land rights to owners who had acquired land through land occupation, sale and donation. During the colonial period, Belgians who colonised Rwanda from 1917 to 1962 introduced a written law by issuing title-deeds to land owners (Nkurikiyimfura 1994; Sagashya & English, 2010). Only a few people, including foreigners, wanted to invest in Rwanda. People such as businessmen and church leaders applied for land ownership and were given titles to land plots. Up to the eve of the Rwandese land reform in 2005, a dual land tenure system was implemented in the country: on the one hand a customary system that governed the majority of the population who were poor peasants living in the rural areas, and on the other hand, the written law introduced by the colonial rule that governed land owned by foreigners, churches, businessmen and the elite class (Nkurikiyimfura, 1994).

In Rwanda since 2005, land reform focused on changing the land tenure system, in order to solve land-related conflicts by guarantying security of land tenure to all the people. The aim also was to reduce poverty, which was related to poor agricultural productivity, the result of land fragmentation and the lack of a strong management system for land use. The strategy of poverty alleviation was by ensuring improved land use and administration (MINITERRE, 2004:18). The current Organic Law No 43 of 2013 repealing the Organic Law No 08 of 2005

determining the use and management of land in Rwanda defines land tenure as the system by which land is held, and then describing the rights, responsibilities and reactions that are attached to the land holder (MINIRENA, 2013).

The land reform process in Rwanda was launched in 2005 after the promulgation of the then land law known as the Organic Land Law (OLL) in the Official Gazette of 2005 following the development of a National Land Policy by the Ministry of Land (MINITERRE) in 2004. However, that law was revised and later amended. Currently, the Organic Law No 43/2013 of 16/06/2013 is governing land use in Rwanda (MINIRENA, 2013).

One of the reasons to organise land reform was that the customary system that was in place in almost 100% of land in Rwanda, became obsolete. This system was unable to solve land-related problems in Rwanda and thus could not enable land owners to promote their economical livelihood (MINITERRE, 2004). Another reason was that the government of Rwanda wished to implement the neoliberal policy of the World Bank by promoting security of land rights to land owners and to make land more valuable by helping the owners develop their land (Musahara & Huggins, 2004; Huggins 2012).

Regarding land conflicts, the recent history of Rwanda was characterised by intra-familial and inter-familial land disputes, mainly in rural areas. A number of researchers linked land with conflicts and poverty in Rwanda during various periods (Boudreaux, 2009; Strauss, 2006; Mamdani, 1996; Catherine & Platteau, 1997; Kazoora, 2004; Homer-Dixon, 1994; Ohlsson, 1999; Musahara & Huggins, 2004; Dushimimana, 2006; Pottier, 2006; Prunier, 1995; Diamond, 2005). These authors depict Rwanda as a typical case of African countries where scarcity of resources and mostly of land remains a continual source of intra/inter-familial and inter-ethnic conflict.

In the same context, linking land issues and poverty to the genocide of 1994, scholars such as Pottier (1997), Prunier (1995) and Diamond (2005) argue that in the build-up to the genocide, the scarcity of land and the despair of the landless people, as well as jobless youth, were even more prominent factors than the ethnicity itself. The causes of land-related conflicts were identified as follows: scarcity of land, which resulted from imbalances between family sized land and land available to inherit, and the lack of clear boundaries of family plots due to the customary tenure system that did not provide titles to land owners (Van Der Zwan 2010). Other causes of conflict include unequal land access to citizens, ownership by political leaders and wealthier businessmen, the massive return of refugees and the increasing number of heirs, seeing that women were allowed to inherit their parents' properties by the Inheritance Law of 1998 (Musahara, 2006).

As far as poverty is concerned, most elements that caused this condition over time in Rwanda include poor management of land use, traditional or subsistence agriculture that led to food shortage, the lack of oil or other major natural resources and food production which did not meet the growing demands of the people. As a result, Rwanda required imports of livelihoods, and therefore many Rwandans (57% of 11 million people) lived in poverty in 2006 (NISR, 2012).

Linking food shortage and poverty to the land issue, some sources such as USAID (2010) and MINAGRI (2012) argue that the economy of Rwanda is based on agriculture but the land distribution is highly fragmented and skewed, according to which about 36% of the households own 6% of the farmlands, with an average of 0.11 hectares. The national average holding of 0.76 hectares generally is divided into four to five small plots at different locations. Such multiple holdings are valued by the majority of Rwandans, as these plots allow them to grow multiple crops and be protected against natural hazards. However, "... such evasive risks conditions leads to low agricultural productivity and thus push the small holder farmers within a vicious cycle of subsistence agriculture and poverty" (MINAGRI, 2012:5).

The post-genocide government made efforts to promote economic growth, socio-economic living conditions and conflict resolution among the population. For the same purpose developmental policies were developed. These include Vision 2020, Economic Development and Poverty Reduction Strategy (EDPRS), Gender Balance Policy, Environment Policy, Education for All and Health Promotions such as *Mutuelle de Sante* and family planning policies that link facets of population, health, gender, environment and development. However, the implementation faces constant challenges related to the consequences of land scarcity, including landlessness, low agricultural productivity and land conflicts (Sagashya & English, 2010).

The current land reform programme is expected to find solutions to the above-mentioned problems if implemented effectively (MINITERRE, 2004, Palmer, 2000; Musahara & Huggins, 2004). In order to achieve this, mechanisms were implemented that guarantee tenure security to all without discrimination. This includes the launch of a national land registration programme supported by legal documentation that govern land ownership and use. Among these documents is the Land Law No 43/2013 of 16/06/2013 governing land in Rwanda, and implemented by institutions such as the Rwanda National Resources Authority (RNRA) and the district Land Bureaux and Land Commissions. Land was distributed successfully to landless people who were dispossessed of their land due to *inter alia* political reasons, and the production of the *cadastre* system was implemented between 2007 and 2011. Actions were launched to make land more productive, including land consolidation in different parts of the country. The Rwanda Agricultural Board (RAB) was given the commission to follow up the

process of implementing land consolidation (MINAGRI, 2012). The present study examined the implementation of land registration and consolidation programmes in the Southern Province of Rwanda.

The land registration began in 2006 and the whole process was divided into two phases: the preparatory phase (2006-2008) and the full implementation phase (2009-2013). In the first phase, the field consultations were organised by the Ministry of Natural Resources, which is responsible for land (MINIRENA). The task of this ministry was to explain land reform and gather information of views of people on this matter. The report findings established that most rural, urban and peri-urban people supported the land reforms (Sagashya & English, 2010).

In order to collect Rwandans' views on the relevance of land tenure reform and their expectations of the reform, MINIRENA in 2006 conducted field trials on the regularisation of land tenure. This was undertaken in four districts of the country, namely Gasabo of Kigali City, Kirehe in the east, Karongi in the west, and Musanze in the north. In all the districts the existence of 14 908 land plots were recorded. The results of the trial also showed that people were receptive to the change in land tenure and that the land reform was considered relevant and feasible, as were found and reported by government sources (Sagashya & English, 2010; Huggins, 2012).

The Ministry also developed subsidiary decrees and regulations to implement the Organic Land Law of 2005 successfully and equitably. The phase of full implementation began in June 2009 and was completed in June 2012 with the registration of 10.9 million plots of land throughout the country (Ngoga, 2012; Kanyesigye, 2012). Presently 91% of the plots in the country are already demarcated and adjudicated; women and men are registered as co-owners depending on whether they are married or not. All the citizens in Rwanda were mobilised to claim proof of ownership for their land after the titleship was recorded. As a result 1.4 million land lease holding titles to land were collected by owners, according to RNRA (Rwanda Natural Resource Authority) (RNRA, 2012).

Land consolidation entails a process of combining dispersed farm holdings or consolidating fragmented agricultural properties with the aim of improving agricultural productivity and sustaining the inhabitants' livelihood (Cay & Iscan, 2011). In Rwanda the process of implementing land consolidation faced resistance, seeing that inhabitants in rural areas became reluctant to integrate their farm holdings. In order to deal with this challenge, the Rwandan government adopted land use consolidation, while the mobilisation and sensitisation activities continued. Land use consolidation refers to a model whereby farmers in a given area cultivate the priority food crops (maize, rice, wheat, cassava, Irish potatoes, bananas, vegetables,

soybeans, and beans) in a synchronised fashion while keeping their land rights intact (MINAGRI, 2012:4). The national land policy of 2004 established that modalities of land consolidation from small family farms would be adopted in order to ensure the economically viable development of land. Furthermore, article 20 of the Organic Land Law of 2005 authorised the Ministry of Agriculture to adopt land consolidation in order to improve land management and productivity (MINITERRE, 2004).

In 2008 the programme of land consolidation was officially launched in a number of areas in the country with the intention of extending this strategy to the country as a whole. This implied the growing of priority crops, such as rice, cassava and maize in the south, Irish potatoes, wheat and maize in the Northern Province, flours in the city of Kigali, maize, bananas and fruits in the Eastern Province, and sweet potatoes, tea, coffee in the Western Province (regionalisation of crops) (MINAGRI, 2011; Milz, 2011). The present study focuses on the Southern Province and therefore on its priority crops.

Initially, the area covered by land consolidation was 28 016 hectares, but in 2012 this area has grown to 602,000 hectares out of 1 735, 025 hectares of arable land nationwide (Mbonigaba & Dusengemungu, 2012: 4). The Ministry of Agriculture was given the responsibility and authority by the Organic Land Law of 2005 to ensure efficient land management and to improve productivity by approving land consolidation (MINAGRI, 2012:4). As indicated already, this study focused on the implementation of land registration and land consolidation in land reform as will be explained further by presenting the problem statement below.

1.2 Problem statement

In Rwanda, land reform has various dimensions. These include aspects such as: the sharing, redistribution, expropriation, registration and consolidation of land. However, several investigations and reports found that land consolidation and land registration were problematic in the implementation phase (Umuhoza, in *Igihe*, 21 February, 2013; Huggins, 2012, MINAGRI, 2012; Ombudsman's Report, 2011; Milz, 2011). The present study thus focused on the implementation policies for land registration and consolidation and to make recommendations on how to improve these aspects of land reform.

The aim of land registration and consolidation of land use is to establish a proper condition for land reform (MINITERRE, 2004; MINAGRI, 2004; MINAGRI, 2009). On the one hand, if the land registration is implemented successfully, it is expected not only to provide secure land rights to tenants and to increase the value of land in the market place, but also the opportunity that the provision of title-deeds could be presented to the bank as collateral, whereby the land owner

obtain loans to invest in further land use (Sagashya & English, 2010). On the other hand, the success of land consolidation would be crucial in handling the issue of land fragmentation and to increase agricultural productivity. Productivity could increase as people grow regional priority crops and benefit from government assistance that supply them with fertilisers and agricultural engineers who can provide technical aid (MINAGRI, 2011).

The successes of the implementation of both land consolidation and land registration varies. Although the land registration process was implemented at the end of June 2012, it resulted in numerous conflicts and cases of killings and disputes all centred on land issues. These conflicts did not decrease but rather increased even while activities of land reform were under way (Ombudsman Report, 2011). Recently (2015), conflicts related to land registration were among the problems that citizens conveyed to the President of the Republic of Rwanda post-genocide, where ever he travelled the countryside (ibid).

The findings of the research conducted by the Rwanda Governance Advisory Council (RGAC) indicated that since the land registration process began, land conflicts have reached the urban areas, especially in the capital city of Kigali. These conflicts tended to rage between the government officials and dwellers of Kigali City who were relocated forcibly on behalf of public interest. The problem in this case was unequal compensation in the process of land expropriation (RGAC, 2011).

The Report of the Ombudsman of 2011 shows that cases of land issues (conflicts), following the process of land registration, topped the other issues that were encountered and dealt with in 2011. Referring to the increasing number of issues submitted to the Ombudsman, the question may be posed: Why do land issues/conflicts persist and increase even during the implementation of land registration? Some assumptions can be made, such as that the provisions of the land policy on land registration were not implemented efficiently, or that this policy encountered challenges. The increasing value of land at the market after the issuing of certificates of ownership would also be a source of disputes and could lead to violence and killings. This problem could also relate to land laws that were not well understood or misinterpreted. Inhabitants may also have experienced the laws as confusing and contradictory.

The implementation of land use consolidation presented some discrepancies in certain regions. At the beginning of the programme rural people were reluctant to engage in the process, claiming that they did not understand how they would survive by growing single priority crops (mono-cropping) while they habitually cultivated multiple crops. The government coerced rural dwellers by military force and people were told to uproot their crops and cultivate maize or cassava. This happened in Kirehe and Ngoma in the Eastern Province and in Muhanga in the

south (Milz, 2011; Huggins, 2012). Problems of food shortage and hunger due to shortage of harvest affected people as they had cut clean and uprooted crops to replace these with the government's priority crops (Milz, 2011; Laura 2012; Huggins, 2012).

Presently (2015) articles in local newspapers continue to report that a number of people did refuse to partake in processes of land consolidation, whereas others partook unwillingly and claim ignorance over the purpose of mono-cropping and its benefits (Umuhoza, in *Igihe*, 21 February, 2013). In addition, the report of the Ministry of Agriculture (2012) indicated that land consolidation was accepted less in the western and the Southern Province s in comparison with the eastern and northern provinces. The same source also states that in some areas, where beans, banana and soya beans were cultivated, the agricultural productivity decreased while in other areas that grew maize, rice and wheat, productivity increased.

The present study selected the Southern Province to examine for a number of reasons. First of all, the field trials of land tenure regularisation and land consolidation were conducted in 2006 by MINIRENA throughout other provinces, except in the Southern Province. Therefore all the previous studies, including those carried out on land reform by Huggins (2012), Hahirwa (2012), Ansoms (2009), Musahara and Huggins (2004), et cetera, focused on other provinces, excluding the Southern Province. Secondly, most of the rural people in the Southern Province used to farm Irish potatoes and sorghum, staples, crop types that were prohibited by the Ministry of Agriculture in the programme of land consolidation. There is a need to know how these people view the land use consolidation, the level of engagement and their socio-economic situation since the land registration and consolidation excluded their former crops. Thirdly, in the past some districts of the Southern Province, such as Nyamagabe, Nyanza and Huye, had infertile soil to deal with (Musahara, 2001, MINAGRI, 2004; MINAGRI, 2009). These districts were also hit by famine, while other districts, such as Muhanga and Kamonyi, registered various cases of land- related disputes (Dushimimana, 2006). An in-depth investigation is needed of any change in food security and social cohesion after the launch of the land registration and consolidation programmes. Lastly, the report of MINAGRI (2012) indicated that land consolidation is accepted less in the south and the level of participation is extremely low, but the reasons for this state of affairs have not been researched yet.

In light of the above-mentioned facts, and leading up to the problem statement, it was therefore important to establish factors contributing to success or constituting failure, of both land registration and land use consolidation programmes in Rwanda, and more specifically in the Southern Province. The present study thus addressed the following problem: No in-depth evaluation has yet been done on land use consolidation and land registration processes resulting from the implementation of land reform in post-genocide Rwanda, and especially not in

the Southern Province. In this regard the study aimed to contribute by focusing on the evaluation of the land reform implementation in the Southern Province of the post-genocide Rwanda. This was done by an in-depth analysis of the land reform programme implemented through land registration and land use consolidation, specifically by collecting views of implementers and beneficiaries of land reform on to what extent it addresses issues of poverty and land conflicts as well as its strengths and weaknesses. In light of the conclusions the study makes recommendations on how the land reform implementation activities and legislation can be improved in the future.

1.3 Research questions

Based on the problem statement the following important questions guided the research. The main question was: *Why does land reform through land registration and land consolidation vary in success and failure in the Southern Province of post-genocide Rwanda?* This main question was subdivided into the following secondary questions:

- What is the applicable academic literature contributing to the development of a theoretical framework to interpret land reform in post-genocide Rwanda, especially regarding the registration and consolidation of land?
- What is the relevant literature that provides findings of various previous studies on land reform in different countries of the world?
- What literature relates to land reform in Rwanda including the statutory and regulatory framework regulating reform in post-genocide Rwanda and governed it in Rwanda over time? What are applicable research approaches and methods of data collection and analysis for this study?
- What are the views and experiences of the implementers and beneficiaries of land registration and land use consolidation in the Southern Province?
 - How was the land reform implemented in the Southern Province of the post-genocide Rwanda? To what extent did the population of the Southern Province participate in the process of implementation of land reform?
 - What are the outcomes of land reform? How does land reform solve problems of land conflicts and poverty in the Southern Province of Rwanda? How can such problems of land conflicts and poverty be addressed and resolved in the future?

- To what extent does land reform insure Integration of vulnerable categories in land reform including economically poor and particularly women?
 - What is the role of land reform in reducing land fragmentation?
 - What are their views on possible weaknesses and strengths of the land registration and land use consolidation in the area under research, namely the Southern Province of post-genocide Rwanda?
 - What are the challenges of land reform in the Southern Province of post-genocide Rwanda?
- How can policies, laws or strategies be improved to ensure the effective implementation of land reform policies in post-genocide Rwanda?

1.4 Study objectives

The main or general objective of this study was to evaluate the implementation of land reform through land registration and land use consolidation in the Southern Province of post-genocide Rwanda. In order to attain the main objective, the study had the following specific objectives:

- To present applicable academic literature that contributes to a theoretical framework for the interpretation of land reform in post-genocide Rwanda from applicable academic literature.
- To conduct a literature review and thereby provide findings of various previous studies on land reform in different countries of the world.
- To review literature related to land reform in Rwanda, including applicable statutory and regulatory documents regulating land reform in post-genocide Rwanda and governed it in Rwanda over time.
- To explain the research approaches and methods of data collection and analysis of this study.
- To collect and analyse field research findings relating to the views and experiences of the implementers and beneficiaries of land registration and land use consolidation. Special focus is given to:
 - The process of land reform implementation: consultation and sensitisation, level of population participation in legalisation of land ownership and in agricultural reforms

through land use consolidation, cooperatives of farmers, use of regional crops and quality seeds.

- Outcomes of land reform: increasing agricultural productivity, benefits of gathering farmers in cooperatives, changes to the land market, agricultural market participation and rising agricultural profit, and the role of land reform in stabilising social relationships including solving land related conflicts and promoting social cohesion
 - Integration of vulnerable categories in land reform: assistance provided, promoting women's land rights, employing women in land reform activities.
 - Role of land reform in reducing land fragmentation.
 - Possible weaknesses and strengths of the land registration and land use consolidation in the area under research, namely the Southern Province of post-genocide Rwanda.
 - Challenges of land reform and what can be done to eliminate them.
- To suggest policies, laws or strategies that can be improved to help ensure the implementation of effective land reform in post-genocide Rwanda.

1.5 Central theoretical framework

This section presents foundational theoretical arguments on which the present study is built. The theories and approaches that frame this work are the following: **the neoliberal approach, the populist approach** to land reform, as well as that of **the benefits theory and the social exchange theory**. The way each theory underpins and enables one to understand the topic is also dealt with in the study. The neoliberal and populist approaches of land reform were employed to interpret findings of the study on how registration and consolidation of land help to solve problems of land-related conflicts and poverty. The benefits theory helps to explain how land titling provides benefits to individuals through giving them land tenure security and through enhancing the ability to transfer or mortgage property. The same theory also was used to indicate how land titling enhances easy access to information for public administration, efficient land markets and investment while the social exchange theory was applied to interpret findings about the participation of rural dwellers in the consolidation of land use.

The neoliberal and populist approaches were referred to by Wendy Wolford in the case of the Brazilian land reform. She applied these approaches to compare land reforms that were encouraged by the World Bank. These reform initiatives resorted under the Market-led Agrarian

Reform with Land Reforms, a strategy advocated by the popular grassroots actors, such as the Movement of Landless Workers (MST) (Wolford, 2007). Wolford observed that, on the one hand, these theories were antithetical, and on the other hand, they showed similarities, seeing that they shared common theoretical foundations. Both neoliberal and populist approaches are rooted in Locke's labour theory of property, which attributes the fruits of the labour to the labourer. These theories have an antithetical application in the understanding of commodification or transformation of properties, which include land, money, labour, and water, into commodities for sale at the market. Karl Marx termed this market-related commodification the "original sin" (Locke, 2002; Marx, 1977:873 cited in Wolford, 2007:555).

Neoliberals do not view the property markets as degenerate; the state is the only source of all the land-related inefficiencies and inequality. This is because the state did not include the poor in the market. Populists view the market as the source of all the inefficiencies, seeing that the market continually profits the class of the wealthy landowners. Both theories, however, argue that the *state* has to carry out land reforms. According to neoliberals the state has to expand the markets and include the poor. Populists maintain that the state has to organise strongly and lead the land reform process in order to solve all the problems caused by the markets. These theories differ and sometimes oppose each other. Nevertheless they provided foundations and created conditions conducive to the implementation of land reform in Brazil (Wolford, 2007).

The benefits theory was developed by Alec Mc Ewen (2001) and referred to by Kamusiime et al. (2005) in the study on land reforms in Uganda. This theory advances that systematic demarcation and registration of land is beneficial at the individual level and at the national level in general (Mc Ewen, 2001:25). At the individual level, the systematic demarcation and registration of land helps land owners getting land tenure security as tenants and since land is turned into assets and capital it becomes a marketable property and potential asset for investment. Thus, individuals who own land can easily access credit and engage in other income generating activities or invest in agriculture. At the national level, the land records enhance easy access to the relevant information about land and land owners and users for administrative and development purposes. In addition, the land titling helps handling issues of land disputes and enables easy process of investment for foreign investors. This theory was referred to while analysing the outcomes of land registration in terms of the benefits they gained from land titling in relationship to poverty reduction and land disputes handling.

With regard to the social exchange theory which is a mid-level theory on the human action that was developed by George Homans (1974), it highlights the relationship between individuals and their environment, whether physical or social. The theory advances that when people react negatively or positively to their environment, it affects not only their environment but also in turn

their daily lives are affected by the same environment. Therefore, as Homans (1974) argues, individuals would continue an activity if their first experience bears positive effects (benefits) to their lives. In other words, when the reaction of the environment to individuals appears positive or rewarding, individual actors will repeat the same activities but if it is punitive, the individuals will not act. This theory was referred to when discussing the level of participation of the rural dwellers of the Southern Province of Rwanda in the process of land registration and land use consolidation. In fact, the high level of participation of people is determined by positive perceptions related to the level to which they were consulted and involved in the process of policy formulation and implementation, and mostly when they see encouraging effects (rewards) emerging from the programme.

1.6 Statements (hypoteses)

Land reform in Rwanda provides mainly for land registration by issuing land titles and by land use consolidation. The purpose of land registration is to ensure security of tenure by providing titles to land owners. Land registration aims to increase market use of land and agricultural market participation. This would enable land owners to deposit titles to lands as collateral to financial institutions and receive loans in exchange. Furthermore, the aims is to solve the problem of land-related conflicts including conflicts on land boundaries and gender inequality in terms of access, ownership and control over land. The land use consolidation intends to address land fragmentation, improve agricultural production and turn the agricultural sector into a commercial one. From the above it is clear that the focus of the present study was to evaluate the contribution of land reform in order to improve commercial farming, enhance equality and to stabilise social relationships. In view of this focus this study was guided by the following statements (hypotheses and sub-hypotheses):

Statement (Hypothesis) 1: *Land reform improves commercial agriculture*

Sub-statement (Sub-hypothesis) 1a: Land reform increases agricultural production.

Sub-statement (Sub-hypothesis) 1b: Land reform increases market use of the land.

Sub-statement (Sub-hypothesis) 1c: Land reform enhances agricultural market participation.

Sub-statement (Sub-hypothesis) 1d: Land reform rises agricultural profit.

Statement (Hypothesis) 2: *Land reform advances equality*

Sub-statement (Sub-hypothesis) 2a: Land reform promotes participation practices between government and land owners.

Sub-statement (Sub-hypothesis) 2b: Land reform increases the knowledge of people about land use.

Sub-statement (Sub-hypothesis) 2c: Land reform heightens the protection of the poor.

Sub-statement (Sub-hypothesis) 2d: Land reform promotes gender balance.

Statement (Hypothesis) 3: *Land reform stabilises rural social relationships*

Sub-statement (Sub-hypothesis) 3a: Land reform lessens land conflict.

Sub-statement (Sub-hypothesis) 3b: Land reform increases social cohesion.

Sub-statement (Sub-hypothesis) 3c: Land reform reduces land fragmentation.

These statements were tested in the present study. From the testing of the sub-statements (sub-hypotheses) conclusion was drawn on the verification of the main statements.

1.7 Methodology

In this section the research methodology is described. The methodology consisted of a literature review and an empirical investigation. The focus was on high-quality original empirical research, rather than mere interpretations of the findings and the drawing of conclusions on the literature review based on the original work of scholars and researchers. Such a methodology typically warrants a higher degree of accuracy in processing the results of the study (Fink, 2010:3).

1.7.1 Research design

The research design is an important component in research methodology as methodological quality refers to “... how well scientifically a study has been designed and implemented to achieve its objectives” (Fink 2010:63). A research design is a plan or a proposal to conduct research that outlines the following: the intersection of the method with the meta-theory, or how the researcher intends to conduct his study; the elements of the research and how they relate to one another (Creswell 2009:5).

The design indicates what type of study the researcher undertakes, the data needed to answer the research question, methods of data collection, and the analytical techniques employed in order for the data to answer the question (Greenstein *et al.*, 2003:14; Mouton, 2006:180). Firstly, information on the topic was gathered by means of a literature review. Secondly, data was collected through a methodological triangulation of a quantitative method (questionnaire

survey) and a qualitative method (in-depth interview). There are two paradigms in social sciences: quantitative and qualitative research designs.

- *Quantitative research* refers to a broad area of investigation and application that collect data, which can be represented by calculated numericals and to which various statistical techniques can be applied. Usually survey methods entail data gathering by means of structured questionnaires (Greenstein *et al.*, 2003:14).
- *Qualitative research* refers to the collection and analysis of in-depth information on a small group of respondents (sample), and usually the results of this type of research cannot be generalised to the whole population or beyond the numbers of the respondents (Creswell, 2009:4; Greenstein *et al.*, 2003:4).

The present study used a methodological triangulation in order to provide a more complex understanding of the implementation of the land registration and land use consolidation, particularly in terms of its strengths and weaknesses. Within the triangulation procedure a sequential explanatory design was followed. This means that the quantitative study formed the major part of the empirical investigation, but that a qualitative study was also conducted afterwards based on the results leading from the quantitative study. This was to ensure an in-depth explanation of the problem on which this study focused. The qualitative study comprised interviews, focus groups and observation.

According to Creswell (2009:4), a quantitative approach enables the researcher to test theories objectively by examining the relationship among variables; these variables can be measured so that numbered data can be analysed by employing statistical procedures. In a survey research, by studying the sample, the quantitative approach enabled the researcher to acquire a quantitative or numerical description of trends, attitudes and opinions of respondents about activities regarding land registration and land use consolidation in Rwanda's Southern Province. This particularly applies to the strengths, weaknesses of the process and the challenges brought about by its implementation.

According to Pat & Linda (2011:37), the quantitative approach that applies statistical techniques enables the researcher to gather numerical data and find results that are usually less biased, which can be generalised to a wider population and acquire external validity. This means that the use of a quantitative approach would enable the researcher to generalise the research results from the sample to the whole of the study population, which would ensure external validity. More practically applied to the present study, the quantitative approach allowed the researcher to grasp and comprehend the perceptions of different categories of respondents and

participants on how land registration and land consolidation activities meet their expectations. The aim would be to solve conflicts and enhance productivity in agriculture.

Researchers in social sciences, however, do also examine social phenomena which cannot be understood sufficiently by employing only a quantitative approach. Therefore the researcher used the triangulation technique in order to supplement quantitative data with qualitative data. In short, the quantitative data on its own provided insufficient information. Thus this method was complemented with a qualitative study and, which thus ensured an in-depth analysis of the phenomenon.

The qualitative approach gives participants the opportunity to interpret the information from the quantitative research, and provide the researcher the change to conduct follow-up questions. Interviewees are afforded an additional opportunity to support and explain their experiences and perceptions. Other factors in qualitative research also motivate researchers to use this method in the social sciences. Punch (2000:57) and Greenstein *et al.* (2003:4) argue that this approach provides a rich, contextual perspective on the issues that may not be available in a standardised questionnaire, and it usually involves the collection and analysis of in-depth information on a smaller group of respondents. Newman (cited in Dushimimana, 2006) adds that this allows the researcher to observe values, seeing that he/she is involved in the collection of data. Moreover, Mouton (2001) point out the flexibility of a qualitative research, which enables the researcher to accept new ideas that are collected from the field of research and thus gain a better understanding of the phenomena under investigation.

This present study focused on Rwanda's Southern Province, which is composed of eight administrative districts. Experiences of land registration and consolidation of each district were analysed thoroughly, but the findings of the districts were also be compared. Comparing the experiences of land registration and consolidation in all eight districts enabled the researcher to identify similarities and particularities, as well as differences between them. The causes of those similarities or differences were also pointed out and suggestions made on how negative aspects on land experienced in a district can be eliminated by referring to the example of positive experiences in another district.

1.7.2 Literature review

According to Fink (2010:3) researching the literature entails identifying, evaluating and synthesising the existing body of research findings produced by researchers, scholars and practitioners. In the same vein, Creswell (2009:25) adds that the literature review accomplishes several purposes, such as linking a study to the larger ongoing dialogue in the literature, filling

in gaps and extending prior studies. The same author states that the literature review “... provides a framework for establishing the importance of the study as well as the benchmark for comparing the results with other findings” (Creswell, 2009:25).

The evaluation of the implementing of land reform in post-genocide Rwanda, particularly the land registration and land use consolidation programmes, requires a comprehensive understanding of the following aspects: the history of land reform in Rwanda, the concepts of land reform, and what land registration and land-use consolidation imply. Scholarly articles, books and reports related to the subjects above were reviewed focusing on the problem statement posited for this study. The empirical results of this study were interpreted, using the literature review. Finally, the comparison of the results from the literature review and those of the empirical study enabled the researcher to refute, or support the views of existing literature.

Documentation or library research was undertaken to inform the quantitative and qualitative methodology and to gather literature on the topic under study. The documentary analysis helped generate theoretical material drawn from published and unpublished documents on the topic (Punch, 2000). Documents were consulted on land registration and land consolidation, conflicts and of poverty – issues related to land reform in Rwanda and in similar settings globally. Relevant publications, land-related research reports, journal articles, internet, magazines and newspapers constituted other sources of data. For example, annual reports of the Rwandan Ombudsman’s office were read to establish the number of cases on land issues, their nature and how they were handled over time in post-genocide Rwanda. The report of the National Land Centre was examined to grasp the progress of land registration and redistribution activities undertaken thus far. The reports of National Reconciliation Commission (NURC), Institute for Research and Dialogue for Peace (IRDP) were consulted to understand how land reform programmes enhance the process of building social cohesion and unity by reconciliation and alleviation of poverty.

These reports are a result of broader researches that were conducted throughout the country. Such reports help provide a clearer picture of the impact the land registration and land consolidation had on the country as a whole. These findings helped the present study to form a larger picture of the phenomenon.

1.7.3 The survey

A survey is a form of research conducted on a mass scale by using structured questionnaires as a data-gathering instrument. Participants are presented with identical questions, in the same order, “so as to collect data about their demographic characteristics, living conditions,

behaviour, opinions and preferences” (Greenstein *et al.*, 2003:26). Survey research is used in quantitative analysis provides “numeric description of trends, attitudes, or opinions of population by studying a sample of that population” (Creswell, 2009:12). Respondents in the survey are selected through random sampling and the results are extended to the study population as a whole. Thus, surveys are employed when the intent of the researcher is to generalise from a sample to a population (Greenstein *et al.*, 2003:26). In the present study, a structured questionnaire was used in the survey to collect views of the sample from all the districts of the Southern Province on the impact that land registration and land consolidation had on people’s livelihood, particularly how the programmes helped solve problems of poverty and land disputes.

According to Greenstein *et al.* (2003:28) a questionnaire is a data-gathering instrument, a series of questions to which respondents must respond orally or by writing, in order to obtain their opinions or knowledge on a given subject or topic. As was discussed above, the method of questionnaires is employed in to target large numbers of people; these respondents answer the same questions posed in the same order. This typically enables the researcher to collect data about their demographic features, living conditions, opinions and experiences.

For the present research, individually structured questionnaires focused on socio-demographic features of respondents, as well as their perceptions, and posed experience-oriented questions on land registration and land use consolidation. These questionnaires were then expanded and submitted only to respondents who are farmers. They constituted the sample who registered their land, received a certificate of ownership and who might practice land use consolidation in the areas targeted by this study. The questionnaire was constructed from a process of conceptualisation and operationalisation employed as an instrument to confirm or reject the hypotheses. The results from the questionnaires formed the main data for analysis in this study. Furthermore, in a second stage of the study the data from interviews, focus groups and observations were added to verify the questionnaire’s data and thus ensure an in-depth study.

1.7.4 Interviews

In-depth interviews, also known as unstructured interviews, are usually closer to an ordinary conversation than a question-and-answer session; however, it differs from a conversation in that the researcher has a clear purpose: “to learn about the participant’s perspective and experiences” (Greenstein *et al.*, 2003:58). Normally, such an interview does not involve a clear list of questions to be answered. Instead, the researcher has a list of topics to be covered on the interview guide and allows the participants freedom to express their opinions and speak extensively about the issue under study (*ibid*).

In the present study in-depth interviews were also used as a secondary instrument to supplement the questionnaire. For this purpose the participants who held proof of land ownership and support land consolidation, were interviewed on the one hand, and those who do not support consolidation were interviewed on the other hand. In addition, respondents who have experienced land conflicts were interviewed to investigate how land registration and land consolidation programmes may solve their problems.

Furthermore, key informants representing the central and local government and civil society were interviewed to obtain information about their experiences and opinions on the process of land registration and consolidation of land use. This helped the researcher in light of the survey data to form an in-depth understanding of the advantages and weaknesses, as well as challenges facing the land registration and land use consolidation programmes in the areas investigated.

1.7.5 Focus-group discussion

The discussion with focus groups generally means assembling between eight and twelve participants from similar backgrounds or experiences, to discuss a specific topic of interest. Participants are guided by a moderator who introduces topics for discussion, assisted by a pre-prepared question guide (Mouton, 2001; Greenstein *et al.*, 2003:57). This technique was employed because it has the advantage of producing a large amount of information in a short time, and at less cost than individual interviews.

In each district of the Southern Province, the researcher used discussions by focus groups as a secondary instrument. By means of debates and discussions, the researcher gathered information about perceptions, experienced advantages and disadvantages of land registration and land use consolidation in the areas under investigation, and in view of the survey data. Respondents' views constituted the framework by which the phenomenon under study could be understood. This entails the topic regarding registration and consolidation of land. The topic was elucidated when participants expressed their views about the weaknesses and strengths of land registration and the consolidation of land use as they experienced it in their region.

1.7.6 Observation technique

This technique of observation is helpful for the researcher to understand the subject of study as he/she is present in the area of research. Greenstein *et al.* (2003) remark that such a technique is the primary instrument for both qualitative and quantitative researches (used for experimental treatment). According to these authors, no technique can better on this one because it enables the researcher to be in contact with the area of research.

The mentioned technique enabled the researcher to observe the following variables: areas of the research, the sizes of the households' plots and proofs of ownership documents for those who registered lands, land plots' consolidated crops, statistics, members, as well as the social realities of the land policy implementation. This enabled the researcher to compare participants' views to his observation of the facts. Finally the researcher was able to understand the phenomenon and select data and information that provides a clearer picture of the reality of the field.

1.7.7 Sampling

According to Fink (2010:88), a sample is a portion or subset of the study population. The study population or target population consists of a large group made up of institutions, persons, problems and systems to which or to whom the study findings are to be applied or generalised. The ideal study population for the present study is the Rwandan people of the Southern Province who have registered their lands and received certificates of ownership, and also who possibly take part in the consolidation of land use, depending on the priority crop of their region.

The purpose of this choice is to evaluate the contribution of land registration and land use consolidation in solving land conflicts and alleviate poverty. This may have been done by increasing agricultural productivity, enhancing social cohesion and providing sustained development. All the land plots in Rwanda are registered and owners hold certificates of ownership. Moreover, people who practice land consolidation registered their lands. Therefore the sample answered questions about the evaluation of land registration and the implementation of land use consolidation; also how these policies helped to solve problems of intra- and inter-familial land conflicts and poverty.

According to Fink (2010:89) there are two types of sampling methods: probability or random sampling, and non-probability or convenience sampling. Probability or random sampling is the best way to ensure the validity of the inference that a programme and its generalisation is effective. In random sampling every member of the target group has a chance or probability of being included in the sample. This method sometimes requires knowledge of probability statistics (ibid). The sampling can be simply random, systematic, stratified and in terms of clusters, and can be employed for quantitative research (Fink, 2010:92-94). In the present study the method of probability/random sampling was used for the quantitative aspect of the empirical investigation through the simple random sampling method and the systematic random sampling method. The simple random sample was used for selecting administrative sectors with their cells while the systematic random sample was adopted for the households' selection.

The second type of sampling in qualitative research is convenience sampling, through the selection of participants who are available. This means that some members of the target population have no chance to be chosen since they were not present when the sample was taken. The consequence is that the data collected and study findings will not be applicable to the whole of the target population. Thus the convenience sample is considered biased or not representative (ibid). In the present research the convenience sampling method was used in the qualitative study of the empirical investigation by purposively selecting interviewees and participants in focus-group discussions (FGDs).

The probability/random sample size for the quantitative study (i.e., the survey) was calculated using the Raosoft sample size calculator for the whole Southern Province of Rwanda. According to the National Institute of Statistics in Rwanda (NISR, 2012), this Province had 2 594 110 inhabitants in 2012. According to the Raosoft sample size calculator, with a population size of 2 594,110 and the confidence level of 95%, including the margin error of 5%, the minimum sample size would be equal to 385.

The process of sampling followed three stages: *The first stage was the sampling of sectors with their cells from all districts in the Southern Province:* the survey was conducted in the Southern Province, which consists of eight districts, namely: Nyanza, Gisagara, Nyaruguru, Huye, Nyamagabe, Ruhango, Muhanga, and Kamonyi. Two administrative sectors were selected randomly from each district. Therefore in total the study covered 16 administrative sectors from a total of 101 such sectors. Each sector has four cells. The survey was conducted in every cell of the sectors selected in the sampling process. That means that 64 cells were included in the study.

The second stage was the sampling of households: it was conducted systematically from a list of households of the specific cell, which was obtained from the local cell office. Hereafter six households were selected from the list systematically. The interval was determined by dividing the number of households by six. From the list the first household was selected randomly; thereafter households were chosen according to the interval that was calculated for the cell.

The third stage consisted of selecting participants from the households: from each selected household an available adult was selected who enjoys permanent residence in the household, is literate, and 21 years or older.

To supplement the quantitative research, focus-group discussion and interview methods were employed. Respondents for this data collection were selected non-randomly. Respondents selected were as follows:

1. Focus-group discussions with fifty people in total for the whole country (seven persons per district).
2. Interviews with twenty four people (three per district).

The criteria that guided the non-random selection of participants in interviews and focus-group discussions were:

- gender (both men and women);
- those who registered their land and hold a certificate of land registration as a proof of ownership, and are possibly involved (supporting) the land consolidation program;
- those who have experienced land conflict (in intra- or inter-familial context) before and/or after land registration – land conflicts such as disputes on inheritance, boundaries or economic transactions;
- those who have experienced food shortages due to poor harvesting;
- those willing to participate in the interviews/focus-group discussion.

Snowball sampling was used to access these local people for interviews and focus-group discussions. The method of snowball or chain sampling is used to identify people who possess the information needed (Punch, 2000:56). Respondents were localised by involving the local authorities and local land bureaux officials who enrolled and registered the lands. They were asked to identify victims of land conflicts and to point out the perpetrators before and after the land registration. Agronomists indicated people who used to experiment with low agricultural productivity. These authorities were also assisted to invite interviewees to the district office in order to conduct the interviews.

A number of fifty three key informants from different categories were also approached for interviews and focus-group discussions. The first category of twenty four government officials was interviewed in order to collect views from the political administrative side on the issue of implementing land registration and land consolidation. This category includes the following participants:

- eight mayors or their deputies, one per district;
- eight National Land Bureau officers (one per district and one at the national level);

- eight local leaders (officials) in charge of implementing land consolidation (one per district and one at the national level in MINAGRI).

A second category of forty five key informants consisting of civil society organisations, community facilitators and private professionals in the fields of land law and agronomy, were approached for the focus-group discussions. Those who reside in the same district were gathered for the focus- group discussion in the district concerned. They were approached for their perceptions and opinions about any discernible weaknesses and/or strengths in land registrations, which could assist in solving problems of land disputes and to alleviate poverty. These respondents were the following:

- five persons from five Civil Society organisations intervening in the land question in Rwanda (HAGURUKA, RISD, IRDP, USAID Land Project, INGABO);
- two opinion leaders* per district (one religious leader or a teacher at secondary school and a businessman);
- eight local lawyers (one per district);
- eight agronomists (one per district);
- eight presidents of Abunzi or their assistants (one per district).

(*The opinion leaders mentioned above are those who are deemed more educated and informed than the ordinary citizens, and live in the local community – they are thus knowledgeable about the views of people on land registration and land consolidation. Thus they can share their perceptions on the positive and negative effects to the community of land registration and land consolidation.)

1.8 Data analysis

According to Greenstein *et al.* (2003:76), data analysis is about making sense of accumulated information by bringing order, structure and meaning to the mass of collected data. This method consists of organising, interpreting, examining, categorising and comparing the collected data, as well as drawing conclusions and verifying them. Regarding the entry and analysis of the data, and depending on which methods of data collection were employed in the present study, the procedure was as follows:

- Data entry: for the data collected through the questionnaires and the interview schedule, SPSS software was used.

- Qualitative analysis was used to analyse data collected through the questionnaires, as well as complete data collected through interviews and focus-group discussions.

Data collected with in-depth interviews and focus-group discussion first was analysed individually and thereafter collectively in view of the survey data. Individual and collective statements were categorised according to meanings related to the theme.

1.9 Limitations and delimitations

According to Van der Waldt (2011:14) limitations are potential weaknesses relating to the instruments and the sample of the study. These also entail threats to the internal validity of the study that may have been impossible to avoid, minimise and explain. The same author points out that delimitations refer to the parameters that form the scope of the study.

In comparison with the data needed to understand the topic, the available literature on land registration and land use consolidation was limited for the study. The reason is that thus far limited information was provided on land reform, especially the issues of land registration and land consolidation in Rwanda. This limitation may impede the study, when considering the nature of the study to be an in-depth evaluation. Therefore the researcher needs to gain more information about the topic in order to undertake an in-depth analysis of the findings.

The study was also delimited to the Southern Province of Rwanda, due to limited financial means and geographical challenges (such as the researcher's mobility within Rwanda). The consequence is that the findings cannot be generalised to the country as a whole.

1.10 Ethical considerations

Conducting research in social sciences entails the study of human beings, in other words, "collecting data from people, about people" (Punch, 2005, cited in Creswell 2009:87). When human beings participate in the study as informants or respondents, it is necessary to explain the way in which they will be approached and treated by the researcher, before, during and after the research. This means informing participants and requesting consent from them before and during interviews or surveys, and to apply the gathered information in a way that does not harm the status of participants. Referring to Creswell (2009:87-92) and Greenstein *et al.* (2003), a series of elements of ethical consideration were applied in the present research:

- *Voluntary participation and informed consent:* During the data collection the research project was explained to the participants and they were informed of their right to participate voluntarily. Willing participants signed the informed consent form before they collaborated in

the research. The form acknowledged that respondents' rights would not be violated and that no one would be deceived during the data collection.

- *No harm to participants:* The researcher protected the privacy of participants and conveyed this assurance to all individuals involved in the study. During the survey and interviews, the participants' responses were treated anonymous and confidential, and no participant was exposed to risk or any compromising or harmful situations. In this regard, the participants' names were dissociated from their responses during the coding and recording process.
- *No gender, culture or age bias:* The language or words used were checked through proofreading by language specialists in order to avoid bias against persons due to references to gender, culture, ethnic group or age. In addition, the research was participatory and meaningful for others besides the researcher. This implies that no participant was marginalised or disempowered. A pilot research was conducted to establish trust and respect and to detect any marginalisation before the actual study commenced. Furthermore, as interviews in qualitative research are similar to moral inquiries, the researcher avoided a stressful and insensitive interview, but rather attempted to conduct interviews that improve the human situation. This was done by giving interviewees a say on how their statements are interpreted, by minimising critique on the interviewees, as well as by managing the consequences of the interview positively for the interviewees and the group to which they belong.
- *Open process of analysis and reporting:* On interpreting the data, Creswell (2009:91) recommends that the researcher should provide an accurate account of the information gathered. The researcher revisited participants, debriefed them and checked the accuracy of the data with them before publishing the information.
- *Agreement of individuals in authority:* An application letter was written to local government officials to request access to the sites and for participants of the study. The content of this letter covered the extent of the research time, the potential impact and the expected outcomes of the research.

1.11 Significance of the study

The present study intended to evaluate the implementation of land reform through land registration and land use consolidation in the Southern Province of post-genocide Rwanda. Previous studies investigated the land problems, including issues of land scarcity, criticism of land policy, land consolidation programmes or land conflicts, et cetera. However, to date no study particularly undertook an in-depth investigation on the implementation of land registration

and land consolidation in all the administrative sectors of Rwanda. This study contributed in filling the mentioned gap by this an in-depth evaluation of land registration and land consolidation. The evaluation was based on views of implementers as well as beneficiaries on possible strengths and weaknesses of land registration and land consolidation programmes.

This research also enhanced the understanding of the topic of land reform through land registration and the consolidation of land use. The aim was to provide insight into the specific experience of Rwanda for academic professionals and practitioners of land registration and land consolidation, as well as for public and private interveners interested in addressing and solving land problems in Rwanda and in similar settings worldwide.

The present study investigated problems/challenges emerging from the implementation of the land policy of 2004 and the Organic Land Law of 2005. It also focused on further regulations governing land registration and land use consolidation in the Southern Province of post-genocide Rwanda. Such a research helped to inform and assist policy makers in amending the legal and statutory documents to serve the legal framework of land registration and land use consolidation.

Furthermore, such a study has significant implications for the neoliberal and populist approaches of land reform as applied by Wolford (2007) in the case of Brasil, as well as for the social exchange theory discussed by George Homans in Ritzer (2008:420-427). The neoliberals and populists advocate land registration and the issuing of title-deed documents to land owners, but differ on the application of the land market-led system. Whereas neoliberals support the land market the populists opposes it vehemently, lambasting the market as the source of all inequities, seeing that such a system only profits the rich, wealthier land owners. These two antithetical approaches guided the researcher when interpreting the data related to possible weaknesses and strengths of land registration. In this regard both approaches can be applied, particularly in evaluating the system of the land market and its impact on the poor rural dwellers in similar contexts of land reform globally.

The social change theory states that the more often a particular action of a person is rewarded, the more likely the person is to perform that action. This theory also assisted the researcher and can be applied to understand and explain attitudes and behaviours of rural dwellers towards land use consolidation in other areas of Africa and the world. The reactions of this profile of rural citizens can be inferred from the level of their participation in these processes.

1.12 Chapter layout

This present research report flowed from its objectives. The successive chapters are outlined below:

- **Chapter 1** introduced the topic. This chapter provided the orientation of this study by highlighting its focus and locus. It explained the study rationale and highlighted the problem statement, as well as the research objectives and research questions that arise from the problem statement. The central theoretical framework and the research methodology were highlighted to clarify how the objectives were fulfilled.
- **Chapter 2** explains the theoretical framework for land reform and concludes on related comments and recommendations.
- **Chapter 3** discusses the literature review by providing findings of various previous studies on related topics in different countries of the world and concludes on the authors' comments and recommendations.
- **Chapter 4** presents the reviewed findings of various previous studies on land reform, particularly in Rwanda, as well as an analysis of the statutory and regulatory framework in relation to land registration and land consolidation in Rwanda. The chapter also give and explication on how land tenure was governed in Rwanda over time.
- **Chapter 5** presents and discusses the research methodology.
- **Chapter 6** provides and analyse field research findings relating to the views and experiences of the implementers and beneficiaries of land registration and land consolidation. Special focus is given to identify possible weaknesses and strengths of the land registration and land use consolidation in the area under research, namely the Southern Province of post-genocide Rwanda.
- **Chapter 7** draws the conclusions through a summary of the research as a whole, and lift out certain recommendations to be considered in the process of implementing effective land reform in future.

CHAPTER 2: THEORETICAL FRAMEWORK

The objective of this chapter is to understand the key concepts used in the present study including the concepts of land reform, land registration and land consolidation and to identify the relevant theoretical framework on which to base an evaluation of the implementation of land reform compared with its objective of poverty reduction and conflict reduction. The elucidation of the concepts of land reform, land registration and land consolidation enables an in-depth understanding of the topic for this study.

2.1 Understanding the key concepts

Defining the key concepts is crucial to ensure a better understanding of the subject under study and making it more intelligible and comprehensive. The key concepts elucidated in this section are land reform, land registration and land consolidation.

2.1.1 Land Reform

Land reform means different things for diverse people and in different circumstances and it has got different practical definitions depending on the objectives and the context (Barracclough, 1999). Based on the definitions given by various authors, such as Anderson (2010), Barracclough (1999), ICARRD (2006), Adams (1995), generally, land reform is understood as the process of changing or reforming laws and policies governing the land tenure which include the access, ownership and use of land by the owners for multiple purposes.

The form of land reform depends on the pre-reform land tenure system in the country. Most countries change from customary tenure systems to a modern system of land registration by issuing titles to land as a guaranty of security of ownership. Customary land is held in accordance with customary law where rights to land are not formally recorded but are established through a complex system based on inheritance and usage (Walker, 2009). Researchers such as Borras and Franco (2009), Sukot (2010) and Fairhead *et al.* (2010) made a similar observation on this topic that the customary system works very well for communities who depend on land for food, shelter and the continuation of culture and the customary land. Nevertheless, the customary land does not help foreign investors including mining companies, the forest industry and cash crop farming industries which find it difficult to negotiate consent to exploit the land (Simo, 2010; Fairhead *et al.*, 2010).

Land reform has always been primarily a state activity, the state being the main initiator of reform activities, developing land policies and running the implementation process. Over time, reforms in land tenure administration and management brought about significant change in their

concrete forms, specifically since the post-communist era. This made land reform a more prominent matter and popularised it over time internationally (Sikor & Muller, 2009:1308).

Land reform in the present study is viewed from a neoliberal perspective that was initiated towards the end of the 20th century by international financial institutions such as the World Bank and International Monetary Fund (IMF) (ICARRD, 2006; FAO, 2002). The neoliberal land reforms are often referred to as Market-led Agrarian Reforms (MLAR). These reforms were initiated by the World Bank and IMF to restore and create private property rights, including land rights through land registration and titling. The ultimate aim was to increase agricultural production through security of tenure and develop the easy functioning of the rural markets, especially markets in land, credit and agricultural inputs (FAO, 1996; Deininger, 1999; Borras, 2002; Bernstein, 2004; Wolford, 2007).

In Africa, land reform is defined differently as the meanings, aims and contexts differ from one country to another. In South Africa, Hall (2011) argues that the objective of land reform was to provide tenure security to those in need, while Walker (2002:35) states that land reform is a process of addressing inequalities between White and Black South Africans in terms of land ownership and control. This is done by rehabilitating the land rights of Black South Africans, rights which they lost during Apartheid.

Criticisms of land reforms point to the failure of this strategy to address the original objectives of the land reforms which were to benefit the poor and enable them to access credit markets and invest in economic growth. In the words of Deininger (1999:2), the apparent potential of land reform notwithstanding, land reform has fallen short of expectations in many instances.

Articles of Simo (2010) and Fairhead *et al.* (2010) on the experiences of Papua New Guinea point out the hidden plan of the IMF and the World Bank to expand land registration with land titling in developing countries to make easy the process of acquiring land by foreign investors; the reality of customary land makes it difficult for foreign investors, including mining companies, the forest industry and cash crop farming industries, to negotiate consent to exploit the land. Land titling was, therefore, not introduced in the first place to improve the living conditions of poor land owners.

The experiences of land registration in sub-Saharan Africa such as Kenya and Ethiopia also prove that the point made above as the land registration enabled foreign companies to buy large scales of lands from the native owners (Walker, 2002:23; Simo, 2010 and Fairhead *et al.*, 2010). In addition, experiences of land redistribution in Zimbabwe, South Africa, Guatemala, Brazil, El Salvador and Bolivia show that the poverty reduction and growth-enhancing impact

resulting from a better distribution of land was not achieved and, therefore, the land issue is endlessly debated in these countries (Deininger, 1999).

In Rwanda, where the present study took place, land reform has a particular meaning created by Rwanda's context, which is different from other countries. From the pre-colonial period to the eve of the new land law of 2005, land tenure was governed by the customary law that did not guarantee tenure security and socio-economic development of land owners. The Rwandan land reform views the process of registering and issuing land titles to land owners as the way to guarantee tenure security to all Rwandans without any discrimination whatsoever, whether based on gender or region or ethnic group, and to solve land related conflicts (MINITERRE, 2004). In addition, land reform consists of setting up new measures of land development through land use consolidation with the aim of avoiding land fragmentation and improving agriculture productivity (MINAGRI, 2012; ICARRD, 2006).

2.1.1.1 Origin, objectives and approaches of land reform

Regarding the origin of land reform, the available literature on the land reform activities in the past identified redistributive land reform as key component of socialist revolutions that swept through the continents of Asia (Russia and China), Eastern Europe, Latin America (Bolivia, Cuba, Nicaragua) and Africa in the first half of the 20th century (Sikor & Muller, 2009:1308; Borras, 2003; Vitikainen, 2004; Swinnen, 1999, Van Dijk, 2001 & 2003). These first land reform activities aimed to take land from rich land owners or state-owned lands and distribute them to landless people, tenants, and smallholders.

In Asia, chronologically and respectively under the influence of the same movements, redistributive land reform activities were found in Russia (1917), China (1940), Taiwan (1940s), Korea (1950s) and the Democratic Republic of Vietnam (1950s). According to Sikor and Muller (2009:1308) socialist movements took land reform as "the crucial element of the social transformation" that they were longing for and "the primary vehicle by which to break the power base of 'the feudal class' and enlist the support of the peasantry in the revolution".

On the European continent, redistributive land reforms took place in Eastern European countries after World War II when socialist movements pushed governments to enact redistributive land reforms and give land from landowners to landless people, tenants, and smallholders (Vitikainen, 2004; Swinnen, 1999, Van Dijk, 2003).

In Africa, particularly in Ethiopia and Mozambique, redistributive land reform took place under the realm of social revolution with the aim of restoring the land rights to the former landowners. In addition, socialist governments were expecting land reforms to help them gain more political

support from the peasantry and to weaken the position of large conservative landowners (Sikor & Muller, 2009:1308). Since the 1960s when many African countries achieved their independence, the redistributive land reform approach of socialist-driven revolutions featured high on the emerging agenda for international development. The United Nations Organisation (UN) considered land reform as a key programme that could help alleviate poverty, increase agricultural productivity and strengthen the newly independent nation-states and decided to expand land reform programmes throughout developing countries, which later turned them into state projects throughout the 20th century (Swinnen, 1999).

In order to implement and govern the land reform process, conferences were held, financial assistance was sought, and publications, follow-up reports and land policy documents were issued. Likewise, the decade from 1960-1970 was named the 'First Development Decade', and all newly independent nation-states were requested to consider land reform among the key projects to be undertaken, with much financial support from the UN (Sikor & Muller, 2009:1308). Further, as a follow-up to the land reform implementation, the UN issued reports on 'Progress in Land Reform' in 1963 and 1966. In 1966, supported by the Food and Agriculture Organisation of the United Nations (FAO), the World Conference on Land Reform was held in Rome. In 1975 the World Bank published a key policy on land (ibid).

Economists consider the 1960s as the real period when land and land management became central subjects for policy makers and policy analysts, as well as an interesting subject for development analysts. It seems that apart from the early classical economists David Ricardo and Thomas Malthus who had noticed the central role of land to the economic production and devoted their studies on land, land did not gain a prominent place, such as education and trade, in the history of the drivers of economic development (Obeng-Odoom, 2011:161). Even though the redistributive land reform approach was on the agenda since the independence period, practically, it was rather in the 1970s, when the basic-needs idea of prioritising redistribution over economic growth became popular, that land and land management became a major focus of attention for development analysts. During this period policy makers and analysts of international financial organisations, such as the IMF and World Bank, were of the opinion that effective land and agrarian reforms could enhance the improvement in agricultural productivity in developing countries (Tadaro & Smith, 2006:428-440).

Against this historical backdrop and following the demand of the United Nations, developing countries such as Egypt implemented land reform in 1950s, Iran in 1960s, Kenya in 1960s, Tanzania in 1960s and 1970s and Zimbabwe in the 1980s (Toulmin & Quan, 2000; Whitehead, 2003; Jane, Mather & Mghenyi, 2006; Van Dijk, 2007; Lipton, 2009; Sikor & Muller, 2009). Nevertheless, in his observation of the land reforms that took place in Africa during the decades

of 1960s to the early 1980s, Peters (2009:1317) claims that those reforms were all based on the premise that customary systems did not provide the necessary security to ensure agriculture investment and productive use of land. However, the same author argues that in practice, those land reforms through registration and issue of land titles did neither help landowners to achieve the expected increase in agricultural investment and productivity, nor enhance the use of land as collateral to be presented to the banks and obtain loans by small farmers. Rather, those land reforms encouraged speculations in land by outsiders and subsequently caused the displacement of the local land users who were supposed to acquire increased security through titling (ibid). In addition, the land reforms that were carried out between the 1960s and 1980s were criticised to have exacerbated conflicts by ignoring overlapping and multiple rights and uses of land. Further, there were increasing gender-, age- and class-based inequalities in land access originating from those land reforms, and titling and privatisation caused negative effects to livestock (ibid).

Currently, within the Development of Millennium Development Goals (MDGs), land has become a central focus for economic production, and land reform has been a very important policy for development in the context of women's empowerment (Obeng-Odoom, 2011:161). As a matter of fact, since the end of the 20th century and the beginning of the 21st century, the agenda for land reform has changed to incorporate other components or approaches, including land registration and land tenure security and consolidation of fragmented holdings, with the aim of promoting development and reducing poverty through improving agricultural productivity (Borras, 2003; El-Ghonemy, 2003).

The concepts of land registration and land consolidation are theoretically and officially important in the current land reforms, especially in sub-Saharan Africa. These concepts are indeed the core concern of the present study, and are clarified in the following subsections. However, the redistributive land reforms approaches remain on the current land reform agenda with the aim of promoting agrarian reform. With that purpose in mind, different countries implemented land redistribution in the past decade, including Brazil and Colombia in Latin America, Philippines in Asia and South Africa, Zimbabwe and Namibia in sub-Saharan Africa (FAO, 1996; Hendricks, 2001; Gilbert, 2002; Borras, 2002; FAO, 2003; Borras, 2003; ICG, 2004; ICCARD, 2006; Giddings, 2009; Hall, 2011).

Two mechanisms were used by governments of those respective countries: land expropriation from large land owners by governments plus allocation to the rural people following administrative procedures, and a market-led approach. Pacheco (2009) localised land expropriation in Brazil while Adams (2000) investigated it in Zimbabwe and Namibia. With regard to the market-led approach, it is found in Brazil, Colombia, Philippines and South Africa

(Deininger, 1999; Borras, 2003). The market-led or market-friendly approach is part of what Deininger (1999:3) qualified as “negotiated land reform” that relies on voluntary land transfers based on negotiations between buyers and sellers. In this process the role of the government is restricted to establishing the necessary framework and making available grants to eligible beneficiaries. In the above-mentioned countries, except Zimbabwe, the market-led approach, or negotiated land reform was a dominant mechanism used to allocate land to rural people: land transactions between large land owners and rural smallholders took place through markets (Borras, 2003).

In the words of Sikor and Muller (2009:1309), there is a difference between the redistribution approaches and the “post-totalitarian land distributions” that took place in post-totalitarian countries of East and Central Europe, Central and East Asia, as well as in Mozambique. In these countries, people were given back their rights over land control that was taken from them by the totalitarian governments. In the post-apartheid South Africa, the same post-totalitarian land redistribution is currently taking place through the land restitution programme where the claimants reclaim the lands dispossessed by the Apartheid regime. However, the land redistribution in South Africa was achieved through a market-led approach with a “willing-buyer, willing-seller” concept.

2.1.1.2 Linking land reform to equity and poverty reduction

As was argued in the previous paragraphs, the current land reforms approaches/models aim to promote development and achieve poverty reduction (Hall, 1998; Ntsebeza, 2005). With this purpose, land reform has acquired popularity, especially in developing countries, because it conforms to the ambitious goal of the state to bring about economic development, with “land reform being a big push to be conceived and implemented by the state as guardian and manager of national development” (Sikor & Muller, 2009:1308). More concretely, the emphasis is placed on land titling in order to enhance land ownership and provide opportunity to the poor to utilise their assets and skills. The lack of collateral had kept individuals in poverty traps as they had no means to engage in highly profitable investments (Deininger, 1999:3).

The truth is that many land reforms from the beginning onwards tended to be mostly done through land redistribution to the benefit of the poor. As a result, the meaning of land reform to most of the people has been land redistribution for poverty reduction. Martins Adams, who conducted several studies on land reform in various countries, gives a general definition of land reform that is based on the state-led redistribution forms and gives land reform a pro-poor cachet: “land reform means the redistribution and/or confirmation of rights in land for the benefit of the poor including tenants, farm workers and other disadvantaged groups whose tenure is

legally insecure due to the fact that they occupy land belonging to other persons, including the land registered in the name of the state” (Adams, 2000:1). According to the same author, land reform is implemented with state intervention in the operation of the land market to enable the poor to benefit through three major forms, namely: the imposition of legal control mechanisms and prohibitions such as nationalisation, collectivisation and redistribution; the creation of inducements or market-assisted incentives through privatization of state farms; and the offering of state grants to acquire land and credit schemes (ibid).

The most important arguments to bring to attention in this case are those related to the linkage between land reform and poverty reduction. Many researchers link land reform to poverty reduction. This includes: Quan (2000), Palmer (2000), Brarel (2001), Brown (2003), Musahara (2006), Bruck and Schindler (2009), Anderson (2010), Pritchard (2010), Bruce (2011), Palmer (2011) and Huggins (2012).

The paper of Anderson (2010) states that land reform should be linked to poverty reduction when it aims to benefit the poor workers/landless peasants through changes of tenure relations and power relationships in favour of the working class, while reducing the capitalist class's control over rural land and labour. In the same context, Brarel (2001) added that land reform may lead to poverty reduction if it seeks convergence of customary and formal tenure systems with the aim of solving overlapping and conflicting sets of rights. However, the civil society should be involved in the land reform process as representatives of the voiceless and poor and vulnerable people. The paper of Palmer (2000) emphasises that, when land reform strengthens the consultation processes within civil society organisations and makes access to official policy and legislative process easier, it can lead to poverty reduction.

While linking land reform to poverty reduction some researchers insist on the principle of equity in land access, ownership and control. According to Deininger (1999:662), theoretical reasons and empirical evidence suggest that land reform may provide equity and efficiency. Likewise, Tulmin and Quan (2000) observe that land reform can be a tool to poverty reduction only when it aims to promote equitable land redistribution, improved security for land users and possibly high growth rates. Nevertheless, equality may be more useful than equity because not each and every-one can acquire a similar size farm. What is important is to give land, whether small or large, to all the people because it has been demonstrated that productivity does not depend on the farm size; rather, on the techniques and resources employed to work the land (Deininger, 1999:672).

Within the same purpose of reducing poverty through equality, the current land reform approaches focuses on gender balance in land access, ownership and control. This process is also important to enhance women's participation in social and economic development because in developing countries women have been excluded from development programmes (Walker, 2002:15). Furthermore, according to Quan (2000), land can also be loaned, rented and sold in times of hardship to solve the problems of financial security. One of the ways to attain this purpose is to eliminate gender and economical based-inequalities in terms of land access, ownership and control.

Furthermore, within the context of achieving the purpose of poverty reduction the current land reforms go with agrarian reform, which focuses on agricultural transformation and organisation, even if the two terms are most of the time used interchangeably. On this matter, the International Conference on Agrarian Reform and Rural Development (ICARRD) argues that agrarian reform is undertaken in cases where agricultural institutions are inadequate to deal with the agricultural productivity situation, and where immediate economic or political needs are concerned. Thus the government decides to bring about changes in institutions and regulations governing the agriculture sector and make use of infrastructures and the necessary tools, thus enabling rural farmers to increase agriculture productivity for subsistence and commercial purposes (ICARRD, 2006).

A number of activities of agrarian reform were summed up by the papers of Musahara (2006) and ICARRD (2006). According to Musahara (2006:11) activities leading to agrarian reform incorporate land reallocation and consolidation and extend to the creation of mechanisms to support rural farmers, such as improved ways of access to farm credit. The paper of ICARRD (2006:25) extends those activities to formation and training of farmers' cooperatives, distribution of inputs such as fertilisers and approved selected seeds, and finding the market for the agriculture produce as well. On the same subject, Swinnen (1999:638) who analysed the political economy of land reform choices in Central and Eastern Europe between 1990 and 2000 argued that in all Central and Eastern European countries land reform has been "a key part of the overall agrarian reform".

In short, land reform broadly refers to affecting changes of the terms and conditions on which natural resources, including land, are held and used with the purpose of benefiting all the citizens and enabling them to use it better, improve agricultural productivity and participate in the national economic development.

2.1.1.3 The privatisation approach in land reform

Adams (2000) mentions that the privatisation approach has a considerable effect on economic development. In fact, particularly the privatisation of state land is a crucial approach of land reform because it has an important effect on economic efficiency, on income distribution, and generally it changes wealth and political influence (Fingleton, 2004). The positive link between land reform and general income distribution is reiterated by Swinnen (1999:368): “in particular, political economy calculations based on distributional effects often dominate efficiency considerations in land reform policy decision”.

Privatisation was a key tool in some countries of Latin America where much land was in the hands of a small group and the state. Through privatisation lands were taken from the few biggest land owners or from the state and distributed to landless people. The landless people were organised in cooperatives with the aim of making land more profitable to all the people through equal sharing (Borras, 2003; Barraclough, 1999).

Researchers in Europe (Swinnen, 1999), Latin America (Borras, 2003; Barraclough, 1999) and in Africa (Walker, 2002) linked privatisation in land reform with compensation. Referring to the experience of Europe, Swinnen (1999:654) indicated that the restitution programme does not benefit every former landowner due to equality principles in land access and ownership. In addition, in the process of land reform, new master plans indicate changes that aim to develop the rural/urban areas through building infrastructures and social facilities and some land owners end up by losing their lands for the sake of public interests. Thus this requires compensation procedures for the losers of their former rights to land due to land reforms that led to their victimisation.

Likewise, in Brazil, Bolivia and Mexico land reform was also done through privatising communal or state lands and giving them to private organisations and individuals for developing commercial agriculture through export crop production. In Cuba and Venezuela, land reform consisted of the state taking over the land from the largest land owners, but with partial compensation. In such a context, the land taken over by the state was distributed to private organisations or jointly farmed by cooperatives and profits shared collectively by members of cooperatives mostly landless in order to extend the benefits of the land to more people than before (Borras, 2003:6).

Experiences in Latin American countries and in Europe, where land reform took place through privatisation to improve agricultural production, have proven that “secure and unrestricted private property rights to land and other productive assets are essential to ensuring the most efficient agricultural production” (Swinnen, 1999:368).

2.1.1.4 The role of the state in land reform processes

The experiences of land reform programmes in the various countries where it took place confirmed that land redistribution, registration or consolidation are initiated and implemented primarily by the state (Sikor & Muller, 2009:1309). The state’s role in heading the programme depends on the fact that primarily and of necessity land reform is a political process. In addition, public interest sees land as the main resource particularly to achieve sustainable development. This implies that the state should play a crucial role in the process of land reform, which should be of high priority to the state. Other actors committed to the pursuit of socially and ecologically sustainable development, especially those rooted in rural areas, would support the state. The reason is clear: gross inequality in the control of land constitutes a principal obstacle to broad-based rural development in many rural developing countries (Barracough, 1999).

Nevertheless, the role of the state has been subjected to critique, especially pointing to the state-led efforts in both past and present land reforms (Peters, 2009:1318). The fact is, due to political implications, most of the land reform initiatives that were taken before the 21st century often delivered mixed results with dubious effects on the livelihoods of the rural poor due to political implications (Fingleton, 2004). Some researchers even claim that in some countries the land reforms failed all together (Fiarhead *et al.*, 2010:5; Sukot, 2010:15). Among the causes of failures of land reforms authors mention that the land reform projects are conceived by states in a top-down fashion and implemented through bureaucratic modalities, whether being market-led or not (Sikor & Muller, 2009:1309; Palmer, 2000; Deininger & Feder, 2009).

Given the aforesaid, Fingleton (2004:11) suggests that the need of a strong state to follow up the process of land reform implementation is important. In other words, the establishment of the legal and institutional framework for land reform, monitoring and implementing the public policy and adjudicating land conflicts would be accompanied by a structured framework of continuous follow-up of a process to implement land reform. Fingleton (2004:12) adds that states must know that “land tenure policies and institutions need to be adapted and regulated overtime to serve the public interest”. This implies that land reform is not done once for all, it rather takes place when the state judges it necessary.

To sum up this sub-section on definitions of land reform, it should be noted that land reform has been practised for centuries but a common understanding to what it means did not develop due to the fact that countries organise land reforms with different objectives, history, culture, land tenure systems, level of development, contexts and circumstances. In addition, land reforms have always been dominated by diverse ideologies. In Europe, for example, socialist-driven revolutionary land reform programmes took place in the 1950s and in the Global South or developing countries the neoliberal auspices of the World Bank dominate the current land reforms. The overall objectives of land reform may be to promote social and economic development and address poverty, acknowledging that specific objectives may diverge in terms of underlying assumptions on what drives development and what the priorities, strategies and the indicators of success for land reform should be.

As an operational definition for the present study, the concept of land reform under investigation should be understood as: changes in land tenure system with the aim of solving problems of poverty and conflicts related to insecurity of tenure for land owners and inequalities in land access, ownership and control. It may also be understood as transformations of land management and administration systems for better land use with the aims of improving agricultural productivity in order to turn the agriculture sector into a commercial one for economic development purposes.

2.1.2 Land registration

This sub-section deals with different definitions of the concept of land registration according to scholars, researchers and authors from different countries. The various definitions all relate to particular experiences of land registration in the specific continents. Several researchers such as Brown & Uvuza (2006), FAO (2002), FAO (2003), ICARRD (2006), Anderson (2008), and Sikor and Muller (2009), discussed how land registration is understood or interpreted in general all over the world. Tenkainen (1994), Swinnen (1999), Vitikainen (2004) and Van Dijk (2004 & 2007) explain the concept of land registration based on the experiences of land registration and consolidation in Europe; Fingleton (2004), Porter (2010), Simo (2010) and Fairhead *et al.*, (2010) base their interpretations on the case of land registration in Papua New Guinea; while Toulmin and Quan (2004), Musahara and Huggins (2004), Walker (2009), Ansewuw *et al.* (2011) and Huggins (2012) explain the concept of land registration based on how it is understood in sub-Saharan Africa.

Land registration and providing titles on land is understood by MINITERRE (2004) as an approach of land reform by which land ownership is established through recording and registering land and Government issuing official certificates of land ownership to the owner. The

certificate of ownership indicates the name of the person in whom the ownership of the land is vested; this title from land registration ensures the land is secure and marketable. This definition is endorsed by ICARRD (2006) and FAO (2002). These scholars' papers highlight that, apart from securing the land tenure rights, the aim of land titling is also to reduce poverty; when tenure security is guaranteed, land owners dare to invest in agricultural activities and to sell or buy lands to extend their projects.

In this context, in sub-Saharan Africa and Papua New Guinea customary lands were registered and titled, in Latin America particularly in Mexico, individual land rights were registered. Indigenous land rights were registered in Ecuador, Bolivia, Panama and Columbia (Deininger, 1999; Toulmin & Quan, 2000; Sikor & Muller, 2009:1309).

The initiators and financial supporters of land registration programmes on all the continents, including the international financial organisations International Monetary Fund and World Bank, viewed land registration and titling as a means of turning land into capital, a commodity, that can be used for economic development (Walford, 2007). In addition, land registration is viewed by the same initiators and governments as a key to poverty reduction through facilitating participation of all land owners in economic development of their households and their countries (Borras, 2003). However, the official aim of land registration was not always recognised; instead, it was observed that there was the hidden aim of easing the process of acquiring lands for investment to the benefit of foreign companies of investors, to the detriment of land owners (Porter, 2010; Simo, 2010; Fairhead *et al.*, 2010).

According to Sikor and Muller (2009:1309) a land registration programme is a state-driven project and all the activities of setting up and implementing land registration policies are carried out by government officials. Therefore, the government sets up regulations governing land registration, administrative procedures and establishes state agents who have special attributions of surveying and registering lands. In his arguments, Fingleton (2004:8) indicates that land registration administration comprises various activities such as approving land dealing, valuing land, dealing with rent setting and collections, planning land use and issuing permits, surveying and mapping land, managing land administration and accrediting land professionals. In other words, the appointed government officials responsible for land administration and management are the ones responsible for land registration.

The process of land registration implementation takes place, whether in a decentralised or a centralised administration system. In Africa the most successful land registration processes tended to be decentralised as it was observed by Cotula, Toulmin & Hesse, (2004), Chimhowu & Woodhouse (2006), Bruce & Knox (2009) and Chu (2011) who studied the implementation of

decentralised land administration and management in Africa, specifically in Ethiopia, Kenya, Tanzania, Uganda and Botswana. With regard to the functions of land registration, according to the Ministry of Lands in Rwanda (MINITERRE), land registration is accompanied with other functions including identification and fixation of boundaries. With land the attributes of interests are determined and recorded against separate entities (units of land that are continuous and contiguous with other units or parcels of interest) fixed in space and are immovable (MINITERRE, 2004).

The paper presented by Ngoga (2012) in the United Nations' conference on empowering women through land tenure reform, as well as articles of Sagashya and English (2010) and Musahara (2006) on the land registration process in Rwanda discuss the functions and advantages that land registration presents. First of all, the functions of land registration include providing information about the land owner, the size of owned land, and this enables an estimation of the value of the land and what it should be used for (Ngoga, 2012). The key concern here is the difference between land value and land use. Sagashya and English (2010) maintain that although land value and land use are two independent concepts, they are interdependent in practice; to estimate the value of land, to ensure fairness in land and property taxation, there is a need of established efficient land use and this also determines the value of land. However, all the value and use of land cannot be achieved without available good records of land (land registration) (Ngoga, 2012:8).

Another function of land registration found in the National Land Policy document of 2004 is that the land registration system serves as a key resource for cadastre, which is a type system on land information consisting of two parts: a series of maps or plans showing the size and location of all land plots, together with text records that describe the attributes of the land. It is distinguished from a land registration system in that the latter is exclusively concerned with ownership. Cadastre includes juridical cadastre (a register of ownership of plots of land); fiscal cadastre (a register of properties recording their value); land-use cadastre (a register of land use) and multi-purpose cadastre (a register including many attributes of land plots) (MINITERRE, 2004).

As far as advantages of land registration are concerned, once land is recorded and registered, the registered land title is guaranteed and tenure security assured for the land owner, so that the land transfer can safely and easily be done (Walker, 2002). Because the land registration provides updated official information, it can prevent fraud. The information in the registered land title is contained in three parts: the property register (describing the property, size and any beneficial rights); the proprietorship register (recording who owns the land); and the charges

register (giving details of mortgages or rights that may affect the property adversely) (MINITERRE, 2004).

According to Sagashya and English (2010) the land registration does not only protect interests of individual landowners; it also protects the interests of their partners, international investors in land, moneylenders, and government institutions in charge of land management and administration. It therefore ensures social stability. The land registration or land records are also instruments of national policy and mechanisms to support economic development.

In his arguments about the advantages of land registration in Rwanda, Ngoga (2012:7) highlights its advantages to women whose land rights were not recognised by the customary system. He argues that land registration guarantees ownership to both men and women, recognises people with interest on the land (men, women and children), and ensures protection of women's rights over co-owned land.

In general, land registration with land titling increases investment on land and safety to tenants, enables access to loans (credits), improves land market values (transactions), identifies and reduces land-related disputes, and establishes a reliable and transparent land registry across the country (MINITERRE, 2004). The person who wishes to obtain a title to his/her land for the first time has to apply for the land and obtains it after showing proofs of ownership. Then his/her name is recorded in the proprietorship register as the registered proprietor i.e. as the legal owner of land. In case he/she sells his/her land the buyer should apply for transfer registration and becomes the legal owner after the transfer is registered (Article 21-22 of the Law No 43/2013 of 16/06/2013 governing land in Rwanda) (MINIRENA, 2013).

According to MINITERRE (2004), land registration can be processed in two ways: systematic land registration or land tenure regularisation, and sporadic registration or registration on demand. In partnership with DFID (Department for International Development) (UK Government), EU (European Union) and SIDA (Swedish International Development Agency), the government of Rwanda applied systematic land registration and recorded land information between 2007-2009, in the whole country, plot by plot and administrative cell by cell. A general boundary survey was also carried out using orthophotos and satellite imagery (Sagashya and English, 2010).

Furthermore, there are two main aspects of a land registration system: registration of land plots and registration of subsequent dealings. The first aspect establishes the legal status of the land at the time of registration while the second establishes also the ongoing benefits. This is where many registers in developing countries become flawed. If subsequent dealings such as

transfers, transmissions on death, etc. are not recorded, the register becomes outdated and cannot be relied on (Ngoga, 2012:8-9).

To sum up, land registration comprises different activities including land surveying, demarcating land, adjudicating and determining records (manual/computerised), and disseminating information about the ownership, value and use of land when implementing land management policies. In the present study, the land registration is understood as a programme consisting of surveying land and recording all the information about land and its owner, followed by the issuance of the title-deed document. This programme is organised and carried out by the state with the aims of guaranteeing security of tenure to all land owners, enhancing development through improving the smooth functioning of the land markets, and increasing agricultural production resulting from better land use.

2.1.3 Land consolidation

This sub-section defines the concept of land consolidation and discusses its forms and attributes where it was implemented in the past and at present. To understand the concept of land consolidation, there will be referred to papers written by the following researchers: Palmer (2000), Cay & Iscan (2011), Sky (2002), Musahara & Huggins (2004), Vitikainen (2004), Niroula & Thapa (2007), Musahara (2006), Van Dijk (2007), Cotula (2007), Huggins (2012), and reports of different organisations such as FAO (2002), ICARRD (2006), FAO (2003) and Kairaba & Simons (2011).

Land consolidation was implemented in different countries for millennia with the first recorded cases dating back to 1060 B.C. in China, as mentioned in USAID-NUR (2013:5). In Europe, proceedings considered as land consolidation were observed in England and Southern Germany in the middle Ages. However, officially the first practices of land consolidation took place in Denmark in the 18th century before extending to other countries in the 19th and 20th century (Sabates-Wheeler, 2002). According to Vitikainen (2004:26), the current type of land consolidation was adopted in the late 19th century and early 20th century. By the end of 1962, approximately 38 million agricultural hectares (i.e. $\frac{1}{4}$ of all cultivated land) were under consolidation. In Austria, Germany, Norway and Sweden the legislation regulating land consolidation dates back to the 1970s while in the Netherlands, Poland, France and Hungary it dates to the 1980s (ibid).

Land consolidation has a legal basis in all countries but its names and legal aims vary from one country to another. In Europe, in countries where land was consolidated, the process was given different names depending on the local language but it had a common meaning. In German,

land consolidation was named “Flurbereinigung” or “ländliche Neuordnung”, in Dutch “ruilverkaveling”, in French “remembrement”, in Swedish “fastighetsreglering/omarrondering”, and in Finnish: “uusjako”. The common meaning was a comprehensive reallocation procedure of a rural area consisting of fragmented agricultural or forest holdings or their parts (Vitikainen, 2004:26).

The observations made by Tenkanen (1994:4) and Schulze & Daale (2000) on the origin of the idea of adopting land consolidation in all the European countries summed up the common need for readjusting unfavourable land divisions and promoting the appropriate use of real property without changing the status of ownership. Thus, land consolidation is generally defined as a process of combining or pooling dispersed small farm holdings or fragmented agricultural properties with the aim of improving agricultural productivity and sustaining people’s livelihoods (Cay & Iscan, 2011:6, Sky, 2002:2). However, different authors and organisations broaden this definition to include various other activities. FAO (2003), Vitikainen (2004), Musahara (2006) and Huggins (2012) extend land consolidation to other activities accompanying agrarian reform, including land reallocation, environment protection, village renewal, as well as landscape development.

FAO (2003) has warned that the concept of land consolidation is mostly misinterpreted by various scholars who consider it only as the simple reallocation and combination of small fragmented-holdings in order to deal with the consequences of land fragmentation. However, land consolidation is also associated with other social and economic reforms and results, other than merely improving agricultural productivity. In the same context, Vitikainen (2004:26), based his view on the experiences of East and Central European countries where considerable land consolidation took place in the 1990s (after the reforms from socialist productions systems that had caused land fragmentation). He adds that land consolidation is also concerned with the improvement of the following physical aspects: the road and drainage network, different buildings, landscaping, environmental management and conservation projects.

Likewise, Cotula (2007), basing his views on the experiences of land consolidation in Africa, explains that land consolidation is carried out to join unproductive farm holdings into larger units in order to increase agricultural production.

The aims of land consolidation generally include the promotion of the appropriate use of real estate through the consolidation of land plots to form plots that are better adapted to their proper use by making them larger and better shaped (Palmer, 2000:5). Musahara (2006:16) adds that land consolidation is carried out where agricultural productivity is low and aims to

allow people to increase productivity and achieve commercial and competitive agricultural production.

Despite the transformation of plots, land consolidation is characterised by keeping constant the value and ownership of real estate, and the various purposes of the estate, including agrarian outcomes (Vitikainen, 2004:26). It is also carried out for all the holdings in a specific, geographically limited but defined area (Sky, 2002:2).

Land consolidation programmes are mostly initiated by the government, as these programmes are *ipso facto* regarded as involving administrative decision-making processes and therefore entrusted to administrative authorities. However, before its implementation, a legal foundation should be put in place; and stakeholders should be consulted and they need to agree to participate in the whole process of implementation (Palmer, 2000:6). This means that the project must be demand-driven instead of top-down-driven in order to gain stakeholders' participation. In fact it has been observed that most of the programmes initiated by the government fail because of the lack of the participation of beneficiaries, including the population at the grassroots (Marsdein, 1991; Levin & Weiner, 1997; Makana, 2012).

Regarding the execution process and organisation of a land consolidation programme, the government appoints the ministry which has the capacity to implement the programme and mostly it is the ministry in charge of agriculture and forestry. This was the case in European countries (Vitikainen, 2004:27).

At the local or decentralised level, there are land consolidation authorities and each one appoints a "cadastral surveyor" (cf. Austria, Finland, Germany & Sweden) or a "panel committee" (cf. Belgium, France, the Netherlands, Portugal & Switzerland) to implement the projects, assisted or advised by experts when necessary (Sky, 2002:14).

The role of land owners is also considered as they form associations with a strong statutory position which play a role in the process, especially in project planning, implementation and evaluation (Meuser, 1992:92-102 cited by Vitikainen, 2004:27). On the same matter, Van Dijk (2007:507) adds that the success of land consolidation projects depends on the willingness of the land owners to participate in the project and be prepared to put some money in and give their time for the success of the projects.

When land consolidation is well implemented it generates positive effects, especially regarding the development of rural areas. For example, it enables neighbouring people who had small fragmented farm holdings that were not productive to combine their lands, expand their size and increase productivity (Kairaba & Simons, 2011).

FAO (2003:33) classifies the following approaches to land consolidation:

- **Simplified land consolidation:** This is done through reallocation and exchange of farm holdings and sometimes proceeds with the state providing more lands from national reserves. This makes the simplified land consolidation a convenient and fitting project in the agriculture sector. At times consolidation is accompanied with other socio-economic projects such as infrastructure rehabilitation and the provision of minor facilities.
- **Voluntary group consolidation:** This is a very small land consolidation project involving fewer than ten people in some countries. It is voluntary and it is convenient to solve local land-related problems. People who want to be involved in the project must come to an agreement. Experiences of Denmark showed that all the land consolidation projects were voluntary through negotiation, and the number of participants tended to be between 50 and 100.
- **Individual land consolidation:** this comes from popular initiatives and the project is carried out in a sporadic and informal way. The state is not directly involved and the process of these initiatives does not include the provision of public facilities.
- **Comprehensive land consolidation:** This refers to the reallocation of plots of land for other projects with the objective of promoting rural development. It is the most effective land consolidation approach to rural development because it is done in combination with a number of projects that promote the social well-being of communities. These projects could focus on the construction of rural roads, irrigation and drainage systems, erosion control, and environmental protection, the safeguarding of natural reserves, and the building social infrastructure such as sport terrains and other public facilities.

Comprehensive land consolidation follows a number of steps which include the initiation of the project, the design of the project, an inventory of existing land rights and land values, an elaboration of the detailed consolidation plan showing the new layout of the plot, implementation of the plan and lastly the concluding phase in which final records are produced (Niroula & Thapa, 2007:239).

According to FAO (2003), in the comprehensive land consolidation process, the division of responsibilities and the roles played by each party, including the state, the people and civil society organisations, vary between countries but the overall functions of supervision, monitoring and implementation are defined in legislation. Van Dijk (2004) adds that comprehensive land consolidation always requires the participation of multiple centralised and decentralised government agencies, beneficiaries (farmers' groups), and civil society

organisations as well. The involvement of land owners from the local area is very important as the project introduces major changes to the site of the project.

In order to make land consolidation programmes possible, the governments should develop policies and regulations establishing the combination of vast numbers of small and fragmented farms because micro-farms are not suitable for most competitive agricultural practices. For example, a farmer who owns one hectare divided into five separate pieces of land may benefit from a consolidation scheme which results in a single plot. Although the farm size remains the same, a larger and better shaped plot may allow the farmer to introduce better farming techniques (FAO, 2003:35).

Niroula and Thapa (2007:244) and FAO (2003:35) highlighted the benefit of effective information flow for the success of land consolidation. In this regard, information and communication is essential for a comprehensive land consolidation project to succeed. Information must be tailored to the knowledge and attitudes of different groups of stakeholders, including beneficiaries (farmers/land owners), other residents of the area, and politicians at the local, regional and national levels. Beneficiaries must be provided with information about the financing of the project, how they will benefit from it and how the changes brought by the project will impact on them (Vitikainen, 2004:35).

Failing to communicate will lead to misunderstandings and even misleading rumours and negative views resulting in more difficult negotiations, delays and higher implementation costs. There should be an institution of mediation because disputes might arise from objections about the initial inventory of ownership, boundaries and values of plots between many competing interests of the various stakeholders (Van Dijk, 2004).

According to FAO (2003:59), before implementing land consolidation a number of conditions should be put in place: "Stakeholders should be willing to participate actively in the decision-making process of a project, the process should be demand-driven and a project site must be identified where local citizens and community authorities who are interested in land consolidation can meet; the reallocation of land plots should be convenient for rural development, and encourage advanced agricultural activities and the protection of natural resources; the site selected for land consolidation must get adequate land owned by the state or local government in order to enlarge holdings and locate public facilities; the legal basis of the project is of paramount importance before the project can be implemented". It must be noted that the success of the project depends on the level of participation, support and cooperation of farmers and other stakeholders who would be affected by the project.

In short, land consolidation has different connotations, depending on the countries in which it takes place, as the objectives and procedures differ from one country to another. Generally, land consolidation follows agrarian outcomes but in some countries, such as in eastern and central European countries, land consolidation had other purposes, including developing infrastructure such as road and drainage networks and various buildings, and improving landscaping, environmental management and conservation projects.

For the purpose of the present study land consolidation will be understood as the programme that aims to bring changes in the agricultural sector through combining fragmented agricultural properties in order to improve agricultural productivity and sustain people's livelihoods. In the context of Rwanda where the present study is carried out, land-use consolidation is understood as the procedure of combining fragmented land holdings in order to manage and use land in an efficient and uniform manner, with the aim of improving agriculture productivity.

Whereas this sub-section discussed different definitions of the key concepts, including land reform, land registration and land consolidation, the following sub-section will examine different theories on land reform in order to understand principles, models and procedures of land reform.

2.2 Theories on land reform

There are various theories related to land reform that previously were used by different researchers. In this sub-section, only some of these theories explaining how land reform, through land registration or land consolidation, address issues of poverty and conflict will be discussed. In particular, the foundational theoretical arguments on which the present study is built will be presented. Land reform has been given more attention since the World Bank encouraged countries to embark on land registration and titling in order to turn land and other property into assets and capital. Several policy makers and analysts thought that effective land management would result in improving agricultural productivity in developing countries (Tadaro & Smith, 2006:428).

According to Wendy Wolfold, researchers paid increasing attention to land reform at the end of the 20th century when governments of developing countries in Latin America, Asia and Sub-Saharan Africa, were given funds by the United Nations' financial institutions, including the IMF and World Bank to help organise land reforms in their respective countries (Wolfold, 2007:555). In addition, since the beginning of the 21st century, when the Millennium Development Goals were launched, land also became a re-emerging subject of debate, whether from the

perspective of economic development, or from women's empowerment (Obeng-Odoom, 2011:160).

In Africa, during debates two trains of thought came to the fore on land reform. , These views comprise those (1) who argue that land reform policies should be rooted in a "theory of social capital", especially in the African traditional land tenure system; and those (2) who believe that "individualised tenure systems" are more effective and desirable, even though there is limited congruence between theories and practices, and theories and outcomes (Obeng-Odoom, 2011:161). The fact is that both schools of thought converge on the need for secure land tenure for human development, though sociologists and anthropologists advocate policies rooted in the theory of social capital, while neoclassical economists prefer individualised property rights systems (ibid).

The genesis of the theories covering land reform can be found in the "labour theory of property" of John Locke. His theory endows the rational and self-maximising individual with rights to accumulate private property, the right to property produced by labour, where property includes land, houses, and in broad sense, physical goods. (Locke 2002: chap 5 cited by Wolford, 2007:551). Property rights, therefore, include land rights.

According to Obeng-Odoom (2011:138) individualism underpins the capitalist system of production and those who support individual property rights believe that individual rights are more superior and more conducive to economic development. Proponents of individual property rights argue that unless a bundle of rights can be privately owned by individuals they would have little incentive to put it to the highest and best use or little interest in ensuring sustainability (Kamusiime, *et al.* 2005). From this perspective people are driven mainly by self-interest, which in turn spurs them on to be productive. According to this view, communal property rights are inefficient because not having private or individual interest in a resource, people are likely to become irresponsible and act in ways that injure the common good - what economists call a "tragedy of the commons" (Obeng-Odoom, 2011). Those who own common property rights tend to exercise these rights in a way that ignore the consequences of their actions.

The idea that individual property rights are more effective than common property rights was considered more and gained in estimation in 1920 with the rise of the Chicago School of Economics that developed the idea and found responses to critics (ibid). However, the direct application of the theory to land in developing countries only took place in the 1990s.

Recently, the work of Hernando De Soto (2000), the Peruvian economist named the "messiah of people's capitalism" has been convincing with tangible statements proposing a solution to the

problem of insecure tenure (Davis, 2006:80). In his book *The Mystery of capital* De Soto developed the theory of “capitalism and property rights” which explained the role that land reform, through land registration and titling, plays in poverty alleviation and wealth creation by legalising individual property rights (Kamusiime *et al.*, 2005:18).

However, De Soto, Feder and Feeny have argued that individualising land tenure would provide the needed guarantee to obtain security (Obeng-Odoom, 2011:162). Even though the idea of individual property rights does not originate from him, De Soto has been among the leading advocates of private property rights, specifically land rights, as a way of promoting economic development in the economically weak countries. For his contribution he was nominated as a Nobel Prize Finalist for Finance in 2002 (Obeng-Odoom, 2011:162).

De Soto’s capitalism and property theory was commented by Joan (1998) and referred to by several researchers in their studies on land reform in different countries, including Ntirenganya (2012) and Kamusiime *et al.* (2005), who supported it as well as Chimhowu and Woodhouse (2006), and Musembi (2007) who critiqued the theory.

According to De Soto (2000:66), the central cause of insecure land rights in developing countries is the customary tenure system, particularly the nature of communal land ownership, and the lack of documented information. The poor have many resources, including land, which do not serve them because their resources have not been recorded anywhere. As a result they do not have any documented ownership rights of their properties. This situation leads to insecurity of tenure. It also impedes domestic and national investment, as landed assets of people in developing countries become defective because they cannot be turned into capital or traded outside or used as collateral for credits (Bernstein, 2007). De Soto advocates for the registration and titling of individual property. Registration and titling, in which land is individually owned, recorded and commoditised, results in trust, which in turn enables credit and ends up by turning property into capital; otherwise without commodification/capitalisation, assets of the poor remain dead capital (De Soto, 2000:5).

Kamusiime *et al.* (2005:18) referred to this theory in the assessment of the outcomes of systematic demarcation and registration of land with the level of households in Uganda. The authors support the argument made by De Soto that when assets such as land held by the poor are converted into capital, the economy is stimulated. For the same authors, De Soto’s theory indicates that customary tenure changes in a capitalist environment. This means that this theory is not far from the neo-liberal theory of land reform.

For De Soto (2000:69), before owners invest on their land they must formalise titles so as to make sure that they legally own it and have rights of control and use over it. Then they can invest judiciously on their land and work on improving it. Customary tenure should therefore change because it does not serve the poor land owner: a piece of land which has no title-deed is extremely hard to sell and when it is sold the purchaser buys it at a low price.

Ntirenganya (2012:14), who used De Soto's theory while investigating the role of land consolidation in improving food security in the Bugesera District of the Eastern province in Rwanda, added that the property owned by the poor most of the time is not marketable due to the lack of official documents or because it is not recorded anywhere. He adds that even when it is put on the market and becomes marketable, the purchaser will hesitate and/or ask many questions such as whether the seller really owns the land and whether she/he has the right to transfer it, or if the land has clear boundaries, or if there are no other claims of ownership on the same land.

The theory of capitalism and property rights was subjected to much criticism, which was based on realities and experiences from rural areas in developing countries, especially in sub-Saharan Africa. Formal property ownership advocated by De Soto and supported by Kamusiime *et al.* (2005), was questioned by several researchers. Among these is Musembi (2007), who argued that the content and shape of formal titles varies with local context and can be very different from what the officials and proponents of formalisation have in mind. Musembi adds that De Soto seems to propose that it would be easy to legalise such rights without changing them, whereas the experiences with land reforms show that even with a well-functioning bureaucracy, the transformation of local property rights into actual private ownership changes the nature of the rights and leads to the exclusion of the weaker, including women (ibid).

De Soto's theory of accessing credit through property rights has also been questioned. According to Gilbert (2002), the poor are often discouraged to ask for loans and do not apply for it because they believe that they will be denied credit, or assume that they will not fulfil the bank's requirements. In addition, they also fear what may happen if they are not able to pay back the loans. Thus, they stop seeking loans in order to avoid placing their whole family in danger, seeing that a loan is considered a burden that risks the entire familial financial viability. Likewise, Ntirenganya (2012:15) contested the statement that the poor will access credit through their property rights. His argument was founded on the example of Tanzania where the Shiviji commission found that people in some villages were committed to apply for loans using the title-deed documents as collateral. However, when they were told that in case they fail to pay back their loans a foreclosure would be possible, they withdrew.

Furthermore, Chimhowu and Woodhouse (2006) also contested De Soto's view on the acquisition of loans in exchange of land titles as collateral. They founded their argument on the experience of rural dwellers in Kenya where it was found that under risky dry land farming conditions, land was rarely used to secure loans, even if it was under freehold. The farmers feared that credit could lead to debt, which may result in loss of land.

De Soto was criticised, like other neo-classical economists, for not considering gender in his design while there are various theories that prove that registering and titling land would be beneficial to women and help empower them. Agarwal (2003) argues that providing women with secure land rights and combined in cooperatives would lead to efficiency in farming and increase agricultural productivity, as well as confidence and welfare, as they would be equal to men. The papers of Walker (2002), Hall (2011), Ntsebeza and Hall (2007), Aliber *et al.* (2004), Anseeuw and Alden (2010) stressed that women's land rights enable them to improve their living conditions, protect them against domestic violence, sexual violence and increase the level of self-confidence. It also helps them participate in decision-making, whether about the use of household's assets or in matter of public interest.

In light of the above, De Soto's theory cannot be seen on its own as adequate enough to explain how poverty should be alleviated in the rural areas of developing countries; it contains a number of shortcomings or statements which are not founded on realities of some rural areas in developing countries. However, it has been proven that the legal recognition of assets, including that of land, unlocks these assets that were previously immobilised by social relationships, and the owner is then allowed to use assets to acquire money; it also provides an opportunity to convert land into capital (Kamussime *et al.* 2005:17).

The problem lies in the unwillingness of the governments in developing countries to assist the poor in making the land more productive or to safeguard their property rights. The governments in developing countries should learn from the experiences of the Western countries in formalising property rights. The view is that capitalism works in the Western countries but fails elsewhere, particularly in developing countries. The reason is that unwritten rights and obligations that preceded the introduction of the colonial legislation, continued to exist parallel to property rights and governments of developing countries must be accountable for that. In other words, these governments develop and promulgate written land legislation and do not remove the traditional and informal systems of land tenure; subsequently, both tenure systems coexist and are sometimes in conflict (Kamusiime *et al.* 2005:18).

To sum up, these theories above do offer an analytical tool to determine the role that land registration and titling play in the process. This include guaranteeing land tenure security and

opening the doors of acquiring loans, or selling land and investing in other income generating activities that may improve a household's welfare. However, these theories will not frame the present research; they are rather used for theoretical introduction. The specific theories and approaches that frame the present research are the following: the neo-liberal approach and the populist approach to land reform, the benefits theory and the social exchange theory, which are all discussed in the following sub-sections.

2.2.1 The neoliberal approach to land reform

While De Soto's theory highlights the benefits of property rights, the neoliberal land reform approach explains, justifies and promotes land reform. Since 1990, after the Washington Consensus, the International Monetary Fund (IMF) and other financial lending institutions, including the World Bank (WB), has advocated land tenure reform and land distribution through Market-led Agrarian Reform (MLAR) (Wolford, 2007:555) with its "willing-buyer-willing seller" approach. A number of countries, including Brazil and Bolivia in Latin America, India in Asia, and South Africa in Africa, took this approach. The countries mentioned met technicians and lobbyists from the World Bank who debated the procedures and rules of implementation in the countries concerned (Borras, 2003).

According to Palmer (2011), the ideology governing MLAR is based on the premise that security of land tenure leads to the promotion of property markets, economic growth and democracy. If land reform based on the MLAR approach is well implemented, the following expected outcomes will be achieved:

- Secure land rights will allow people to invest productively and on a long term.
- People will be able to give their labour and profit to the bank as collateral and obtain loans.
- Improving the conditions of property titles will also improve conditions for the application of labour.
- The provision of titles to land documents will ensure land tenure security and this will allow people to invest productively and on a long term; in addition the functioning of rural land markets, credits and agricultural inputs will be promoted, and it will be easier to transfer land from unproductive people to productive ones (Wolford, 2007:559)

The insights of neoliberals such as Adam Smith (1997) support land registration as it enables property ownership. The theorists argue that land registration is relevant because it provides benefits for labourers/people who own and utilise land. Land is officially owned and it becomes

a very important capital/asset for the owners as they depend on it for social and economic development purposes.

Proponents of the neoliberal approach, including Borras Saturnino Junior, Klaus Deininger and Hans Binswanger, entertain a specific viewpoint of land reform. According to this viewpoint, reform focuses on land registration and the issuing of title-deeds. In this sense land reform implies a policy of creating and restoring private rights to property (Wolford, 2007:555). For example, Borras (2003:369) supports the issuing of titles to land as a proof of ownership and therefore considers ownership of land titles an incentive to the land users. For the same author, if land users who wish to maximise their self-interest are given titles to land without state intervention, they will respond rationally by improving their land and will allocate resources more efficiently to work that land (ibid).

This argument strengthened Adam Smith's position on new tenant farmers in England during the late 1700s: "A small proprietor however who knows every part of his little territory, who views it all with the affection which property especially small property, naturally inspires and who upon that account takes pleasure not only in cultivating, but in adorning it, is generally of all improvers the most industrious, the most intelligent and the most successful" (Smith, 1997:9).

The neo-liberal perspective assumes that the market is the optimal mechanism for allocating properties to productive individuals. Thus market transactions will allow for the appropriate connection between property and labour, where inequality between property and labour exists, it will be a sign of inappropriate political or state-based policies (Borras, 2003; Wolford, 2007).

The neo-liberal approach offers an analytical tool for evaluating the outcomes of land reform policy – especially the registration and titling of land and consolidation of land use – focusing on increasing agricultural productivity in the Southern Province of Rwanda. Specifically, the argument above by Borras will be referred to in order to assess the link between productivity and land, as well as productivity's relationship with policies and government endeavours.

Regarding the transfer of land from unproductive to productive people, written records of landownership enhance this process. This is because such records improve the transferability of property, reduce transaction costs, and increase the liquidity of the land market, as information about land ownership and quality are symmetric. Secure property rights will allow people to profit from their labour, because if markets operate sufficiently, property rights should be an indication of the labour input (Borras, 2003).

In short, the neo-liberal approach to land reform views land registration and land titling as incentives to land users as it enables them to improve their land and make it more productive. The arguments above made by different proponents of this approach will be referred to when assessing the extent to which land registration and the issuing of titles to land are beneficial to landowners of the Southern Province. The assessment will be done in terms of the following markers: improvement of owners' lands, increased agricultural productivity and increased participation on the market with the aim of solving problems of poverty and land-related conflicts.

2.2.2 Agrarian populism or populist approach of land reform

The populist approach to land reform was introduced by Bernstein (2007) in his article entitled "Agrarian questions of capital and labour: some theory about land reform (and periodisation)", also by Wolford (2007) while comparing the neo-liberal approach and populist approach of land reform in Brazil. Populist ideas are a response to the massive social upheavals that marked the development of capitalism in the modern world. Advocacy of the intrinsic value and interest of the small producer, both artisan and peasant, as emblematic of the people arises time and again as an ideology and movement of resistance to the changes brought about by the accumulation of capital (Bernstein, 2007:15).

According to Wolford, populism and neoliberalism are antithetical mostly when comparing their statements regarding land reform. However, the two theories show some similarities such as their shared common theoretical foundations – both theories are rooted in Locke's labour theory of property, which attributes the fruits of labour to the labourer (Wolford, 2007:557).

According to Bernstein (2007:20): "Agrarian populism in particular is the defence of the small family farmer or peasant against pressure exerted by the class agents of developing capitalism of merchants, banks, large-scale capitalists, landed property and agrarian capital, and indeed by projects of state-led national development in all their capitalist, nationalist and socialist variants, of which Soviet collectivisation of agriculture in 1930 was the most potent land mark".

There are many varieties of populism and of agrarian populism that should be distinguished, not only by their specific discourse elements and intellectual forms but also by the specific historical circumstances in which they emerged. Populism is characterised by a moral dimension as a defence of a threatened way of life. It often encompasses strong elements of anti-industrialism and anti-urbanism, ideologies which are often explicitly anti-proletarian (*ibid*).

Bernstein (2007:36) argues that the agrarian populist ideology is backward looking and explicitly reactionary but can also inform a particular model of agricultural development, a small farmer path that both modernises agriculture and reproduces an egalitarian agricultural structure. This path leads small farmers to social development and economic growth through agricultural activities.

The Russian Economist AV Chayanov (1966) (in Ntsebeza & Hall, 2007) is considered the intellectual ancestor of neopopulism, a policy discourse which champions an agrarian structure of small farms as most conducive to efficiency and growth. The answer of agrarian neopopulism to the fundamental question of land reform, “To whom should land be redistributed and why?” is that it must be redistributed to those who are able to use it best (small farmers) and who need it most (as the rural poor). This is expressed concisely and seductively by the notions of “efficiency” and “equity”. Thus, this theory advocates for the development of agriculture on the basis of cooperation of peasant households, a peasantry organised cooperatively as an independent class and technically superior to all other forms of agricultural organisation (Bernstein 2007:36). The most important terms in this definition are “independent class” and “technical superiority”.

- “Independent class” means independent of both (predatory) landed property and its exactions (the burden of the past) and of state socialism and collectivisation as the proletariat has mostly agriculture as its mainstay (the threat of the future).
- “Technical superiority” means the optimal scale a farm can be managed and worked by family labour (which will vary with the technologies at its disposal) informed by an inimitable knowledge of its natural environment that it accumulates (ibid).

According to Wolford (2007), the approach of populist land reform advocates land reform through land registration. This helps ensure social justice by giving land ownership to those who work the land. Such an approach was supported mainly by grassroots movements of rural actors in different countries where the neo-liberal land reforms took place. These reforms were the results of a striving for change in people’s relationship with land and property, as well as by politicians of the left wing who opposed the neo-liberal land reforms.

Grassroots movements are found in Brazil (Movimento dos Trabalhadores Sem Terra-MST), Bolivia (Movimiento Sin Tierra-MST), Philippines (Kilusang Magbubukid ng Philippine KMP) and in South Africa (Landless People’s Movement-LPM). Populist land reforms were undertaken in left-leaning countries, such as Venezuela in 2005 during a so called “land revolution”, and Bolivia in 2006. These movements have created international networks and tend to influence

policies on agriculture and human rights in their respective countries. They organised international conferences and protests at meetings of the G8, World Trade Organisation and the World Economic Forum (Wolford, 2007:559).

Neopopulism adapted more easily to a new conception of market-led land reform, closely associated with the World Bank and its hegemonic grip on developmental discourse in this era of globalisation. The neopopulist arguments of Chayanov can be accommodated by the dominant neoliberal paradigm but with a difference in nuance. For example, Chayanov emphasised economies of scale that he believed and hoped would be achieved through the cooperative pooling of resources and efforts by peasant households. However, for contemporary neoliberalism the most important feature of such household enterprises (family farms) is that they should be constituted on the basis of individualised property rights and production in properly competitive markets for land as well as other factors and product markets. This is clearly a position that Chayanov would not have endorsed (Bernstein, 2007:38).

The populists reject the existing land tenure regimes and the whole concept of ownership. They contend that the historical process of land acquisition was not equitable and honest, and both feudalism and capitalism enabled the rich to usurp large tracts of land from the poor.

Populists/Marxists reject the neo-liberal market-led agrarian reform, for it only favours the wealthy landowners. These viewpoints refer to the experiences of the past where political leaders and businessmen used their political and economic influence to acquire land. In the light of this abuse the populists/Marxists argue that the land market would continue to be the wealthy's vehicle for theft and exploitation as it has always been. If market-led land reform does occur, populists suggest that the state should intervene strongly to avoid the problems which the land market created in the past. They also reject the provision of title-deed documents to the poor, because it re-introduces the dynamic of commodification, according to which the poor receives titles to land, only to forfeit it (Wolford, 2007:556).

What the populists do advocate is a type of land reform that holds various gains. Their type of reform needs to ensure the connection between land and poor rural communities, solve the problem of social injustice and hunger and enable the poor to become independent from food aid and international food trade, as well as enabling them to participate in balanced development (Edelman, 2002, Wright & Wolford, 2003 cited in Wolford, 2007:555).

To sum up, the populist theories discussed above comprise various arguments, some being related to the objectives of this research, others not. The argument that land registration and titling ensure social justice by giving ownership rights to those who work the land relates to the objective of land registration in Rwanda and therefore also to the present study. This argument will be referred to while assessing the extent to which land registration and title-deeds issuances address social injustice of the past due to inequalities based on gender, social and economic categories in land access, ownership and control.

In addition, the argument of the populist theories that emphasise economies of scale that would be achieved through the cooperative pooling of resources and efforts by peasant households is also relevant for the present study. It offers an analytical tool for discussing the role of land use consolidation and its activities of regrouping people in cooperatives to improve agricultural productivity and enhancing households' welfare. The evaluation of land reform in the Southern Province of Rwanda will have to be benchmarked against the type of reform suggested and advocated by the populists. This would ensure the connection between land and poor rural communities solve the problem of social injustice and hunger and enable the poor to become independent from food aid and international food trade, as well as enabling them to participate in well-balanced development.

On the other hand, the argument of those populists who rejects land registration and the neoliberal market-led agrarian reform, for, according to the argument, it only favours the wealthy landowners who get opportunities to buy land from the poor, will not be followed as it does not meet with the purpose of the present study. The fact is that one of the objectives of land reform in Rwanda is to enhance market use of land, with people being able to exchange land with money and shift to non-agricultural activities. The present study needs to assess the extent to which this objective is achieved in the Southern Province.

2.2.3 The Benefits theory

The benefits theory was developed by Alec Mc Ewen (2001). This theory relates land reform through the processes of land registration and the provision of title-deed documents to individual land owners as it states that systematic demarcation and registration of land is a very relevant investment and beneficial to both public and private enterprises in different ways (Mc Ewen, 2001:25). People who own land titles feel secured as tenants, the value of land increases and it becomes easier for occupiers to transfer or mortgage land. In addition, it promotes agricultural investment or productivity and reduces land disputes. The demarcated and registered plot of land is easily marketable and can be sold at a higher price than the non-surveyed and registered land. The landowner who holds a land title deed can easily access

credit and engages in other income generating activities that he/she would not be able to engage in if he/she had no land title. The benefits start on the individual level and generate national level benefits (ibid).

The benefit theory also argues that individual landowners and holders of lesser interests in that land get security of land tenure from land titling and demarcation. In terms of public administration, the benefits theory argues that it should be designed to benefit the maximum number of potential users (Troutt *et al.* 1993:34). Land-related data and the geographical location should be utilised in order to justify the cost, to facilitate land transactions or any other administrative purpose. For example, urban and rural planning, and management and conservation of natural resources will be undertaken more effectively if accurate information on land ownership is readily available. Moreover, the availability of demarcated land is an incentive for foreign investors who want to invest but are deterred by uncertain ownership of land they wish to acquire. It is a known fact that the injection of capital by foreign investors can stimulate the local economy (Kamusiime, 2005:19).

Further, the cadastre index that supports a land information system identifies and portrays individual land and can be conveniently employed as the geographical framework for fiscal cadastre. This type of cadastre provides a system by which the economic value of land and buildings is assessed and recorded for property taxation by a municipal or other authority. Fiscal cadastral maps are kept up to date to depict new buildings or additions to existing buildings. For the community as a whole, the benefits of systematic demarcation are seen in terms of the promise of orderly, peaceful approach to the wise utilisation of the land resources (Mc Ewen, 2001:27). The community finds solutions to the problem of land related disputes. Another important benefit of systematic demarcation and registration of land is that it can provide an integrated system of recording land rights that applies uniformly throughout the jurisdiction. Its use of standards forms and procedures avoids confusion and inspires public confidence in the system that has the ability to accommodate other special types of interest. For example, in Zanzibar (Tanzania) economic trees such as clove and coconut can be owned separately from the soil in which they are planted. In short, at the individual level, the benefits theory states that land titling gives land tenure security and increases land value and enhances the ability to transfer or mortgage property. At the national level, the benefits include easy access to information for public administration, efficient land markets and investment (Kamusiime, 2005:21). Overall, this theory does not contradict the arguments made by Marsdein (1991: 33) and Chambers (1991: 530) that developmental programmes initiators should oversee the interests of people first.

In short, the benefits theory presents relevant arguments in relationship to the objectives of the present study as it highlights various outcomes through benefits that land registration and titling bring to different categories of people and for administrative purposes. The categories of people include individual land owners and other potential users such as national or foreign companies,. Land owners' interests entail the following: land tenure security from land titling and demarcation while in public administration, the relevant information about land and land owners and users is recorded for administrative and development purposes.

Furthermore, the benefits theory underlines how systematic demarcation and registration of land becomes very relevant to help turning land into assets and capital, a marketable property and potential asset for investment. The arguments above emphasised by the benefits theory will be built on to identify and appreciate the type of profits that landowners and land users of the Southern Province benefited from because of land reform. The focus will be especially on land registration, recording and titling, as well as the profits of recording land-related information to the public administration of the Southern Province of Rwanda.

2.2.4 Exchange theory approach

Unlike the theories above that particularly deal with land reform, the exchange-theory approach is a mid-level theory on human action. There are various reasons that motivated the use of this theory to frame the present study. Among the theories on human action this behaviourist theory is very applicable to the analysis of land reform, which entails a mechanistic process. Therefore, this behaviouristic theory is suitable for describing community members' actions in such a process.

According to George Homans (1974), who developed this theory rooted in the behaviourism, individuals are posited into a relationship with their environment, whether physical or social. Behaviours of individuals, whether positive or negative vis-a-vis the environment, do not only affect the environment but also has implications for their lives. Thus, the consequences that individuals' actions exert on their environment lead the environment in turn to react to the individuals, which will impact individuals' future behaviour patterns. Homans (1974) argues that individuals would continue an activity if their first experience bears positive effects (benefits) to their lives. Homans posits: when the reaction of the environment to individuals appears punitive, the individuals will not act. However, if the reaction is positive or rewarding, individual actors will repeat the same activities. The exchange theory focuses on the history of environmental reactions and its relationship with the nature of present behaviour. Therefore, the theory argues that individuals' behaviour in the present should be predicted by its past consequences.

According to this theory, rewards or reinforcers and costs or punishments are incentives to adopt or abandon a certain type of behaviour (Ritzer, 2008). Continuing an activity or a programme depends on the success that the actor achieved in a similar activity or programme previously. Homans postulates what he calls “success proposition” that “the more often a particular action of a person is rewarded, the more likely the person is to perform that action” (Homans 1974:16). This strengthens the arguments of Chambers (1991:516) and Marsdein (1991: 34-35) emphasising that any project would put the interest of the beneficiaries ahead. The social exchange theory also states that, if the rewards are considered valuable, then the actors are more likely to repeat their previous activities. Homans refers to this tendency as “value proposition” and argues that “... the more valuable to a person the result of his action is, the more likely he is to perform the action” (Homans, 1974:25).

This theory will be referred to when discussing the involvement or participation of the rural dwellers in the consolidation of land use. Beneficiaries are more likely to engage and will have a positive perception when they are consulted and involved in the process of policy formulation and implementation, and mostly when they see encouraging effects (rewards) emerging from the programme. People at grassroots level facing top-driven programmes of land registration and consolidation can view such processes negatively or resist participation in any activity, unless they understand the way outcomes will profit them (Chambers, 1991:518; Liversage, 2003; Lisa 2001 & Palmer, 2000 cited in Dushimimana, 2006). People would not engage in the process of implementing land registration and consolidation if they were not mobilised and acquainted with the information about laws and the philosophy behind these programmes and expected outcomes, especially how they might benefit from the programmes, or how the outcomes will enhance their quality of life.

The social exchange theory will be applied to interpret research findings on the conceptions that implementers and beneficiaries may have about weaknesses and strengths of land consolidation, as well as to assess the way in which they engage in activities of land consolidation.

2.3 Conclusion

In this chapter, the concepts of land reform, land registration and land consolidation were elucidated and theories on those concepts were discussed. The main aim of the land reforms is to promote equality in land access, ownership and control, and to enhance equal participation of the poor and the rich in socio-economic development. The reform process through land registration is one of the World Bank’s neo-liberal policies. The aim is to give landowners property land rights, tenure security, to make land a marketable asset and finally to turn it into

capital if so wished. According to the neoliberals, land reform upgrades property rights, and makes the land market, land transactions and land use more efficient.

Land use consolidation implies that land fragmentation is addressed by combining farm-holdings. It also implies that poor land productivity is addressed by fighting erosion, and using mechanisms to improve land fertility, and particularly agricultural inputs such as fertilisers and selected improved seeds. Land use consolidation is about better use of land, with the ultimate purpose of increasing agricultural productivity, developing commercial agriculture and increasing food security.

All the theories related to land reform mentioned above support, with different arguments, land reform through land registration and land use consolidation. The neoliberal approach advocates property rights through land registration and titling which turns land into a commodity or capital. Populism, on the other hand, supports land registration under the condition that the state intervenes to protect the interests of the poor land owners on the market.

The neoliberal and populist approaches to land reform and the benefits theories promote social and economic benefits of land reform that would not materialise if land reform through land registration and consolidation were not carried out. The land registration and titling is one of the legal, socio-political and administrative tools of governance. The government uses this mechanism to ensure tenure security to land owners, and manage and govern the processes of land use and transactions. People, including landowners and investors, are enlightened about their rights and obligations so that they efficiently can sell or purchase land.

The present study focuses on the outcomes or advantages posed in each theory above. The aim of the research is to evaluate the extent to which such expected outcomes were achieved in the Southern Province of Rwanda where land reform through land registration and land use consolidation were implemented. From these theories, this study draws the context within which systematic demarcation and registration of the customary land tenure operates. This includes the context of capitalism, with the aim of delivering expected benefits, as well as opportunities to reduce poverty at the household level and at the national level.

The social exchange theory advances that the population would continue to engage in the project if they benefited from their first or previous experience of the project. In case they did not benefit from anything or if outcomes/reactions were experienced as punitive/not rewarding they would withdraw from the project. Based on the theoretical foundation of this theory, the present study investigated to what extent the rural people in the Southern Province of Rwanda engaged in the land registration and land use consolidation programmes of land reform in the post-

genocide Rwanda. In other words, the level of participation of the population in both land registration and consolidation also draws from the theoretical foundation of the benefit and social exchange theories, as people would engage if they really benefited from the first experience.

When security of tenure is granted and different activities of investment and use of land are efficiently processed, it becomes very easy to exploit resources, develop estate areas and improve agricultural productivity. This results in economic growth at the individual and at national level, and the preservation of the socio-cultural environment, as well as the natural environment. However, the success and achievement of the above-mentioned endeavours depend on the level of understanding, acceptance and involvement of different stakeholders, including the beneficiaries, civil society and governors, as well as how much the stakeholders benefit from the process.

The neoliberal and populist approaches to land reform, benefit theories and social exchange theories will be referred to in order to explain and understand the land registration and consolidation processes in the present study. The present study is meant as an in-depth evaluation of land registration and of the implementation of land use consolidation processes in post-genocide Rwanda. These approaches will be used to interpret views of implementers and beneficiaries of land reform with regard to the benefits of land use consolidation and land registration and titling. The weaknesses and strengths of land reform through land registration and consolidation will be investigated and understood. In addition, the level of participation of the population in both land registration and consolidation will be appreciated and analysed based on the statements drawn by the benefit and social exchange theories.

The following hypotheses will be tested in this study. Hypothesis 1 states that land reform improves commercial agriculture and is therefore especially related to the neo-liberal approach; hypothesis 2 postulates that land reform advances equality and is particularly related to the populist approach; and hypothesis 3 asserts that land reform stabilises rural social relationships and is mainly informed by the benefit and social exchange theories.

The following chapter (chapter III) seeks to present the literature related to land reform experiences in different countries of the world. The reviewed literature will be used to support the arguments in further chapters during the discussion of research findings based on empirical investigations from land reform beneficiaries and implementers in the Southern Province of Rwanda. The meanings, objectives and expected outcomes of land reform discussed in the previous chapter will be referred to, whilst examining the experiences of land reform in different countries in the following chapter.

CHAPTER 3: EXPERIENCES OF LAND REFORM IN DIFFERENT COUNTRIES WORLDWIDE

This chapter highlights and analytically discusses the reviewed relevant literature of previous research findings on the experiences of land reform through land registration and land consolidation in a number of countries, worldwide. Research on land reform through land registration or consolidation has been documented widely in developing countries, but also in developed countries. The most documented research on land reform through land registration or consolidation in developing countries was done in Latin America, South Asia, sub-Saharan Africa and in Oceania, especially with regard to the Tolai people of Papua New Guinea. In the developed countries it took place in the countries of Western Europe following the recommendations and with financial support of international financial institutions such as the World Bank and the IMF.

The land reform programmes in these mentioned countries differ in terms of objectives and procedures, depending on the history, culture and legislation of each country. In all cases it was high on the development agenda of the respective countries. Post-socialist governments of Asia and Europe embarked on removing control over lands from the state and collective units, and handing it over to smallholders. According to Swinnen (1999:639), in Central and Eastern Europe land reform through land restitution aimed at giving back lands to the former owners, and registration aimed at facilitating land transfer processes among landowners. In Western Europe this strategy also aimed at improving agriculture productivity through land consolidation.

Both Walker (2002:54), whose studies focused on cases in sub-Saharan Africa, and Borras (2002), who analysed land reforms in Latin America, observed that in developing countries poverty reduction has been the core reason for organising land reform programmes. Governments in Africa, Asia and Latin America organised land registration by providing titles over land which recognise customary land rights. Land programmes which redistributed land from large landowners to landless people and tenants were key pillars of land reforms in Latin America and Africa. The aim was to enhance the land rights of disadvantaged groups (Sikor & Muller, 2009:1307).

The following subsections critically present the review of literature on the experiences of land reforms in the above countries, specifically the objectives, procedures and approaches, challenges, effects, and shortcomings.

3.1 Experiences of land registration and land consolidation in Europe

Several researchers such as Tenkanen (1994), Swinnen (1999& 2002), Beckman (2002), Vitikainen (2004), Sky, (2002) and Van Dijk (2001, 2003, 2004 & 2007) carried out research on land reform on the European continent. Their research reported on positive and negative aspects of land reform, including localised activities of land restitution, registration and consolidation in the different countries. Respectively, as was mentioned previously, the recent experiences of land consolidation took place in the 19th and 20th centuries in the European countries such as Germany, the Netherlands, Austria, Belgium, France, Luxembourg, Switzerland, Finland, Norway and Sweden. The Central and Eastern European countries (CEECs) including Albania, Bulgaria, Czech Republic, East Germany, Hungary, Poland, Romania, Slovakia and Slovenia, as well as the four countries of the former Soviet Union (FSU) including Latvia, Lithuania, Russia and Ukraine, chose particular land reform procedures consisting of restitution and distribution. The same authors also focus on the common objective of land reform in Europe: improvement of agricultural productivity, forestry and associated industries in each country by lowering the costs of production.

Johan Swinnen analysed the causes that motivated the Central and Eastern European countries to adopt particular land reforms of restitution and distribution, and observed that historical justice and equity were the key factors (Swinnen, 1999:368). The communist regimes of the former Soviet Union in Central Europe introduced a land reform programme through “land collectivization”; they forced landowners to participate in the collectivisation and confiscated the lands from others. During the post-socialist period, there has been an attempt at turning back individual land ownership structures as people claimed for historical justice, particularly to have their land rights back (Van Dijk, 2007:505).

Following the recommendations of the Washington Consensus and within the framework of applying historical justice and equity, which are key elements of democratic principles, the integral part of transition from socialism to a market-led economy in Europe was marked by the privatisation of agricultural land, whether state-owned and/or co-operative farms, and this took place in many countries of Central and Eastern Europe (FAO, 2003; Bledsoe, 2001). In other words and more concretely, the land of farmers’ co-operatives and state farms were returned to the legal owners, with the aim of restoring land owners’ rights and particularly of enabling privatisation (Van Dijk, 2007:505).

Nevertheless, the land reforms after socialism in CEECs presented a number of shortcomings, including land fragmentation, less agricultural productivity and conflicts. Swinnen (1999:369) observes that the demand for historical justice was in conflict with social equity concerns:

people were claiming for historical justice while the governments were also in the process of addressing equity concerns, such as in Albania. In other countries, however, such as Bulgaria, both historical justice and social equity objectives were consistent with one another.

According to Van Dijk (2007:505) giving former collectively-owned large units of land to private landowners resulted in agricultural land fragmentation and in the reduction of agricultural productivity in Europe as a whole, because the former large plots of land were economically more viable than the small holdings which were less economically viable. As a consequence, the European Union continuously spent too much money on supporting farmers as the agriculture sector was in deficit in the European Union countries.

As solutions to the problem of land fragmentation in CEECs, different researchers such as Van Dijk (2003), Vitikainen, (2004) and Tenkanen (1994) suggested a land market and land consolidation: a land market because it enhances agricultural farms, land consolidation because it had successfully worked in Western Europe. On the one hand, the argument supporting land markets is that in the liberal market economy systems, land markets promote the lease and sale of land, which results in changing historically farm boundaries and making it possible for farms to reach their optimum size, leading to successful farming. On the other hand, the argument supporting land consolidation is based on the examples in Western Europe of the positive effects of land reform experiences on the agriculture sector by consolidating vast amounts of land, especially in Germany, the Netherlands and France since the 1950s (ibid.). Furthermore, Tenkanen (1994) and Vitikainen (2004), who made a literature analysis of land consolidation experiences in different European countries, argued that as land consolidation contributed to the solving of land fragmentation in West European countries (WECs), it can also be useful in addressing land fragmentation, and increasing agricultural productivity in the CEECs.

The success of land consolidation in West European countries resulted from a number of factors. One factor was the incorporation of the land consolidation programme in a much larger multidimensional rural development programme. This programme addressed social, ecological and cultural aspects in a concrete way through the improvement of agro-forestry and infrastructure, the enhancement of the landscape and nature conservation, and the creation of various recreation areas (Tenkanen, 1994:5).

The objective of improving agriculture and forestry was, for example, achieved through the improvement of working and production conditions and the decrease of production costs. In Norway, the achievement of this objective was accompanied by specific objectives focusing on the readjustment of water areas for fishing, while in France and Germany achievement focused on the readjustment of road systems and homestead areas and on actions to fight erosion. This

differs to an extent from the most forested countries like Finland and Sweden (Beckman, 2002). For example, in Finland land consolidation was implemented to improve the weak forest property division (Sabates-Wheeler, 2002:1007).

Apart from agro-forestry improvement, the land consolidation programme in Europe also envisaged the improvement of other related industries such the means of communication to facilitate working in neighbouring urban centres. This was done to supplement the agro-forestry sector because this sector was not sufficient to offer jobs to all rural dwellers (Van Dijk, 2003:149). In addition, ensuring an agreeable housing and living environment to all residents in the consolidated area was also incorporated in the land consolidation programme. In order to achieve this objective, the implementation process took into consideration the preservation of the diversity of the fauna and flora in the living environment, as well as the protection of natural conditions by enhancing water, air and soil conservation and the prevention of erosion and acidification (Thapa & Niroula, 2008). As in the other countries outside Europe, land consolidation in Europe had a legislative foundation. Land consolidation legislation in European countries in particular was developed while taking into account legislation dealing with related areas as well, such as environmental protection, agriculture, building and expropriation (Swinnen, 2002).

In Denmark, the initiative of land consolidation dates from the 1750s. It was part of a social reform process to free people from obligations towards noble landlords by establishing private-owned family farms (FAO, 2003). In this country, the “villagisation” or “farmers’ resettlements” approach was initiated and helped to make land available for other socio-economic projects. The effects of the projects confirmed that land consolidation was an effective instrument in rural agricultural development; it provides people with opportunities to become successful commercial farmers or to undertake other activities in non-agricultural sectors (Vitikainen, 2004:35).

In Norway, a country where land is a crucial, important and valuable resource, most agricultural land is privately owned, and individual farm holdings are relatively small. Land registration was introduced to Norway to ease land transfer and improve agricultural productivity. The country has different land resources, including 3% arable lands, 37% forests and 44% highlands, bogs, freshwater surfaces, wetlands and mountains (Sky, 2002:4). A strict land law was issued to regulate the use of transfer of land ownership outside built-up areas. The local council decides on the transfer of land larger than ½ ha. Decisions may be appealed to the County Land Board and in some cases the final decision comes from the government (Swinnen, 2002).

In Norway, the process of land consolidation is run by a permanent public institution named “The Land Consolidation Service” which falls entirely within the framework of the judicial system. This makes Norway the only country in Europe to have organised its land consolidation process within the framework of its judicial systems (Sky, 2002:2). The jurisdiction is divided into 34 land consolidation court districts and 5 land consolidation court of appeal districts. The jurisdiction includes both land consolidation planning and solving of boundary disputes. Any disputes concerning land boundaries, right of ownership, right of users, or other matters, are decided by the judgement of the land consolidation court (Sky, 2002:6).

In each particular case, the land consolidation court is made up of a land consolidation judge acting as president and two duly appointed lay judges. Decisions are reached by a vote among the judges present. The land consolidation judge must be an expert on substantive issues of land disputes and adjudicate decisions if needed. He/she must hold a degree obtained from the Agricultural University of Norway after a course covering subjects such as mapping, surveying, *cadastre*, law and land consolidation. The judge must also have practical experience as land surveyor before being appointed. The King of Norway is the one who appoints land consolidation judges (Swinnen, 1999:638).

Apart from Van Dijk (2004) who argues that land consolidation helped to solve the problem of unproductive small farm holdings and increase agricultural productivity, Sky (2002) also asserts that the land consolidation activities in Norway were successful thanks to the mediation technique used frequently to settle different cases of land disputes. Sky also found that many cases were settled through mediation rather than by verdicts. Mediation activities reduce conflicts, even in those cases where final decisions are made through verdicts. Cases that have a mediated settlement are generally less complex, less significant and have lower conflict levels than cases ending with verdicts.

The same author (2002:2) adds that the land consolidation service was so successful that Norway is presently a different country where land consolidation services are well developed thanks to its method of solving all land disputes (Sky, 2002). Thus Sky recommends that land consolidation programmes and mediation techniques should function within the judicial system of countries where there are numerous land disputes and obscure descriptions of property boundaries (Sky, 2002:8). In his arguments, Van Dijk (2007:505) supports the previous argument and suggests that Western Europe countries should share their knowledge and assist planners in Central European countries when they address land fragmentation.

From the above it is clear that land consolidation was a better approach to solve land fragmentation in Western Europe, and different researchers such as Van Dijk (2003), Vitikainen,

(2004) and Schulze (2000) suggest land consolidation to address land fragmentation in Central Europe. However, Van Dijk (2007:507) stresses that Central Europe needs its own unique approach due to very specific reasons: The first reason relates to unfavourable macro-economic conditions such as lack of investment in agriculture, low and uncertain income from agriculture due to inflation that countries went through after the collapse of socialism, as well as too many people depending on too little land while land consolidation requires high costs such as paying for the services of surveyors, contractors and notaries in the consolidation process. In Western Europe half of the costs of land consolidation were paid by the governments and half by the participating farmers. However, in Central Europe the people were not ready to contribute due to the high costs of land consolidation process.

The second reason is the phenomenon of absentee-owners and co-owners. Normally, land-owners' participation in terms of their time and money is a *sine qua non* of land consolidation projects. In Western Europe, a minimum share of the land owners supporting land consolidation was stipulated (conveyed in a percentage), and when a specified minimum was reached the project could go ahead; the remaining land owners, even if not having explicitly given their assent were then required to cooperate. Nevertheless, in Central Europe, a multitude of landowners are not actually cultivating their land due to different reasons, including other full-time commitments elsewhere, age, distance from their homes or living abroad. Other landowners moved to the cities in the hope of participating in better post-socialist economic developments than expected in rural areas; the cities emerged as the main foci of post-socialist investment and economic development. These people who migrated to the cities retain their ownership as a guarantee for being able to return one day, but also as a symbol that they continued to belong to their village community, which shaped their identities. The absentee-owners are likely to be a problem to land consolidation; they would show limited interest in reallocating their lands, their economic interests are elsewhere and they would, therefore, most likely refuse to participate.

The third reason is emotional bonds to land. In Central Europe, the bond with land is often more emotionally charged because for many people the location of their lands has a historical value, particularly when it has been cultivated by the same family for generations. Often there is also a certain status attached to owning particular lands. The location per se has more value than the productive potential, as this legacy provides a reference point and an idealistic rooting in pre-socialist society. Furthermore, some landowners trust more the confirmation of villagers that a plot belongs to them than ownership certificates issued by public administration officers. This would end up with resistance to land reallocation due to emotional bonds to land, especially those based on family tradition. In contrast, in Western Europe farmers accepted to work and

own land in a different location than before, because bonds to land seemed to be a less important issue compared to pragmatic economic advantages.

Furthermore, the arguments above supporting land consolidation made by Van Dijk (2004), Vitikainen (2004) and Schulze & Daale (2000) face criticisms that point out a number of shortcomings. Some of the criticisms go as far as saying that land consolidation have not been accepted by some landowners, others point out that the land market alone cannot guarantee a business-optimal distribution of farm sizes, that even in well-developed economies land markets are not fully transparent, and that transaction costs are high. Van Dijk (2007:506) argues that legacies of the communist system have given landownership particular values, legitimacy, personal identity and emotional bonds with the result that land consolidation is not feasible if not impossible in Europe.

With regard to land restitution and distribution in the central and eastern part of Europe, Swinnen (1999:367) argues that key factors of land reform were the history of the landownership. These factors include: the post-collectivisation ownership status, length of communist rule, the ethnicity of pre-collectivisation owners and the equality of pre-collectivisation asset distribution. The mentioned factors influence the distributional consequences of the land reform. The same author analyses also the distributional effects and political-economic implications, and observed that the potential conflicts between efficiency, social equity and historical justice, and thus the political-economic equilibrium, were the consequences of land reform.

Although the land reform programmes in some countries were supported strongly and financed sufficiently, in other countries the strategies were criticised for not producing positive changes and increasing land conflicts. For example, while the land registration programme was expected to ensure security of ownership and equitable access and ownership to landowners, the outcome has fallen short of its intended goals. It has led to unintended and harmful consequences, such as land disputes that were related to the increasing value of a “priceless asset that was opened to the commercial world in a traditional environment where price has often little to do with the value” (Anderson, 2008:16).

The land reform experiences in CEEC countries prove that land reforms always should be concomitant with compensation. The standard policy recommendation made by Swinnen (1999:354) for efficiency is to provide compensation for the losers of the reforms by transferring income from the gainers. In the CEECs, compensation played an important role in land reform processes: in Bulgaria ethnic Turks were compensated through preferential access to non-land assets, in Albania former landowners received financial compensation and in Lithuania farm

workers were compensated through regulations which introduced barriers to remove assets from the farms.

In short, the information provided in this sub-section presents the factors that contributed to the success of land reform in Western Europe. As is the case in Rwanda, the main aim of land consolidation in Western Europe was to improve agriculture productivity through readjusting unfavourable land divisions and promoting the appropriate use of the real property without changing the status of ownership. The success of land consolidation in Western Europe resulted from a number of supporting mechanisms, including incorporating the programme into the comprehensive multidimensional rural development programme that effected social, ecological and cultural aspects in a concrete way. This was done through the improvement of agro-forestry and infrastructure, the enhancement of the landscape and of the environment through nature conservation., It also entailed the creation of various recreation areas, improvement of working and production conditions and the decrease of production costs, fighting erosion and improving the means of communication to facilitate the ability to work in neighbouring urban centres.

The information provided in this sub-section is important for the present study as it provides an understanding and insight into factors of successful land consolidation in Western Europe, as well as its weaknesses and strengths. The experience of Europe will be referred to during data analysis and helps us to know why land use consolidation in the Southern Province of Rwanda varies in success and failure or what the factors are for failure and success.

3.2 Land registration and land consolidation in Oceania: Experience of Papua New Guinea

In Australasia the most documented land reforms took place among the Tolai people of Papua New Guinea (PNG) through land registration with the giving of titles to land. The country is located in Melanesia, a sub-region of the Oceania continent comprising the countries of Vanuatu, Solomon Islands, Fiji and PNG. The Tolai people live in rural East New Britain Province of PNB. They cover a territory of 1,100 square km and were approximately 200,000 people in 2007 out of more than 6 million people in PNB in 2012 (Anderson & Lee, 2010). Approximately 80% of PNB's people subsist on the produce of this land (Simo, 2010). These people are one of the largest ethnic groups in the East New Britain Province. This province indicates an extremely high population growth rate of 4.2 % a year due to immigrants from many parts of PNB seeking better access to services, a more productive environment and wage employment opportunities provided by the towns and plantations, as this region is the wealthiest of PNB (Sukot, 2010). This area was first occupied by European settlers in 1875, first by

missionaries, thereafter by traders. The Germans were the first colonial rulers there until the end of the First World War. Then the Australians ruled there until the independence of PNG in 1975 (Simo, 2010; Anderson and Lee, 2010).

In this country, the system governing land has always been “customary tenure” where the majority of land (about 97%) was owned by groups, families and communities instead of individuals. It was administered by clan leaders under customary law which is a form of a collective and inalienable title deed dominant in PNG; this is not written in a government register or database, but it is recognised by law, recorded in local knowledge and tradition (Chand & Yala, 2009). The land reform under process today is governed by two laws, namely the Land Groups Incorporation Act 2007 and the Land Registration Act 2007 that were amended on the 19th of March 2009. The two laws are seen as a breakthrough given the political sensitivities of land reform (Anderson, 2010). The same author praises the new land laws and goals as they intend to benefit all stakeholders and the country in general, through giving opportunities to landowners to develop their land and to investors to draw on an underutilised resource.

The land reform through registration in these countries came about as a result of recommendations made by international financial institutions such as the IMF and World Bank in tandem with aid agencies and large corporations such as Australian AID (AusAID) and Asian Development Bank (Bachriadi, 2009; AusAID, 2000). In 2006, for example, the AusAID’s white paper stated that land tenure reform was needed because the way land was held and used constrained the national economic growth (Chand & Yala, 2009: 446). The same white paper recommended that a collaborative and demand-driven Pacific land mobilisation programme should be launched to explore ways of overcoming the major land tenure constraints to economic growth in the region. In addition, this white paper advocated considerable financial support for the registration and leasing of customary land. It was claimed that AusAID informed the land reform programme in PNG and in the whole Melanesian region through its 2008 report entitled “Making Land Work” which outlined some principles for land tenure reform in the Pacific including “making land tenure a priority, working with and not against customary tenure and balancing interests of land owners and land users” (Anderson & Lee, 2010:3).

In addition, certain groups inside PNG also requested the abolition of the customary tenure system, according to which land should not be sold. They rather advocated for land registration and land markets for improving people’s livelihoods (Anderson, 2008). However, it was also reported that people, particularly rural dwellers and civil society organisations, were against land reform and reform of the customary land tenure system (Simo, 2010).

The main aim of land tenure reform in PNG was to make customary land more available for development by extending the benefits of registering titles to customary land, and facilitating conveyance and land transfer (Fingleton, 2004; Sukot, 2010:5). According to Anderson (2010) land registration also aims at organising the leasing of customary lands, converting all customary land into a registered title system where land can be mortgaged and sold, and mobilising land for export-oriented resource industries and cash crops such as oil palm. Further, Fairhead *et al.* (2010:18), argue that the issue of titles for land was to result in increasing investment on the newly-secured land and in return lead to more productive equipment and practices. With regard to the aims, Sukot (2010:5) reveals a number of hidden objectives or silent premises for customary land reform. The aim behind securing land tenure is that it would serve to avoid crucial issues such as carbon sequestration and mineral rights, including oil. In addition, land reform would, from a legal point of view, facilitate foreign companies and wealthy elites in PNG to access customary land by converting that land to private leases (ibid).

According to Fingleton (2004), land registration in PNG was done in two ways: group ownerships or individual land ownership. However, up to the end of the programme in 1966, most of the land (70%) was registered under group land ownerships in the Register of Communally-Owned Lands in the name of the *vunatarai* (matrilineal group) and these lands remained subject to customary tenure system. The minority registered their lands under individual landownership in the register of titles. Once written in the register of titles the customary tenure system could not be applied to this land under individual ownership. The whole process of land registration included the following: the demarcation of boundaries, the adjudication of existing land rights, the opportunity for appeal, surveys, entry of titles in the register of titles, and the keeping of the register up to date (ibid).

Since it was launched in the 1950s, people who were interested in the commercialisation of land adopted the mechanisms of land registration, acquired titles to lands and proceeded to do transactions (Anderson & Lee, 2010). The government stated that the land reform should be voluntary i.e. individual landowners or group landowners who wish to register their lands for commercial purposes should do it voluntarily. This voluntary registration was not viewed by Sukot (2010) as voluntary as such, because bank policies require formal titles for security purposes. Therefore it should be called a mandatory registration. Sukot (2010:5) also criticised the bank policies regarding the issue of “loans” and the government’s call for the application for loans and said that they seemed like a trap for landowners who could lose their land in case they fail to repay the loans. This happens because over 90 % of landowners’ businesses fail for different reasons. Consequently, the banks take over and sell the land to any person who wishes to buy it, including foreigners (ibid.).

Several researchers made observations and clarified positive and negative aspects of the land reform process in PNG and Melanesia. In this light the findings of the studies conducted by Fingleton (2004) show that the task of customary land registration is crucial and considerable but also needs substantial and sustained funds, as well as much time. Time for preparing land registration should be measured in years or decades. In addition, informed consent is critical to the success of any measure for land registration. Moreover, efficient communication between people and government officials is necessary to make people aware of the effects of registering customary land. Experiences of Tolai land registration also showed that “skilled personnel and technical resources are essential for the process to work fairly and efficiently” in order to complete all these activities successfully (Fingleton, 2004:17).

Nevertheless, several shortcomings were identified, such as inadequate funding and administration capacity that have limited the success of the land registration aspirations of the Tolai people. As a consequence, the process of land title registration has been tedious and seemingly endless. Other shortcomings include uncertainty of the legality of registering customary land, lack of registration laws at the provincial and national level, deficient previous records, lack of safe and accessible facilities to store documents of records on land held under customary system, lack of communication campaigns, and insufficient training in procedures and work practices. Furthermore, the registration of land in Tolai areas did not record subsequent dealings like transfers, transmissions on death, etc. and the consequence was that the register becomes out of date and cannot be relied on (ibid).

Criticism of the land tenure reform in PNG is directed against policy makers, the ideology behind land registration and the initiators of land reform programmes (Simo, 2010; Anderson and Lee, 2010; Porter, 2010 and Anderson, 2008). The land reform programme is criticised for not responding to the needs of communities or promoting local ownership and sustainability; instead, it is viewed as “a vision driven by ideology, Western bias and vested interest” (Anderson & Lee, 2010:4). For example, researchers such as Simo (2010:43), Anderson & Lee (2010:4) and Porter (2010) criticise policy makers for their inability to venture beyond Western development models that consider economic growth the leading model and the AusAid’s agenda to be informed by biased Western values, including individual ownership, aspiration to wealth and economic growth. With regard to economic growth, Porter (2010) names growth the “king” and GDP the “crown”. In his interpretation, GDP is made up of activities such as large mining projects and export-oriented agriculture, which leads to an increase in the national economy. The truth is that the GDP does not trickle down its benefits to the ordinary people. However, there can be a full range of implications flowing from the GDP, including a better

standing in international debt markets, and a more likely repayment of the Asian Development Bank, the World Bank and rich donor country loans.

According to Anderson & Lee (2010:4) land registration itself has many biases, including widespread fraud and maladministration that characterise its first step, and corruption in land programmes which is related to the large, cashed-up aid programmes. For example, in PNG logging companies have set up a fraudulent Incorporated Land Groups (ILGs) to confuse the process even further. The issue of corruption was also raised by Sukot (2010:5) claiming that inefficient and corrupt officials, servants, politicians and entrepreneurs who benefit from land titling are the source of all the land-related problems in the country.

Furthermore, issuing title-deeds to land as proofs of individual ownership and long-leasing land have no benefits to the majority of local people; those who benefit are rather the large corporations (not locally owned and managed) who wishes to acquire large sections of land for development (Simo, 2010:45). For example, Australian companies such as Coffey International, Hassall and Associates International (HAI) and Land Equity International (LEI) make more profit from the land reform process, whether in accessing land for the products of resource industries, or real estate markets, or access to service markets (Anderson & Lee, 2009). In addition, Australian companies are given significant project management contracts for carrying out the reform processes (Davidson, 2009). In other countries, when comparing the experiences of land registration with the titling of land, similar cases of the acquisition of large tracts of land by large corporations took place in Africa, particularly in Kenya, Madagascar and Ethiopia, where large sections of land were sold to foreign agricultural companies, thus jeopardising local food security (Simo, 2010).

Furthermore, these residential and commercial developments rarely benefit local people, preventing them from accessing their traditional lands and at times resulting in difficulties of securing and reclaiming their land once lease terms have expired. However, in its report of 2008, AusAID advocated the creation of a “middle way” that would combine customary ownership with long-term leases, and thus unlock the commercial value of land and enable the land-owners or village people to retain their titles over land but also give them the opportunities to move into the commercial world (Anderson & Lee, 2010:3).

In contrast to opportunities for community-driven change, land reform in the mentioned countries threatens to disrupt the security that the land provides to many, including the most vulnerable members of society (Simo, 2010:41). It is clear: when it comes to leasing rural land the tragedies and market failures are apparent. “There being no real market for customary land, long leases are effectively the same as dispossession. Rural rents are extremely low, as little as

one hundredth of the productive value of land, and the lease compensation provisions mean that landowners cannot afford to reclaim their land at the end of a long lease,” according to Anderson & Lee (2010:5).

Similarly, criticism of land reform extends to the initiators (i.e. financial institutions) and the aid they dispense. Porter (2010) argues that foreign aid is extremely damaging to the very communities that it is supposed to help and highlights that for many in the two countries changing the land tenure system from customary to registration is the antithesis of development. For example in PNG, despite funding or the giving of loans for projects to build small side roads off the main highway-network allowing farmers to bring their produce to markets more easily and sustain local development, donors will rather fund national highway projects that benefit large-scale agriculture and mining ventures. The same author suggests that aid and development should be guided first and foremost by the needs of communities, promoting local ownership and sustainability.

Several researchers commend the traditional value of land, the benefits of the customary tenure system as opposed to the uncertainty found in land reform with its land registration pillar as well as the notion of landownership (Anderson, 2008; Fingleton, 2004; Simo, 2010; Sukot, 2010, Fairhead *et al.*, 2010). In this regard, Sukot (2010:5) argues that there are available data showing the importance of the customary land tenure system to PNG’s economic and social development, despite being considered as impeding development by the proponents of land registration. Likewise, Anderson (2008) highlights the benefits of the customary tenure system pointing out that, even though some modernist scholars argue that a customary system is a barrier to development, it also maintains the viability of communities as well as adapts and sustains many people. The same author maintains that for a long period the customary land system made PNG the first to have equal distribution of land among people while there a serious problem of inequality in land access and ownership in other countries in Latin America or India which have many landlords. On the contrary, Anderson and Lee (2010:4) observed that the “uncertainty over land tenure is found more pervasively in the modernist registration processes than in the smaller scale land conflicts that can mostly be resolved at a local magistrate level”.

Regarding land value, the Western conception and financial principles attributing a monetary value to land do not apply because in this region land means identity, not a commodity that can be used and then dispensed with when it is no longer needed (Simo, 2010:40). The Tolai people are attached to their land and have a strong ethnic and cultural identity; most of them live in villages and farm cash crops and food gardens. Even those who work away make arrangements to return when they retire because for most “home is the village” in which they

were born (Figleton, 2004). In other words, these arguments mean that land is of crucial importance to the Tolai people's identity.

The same author argues that Melanesian people contradict the imported notion of "ownership" of land; they believe that land is held, rather than owned, by people who are entrusted by their society to be the custodians of the land in the interest of their children and future generations (Simo, 2010:40-41). In his arguments on the reasons that urged the government to go ahead with land reforms while people and civil society organisations were against customary land reforms, Simo (2010:40) identify the key reasons as the recommendations from financing institutions and the values given to land in the European sense, especially the principle of growth. On the same matter, Sukot (2010:5) argues that in terms of justifying the relevance of land registration, the government officials maintained that financial institutions could not lend money to people to be used on customary lands, even though these lands contained economic potential in case they could be developed. Only lands that were registered and titled could be granted loans as the title-deed document could be deposited to the bank as collateral and remained there until the loan was paid.

A number of critics highlight the potential resources that PNG has and its benefits if they were well used while other researchers commend the country's effective laws for reforms but criticise the implementation process. Fairhead *et al.* (2010) enumerate the potentialities that PNG's land has, including fertile soils, abundant marine life and rich mineral resources in some of the world's most bio-diverse ecosystems and unique landscapes. He argues that with these potentials, the land could develop to great national prosperity if it was well exploited to benefit the people, for instance by making its rich land resources available to the population or creating land-based industries such as agriculture and tourism. Nevertheless "this has not been PNG's experience" according to Fairhead *et al.* (2010:1). These authors criticise the land reform implementation process as the source of all the negative effects and mention that it largely failed. As proofs of failure, they argue that much land is still unused: only five percent of land is contributing to the national economic development. In addition, people were not moved from subsistence to commercial agriculture because 79 % of the total population of PNG still depend on subsistence agriculture earning less than K200 per year. Moreover, half of the rural population have little to no access to basic services (Fairhead *et al.*, 2010:1).

In short, the main aim of land tenure reform in PNG was to register the land that was held under the customary tenure system and to make it more available for development by extending the benefits of registering titles to customary land, which would then facilitate conveyance and land transfer. This method was needed under the traditional customary tenure system land could not be sold.

In light of the above it is clear that land registration in Rwanda has the same aim of land reform in PNG. The information on the experience of PNG is relevant for the present study because it enables the researcher to establish similarities and differences between Rwanda and PNG in terms of the effects of land registration and titling on the living conditions of landowners.

3.3 Experience of Latin American countries

A review of the papers of Deininger (1999), Barraclough (1999), Borras (2003) on Latin America show that land reform, particularly land redistribution for agrarian reform, social equality and land registration, presents similarities in those countries although each case/country is to some extent unique.

One of the key reasons for similar land reform in the region is that the history of the land question in the region is about inequalities in landownership between the rich and the peasant classes. In fact, the major part of land in all the Latin American countries was owned by the rich. In contrast the poor, who mostly work the land, were landless or only owned small sections of land (Deininger, 1999; Borras, 2005).

In addition, in the whole of Latin America after World War II, the main land reform actors were peasant movements as well as the then governments as most of these governments were popularly based (Deininger, 1999:19). World War II resulted in the establishment of important social movements with significant peasant support that led to revolutionary regimes. Within that social revolution mode, all the political authorities benefited from mass support and established popular-based state regimes (Barraclough, 1999; Borras, 2003). Therefore, it was possible for social movements to get positive responses for their demands after supporting vigorously the new social revolutionary regimes. Moreover, through advocacy activities, social movements were then able to convince the governments to organise land and agrarian reforms, with the purpose of reducing inequalities in land access and ownership by redistributing the land to the poor (Borras & Franco, 2009).

Countries such as Cuba, Nicaragua, Bolivia and Mexico implemented significant land reforms and in Peru and El Salvador, popular-based insurgencies advocated successfully for land reforms, which the nationalist military regimes implemented (Borras, 2003). Likewise, in certain countries with democratically elected regimes such as Puerto Rico, Guatemala, Venezuela, and Chile, government officials implemented land reforms as they were pressured by low-income rural dwellers and different allies and clients with conflicting interests in reforms who had voted for them.

The papers of Deininger (1999) and Borras (2003) present a special approach to land reform namely “negotiated land reform” in the words of Deininger (1999:19) and “market-led or market-friendly” reform by Borras (2003). As was mentioned in the previous paragraphs, any kind of land reform programme is a state project; therefore negotiated land reform was also chaired by the governments of those countries, including Bolivia and Brazil. According to Deininger (1999:19), the purpose of negotiated land reform with a market-led approach in Brazil and Bolivia was “to establish cheaper, more agile policy alternatives to centralized land reform in an environment where the issue of land reform is high up on the political agenda and potential beneficiaries have at least some ideas of what to do with the land”.

Particularly in Brazil, where a negotiated land programme took place, Deininger (1999:20) summed up a number of positive effects that it had. First of all, the land was selected by community groups on a willing-seller, willing-buyer basis, and this could enhance promptness; this is in contrast to the long process of expropriation that was used in other countries. Secondly, the landlords were paid cash instead of waiting for compensation with highly discounted government bonds. This provided a strong incentive for landowners to sell land to land reform beneficiaries. Many banks that hold titles to large tracts of land as collateral for non-performing loans would also be supportive of such a transaction. Thirdly, the role of the government was reduced to providing assurance, ensuring that there were no problems with the land titles and ensuring that the price negotiated between community groups and landlords was within acceptable boundaries. The fourth positive effect was that technical assistance was provided on a strictly demand-driven basis and beneficiaries were able to use part of the community grant made available under a World Bank loan to contract private providers. The fifth positive effect was that beneficiaries had access to a subsidised loan under a special programme (PROCERA) for land reform beneficiaries (Deininger, 1999:19).

One of the key challenges that land reform implementers and beneficiaries face is the lack of knowledge or information related to the programme. However, this was not a challenge in Brazil because the government established the Central Institute for Agrarian Studies to meet that challenge. In this regard, the institute had a mission of encouraging discussion between all sectors of civil society, academics and politicians on land reform issues. In addition, other duties included the thorough and careful monitoring and evaluation of the land reform process, and to make data collected in this process available to national and international researchers (Deininger, 1999:22).

Nevertheless, land reform, especially negotiated land reform, was not able to provide land to all the needy. In the Latin American countries more than one fifth of agricultural land was redistributed to over one tenth of the rural poor over a period of a decade or less, which means

that this land redistributed by the state was still not sufficient to include all the poor (Barracclough, 1999). Consequently, claims continued to be made, for example in Brazil where a vocal political demand for land reform increased and the number of families who were potential candidates for land reform was estimated to be 2.5 million (Deininger, 1999:19).

In a few words, land reform in Latin America was done through redistribution of agricultural land, and the reason for doing it was to address the issue of inequalities in landownership between the rich and the peasant classes and in this manner create more social equality. In all Latin American countries land was owned by the rich; the poor, who mostly work the land, were landless or owned small tracts of lands. Social movements played a central role to make land reform possible because they supported vigorously the new social revolutionary regimes and put pressure on governments for establishing a pro-poor land reform policy, and subsequently the market-led approach of land reform through willing-seller, willing-buyer was not adopted.

The information contained in this sub-section presents an understanding of the characteristics of the experience of land reform in Latin America and it will be used to point out lessons for Rwanda gleaned from the experience of inhabitants in Latin American countries.

3.4 Land reform experiences in Sub-Saharan Africa

The findings of the following researchers are relevant to the topic in this sub-section: Adams, (1995), Deininger and Binswanger (1999), Adams (2000), Walker (2002), Musahara and Huggins (2004), (Kariuki, 2004), Quan (2000), Cotula, (2007), Huggins, Nyukuri & Wakhungu (2008), Medard (2010), Anderson (2010), Adams & Palmer (2007), Obeng-Odoom, (2011), Alden (2012) and Makana (2012). Their research analytically inform and sum up the history of the land question in sub-Saharan Africa, as well as describe the process, positive effects and shortcomings of land reforms that were implemented in the region.

The history of the land question in sub-Saharan Africa is rooted in colonialism which is the source of most of the land-related issues in this region. These include the following: land disputes over land scarcity and poor agricultural productivity, conflicts/war around territorial or national boundaries, inequalities in land access, ownership and control among social categories and the exclusion of family members, particularly female children, from land access and ownership. These issues can be linked to the legacy of colonialism that brought about changes in the political, social and economic fields (Cotula, 2007:5).

Cherryl Walker who conducted a study on Land Reform in southern and eastern Africa argues on this matter that as a consequence of colonialism:

“Previously small-scale, pre-capitalist farming communities and polities were drawn into new, capitalist relations of production, on terms that were heavily skewed in favour of the metropolitan powers and European settlers, with hugely disruptive impacts on pre-existing social organisation. Marriage, family, land, wealth, tradition even where the outer form of these institutions and categories appeared to display remarkable continuity with the pre-colonial era over time, the old underpinnings were fundamentally reshaped, even removed” (Walker, 2002:6).

In fact, the colonial rule introduced the written law to govern land in indigenous societies which resulted in the development of dual legal and administrative systems: the customary law governing indigenous lands and the written law governing lands owned by colonial powers. Thus, the legal systems of the colonising powers became the basic law of the land, supplanting indigenous principles and systems. In countries like Kenya, Tanzania and Uganda, the prevailing law is English, the Mozambican law is based on Portuguese law while in South Africa, Zimbabwe, Botswana, Lesotho, and Swaziland the prevailing law is Roman-Dutch, derived via South Africa. In the same context, aspects of customary law remained in those countries under occupation like reserves or protectorates (Toulmin & Quan, 2000:33).

In addition, different authors such as Anderson (2010:12) and Walker (2002:16) argue that the written law helped European colonists to own land in countries such as Kenya, Uganda, Zimbabwe and South Africa through land registration in order to access indigenous lands and secure their land rights. In these countries and to varying degrees, the land occupied/dispossessed represented a major facet of colonial injustices and brought racial inequalities to the above countries, in addition to the existing inequalities based on gender and socio-economic aspects. This came about when the colonists and the rich accumulated large areas of land to the disadvantage of the poor rural indigenous groups (ACTSA, 2010:2; Makana, 2012; Shilongonyane, 2005; Ntsebeza, 2005).

Moreover, colonial rule brought changes in land management, which turned land into a commodity in the form of private property while it was not like that before (Peters, 2009; Place 2009). This gave land a different meaning from what it was in the past, when access to land was the basis of life and land was used for agro-pastoral reasons, access to water, gathering medicinal herbs, hunting, et cetera. The commodification of land associated it with wealth, henceforth it became a source of intra- and inter-familial conflicts and deepened the poverty of rural farmers: much land went into the hands of the capitalists leaving some rural dwellers landless or with unproductive land while land became a source of capital (Walker, 2002:36).

In identifying the causes of poverty in developing countries, including sub-Saharan African countries, Barraclough (1999) declares that one of the main causes of poverty was that before and during the 20th century, the agriculture sector, which is the mainstay of the rural population

in these countries, has undergone continuing changes before and during the 20th century. These changes related to land alienation and commercialisation, agricultural modernisation, as well as the imbalances between increasing rural population growth and available land. On the same matter, Polanyi (2001) argues that in the 20th century, due to commercial agriculture, land and labour were turned into fictitious commodities. For this reason all the rural dwellers in developing countries were incorporated in one way or another into the global network of national or world markets as “water, land and labour had to be employed rationally in order to bring profit to the private proprietors while they were freely exploited by rural residents in the past” (Barracrough, 1999:36).

Furthermore, the massive importation of agricultural inputs and equipment manufactured in industrialised countries and the huge consumption of goods and services replacing or supplementing the traditional local foods or artisanal products were another cause of poverty and miserable livelihoods in developing countries as mentioned by Anderson (2010:12). This resulted in increasing dependence on industrialised countries, especially the developed countries and rural dwellers became more drawn into poor socio-economic living conditions as Barracrough (1999:12) stated:

“... rural wages deteriorated while rents and other financial obligations of the rural poor become impossible to meet, landlords expel their tenants and workers, and many small holders lose their lands”.

Poverty reduction has been some of the main reasons that urged governments of developing countries, including sub-Saharan Africa, to adopt land reform programmes with the aim of reducing inequality between people in terms of landownership and control (Adams & Howell, 2001; Walker, 2002).

3.4.1 Objectives of land policy reforms in sub-Saharan Africa

The land reform objectives in sub-Saharan Africa include “economic objectives” as they were focussed on by Quan (2000) and Adams (2000) as well as the “political and social objectives” as identified by Walker (2002). Most of land policy makers in the majority of sub-Saharan African countries founded their policies on those objectives.

However, many proponents of land reform such as the World Bank and IMF, focused on economic arguments. Debates on the relevance of land reform highlighted its economic importance which resulted in the emergence of two opposing policy camps both based on the premise of economic importance. The first group viewed land reform as necessary strategy to enhance agricultural productivity which would serve as a basis for economic growth. Based on this argument, policy makers developed land tenure security as a key to open up economic

potential through promoting smallholder farming, issuing titles to lands and registration, privatising land, promoting markets and market crops, and the development of large commercial estates whether in private or state ownership (Walker, 2002:37).

The second group comprises authors who view land with its crucial role in supporting what are commonly termed as the multiple livelihood strategies of the poor such as subsistence farming, the harvesting of common property resources, and various combinations of farm and non-farm income generating activities (ibid). These arguments for land reform lead to the development of policies intended to address landlessness and land hunger. This should be done through promoting tenure security, emphasising the value of communal natural resources and advocating the retention or reform of customary systems of tenure as well as conflict management. In this way broad-based access to land and its many use-values are maintained.

In 1975, the World Bank published its Land Reform Policy Paper that recommended formal titling, individual rather than communal tenure, the promotion of land markets and the importance of land redistribution (Deininger, 1999:15; Sikor & Muller, 2009:1308). Later on the review of the link between land tenure systems and agricultural productivity in the early 1990s revealed that there was no correlation between secure individual tenure through titling and greater investment in the land. Then the bank adopted a more flexible approach recognising that property rights should not be necessarily individualised and that security can be provided within a customary tenure system (Toulmin & Quan, 2000:38).

3.4.2 Types or approaches to land reform in sub-Saharan Africa

Currently questions of land rights have become central aspects of policy and decision-making on development, poverty reduction and peace building in Africa (Anseeuw & Alden, 2010). Land policies adopted in this regard mostly include land redistribution, land registration and land consolidation (Fingleton, 2004; Barraclough, 1999). On the one hand, land redistribution aims to provide land to the poor landless and to ensure equitable land access and profit as well as land registration with the aim of guaranteeing land tenure security to landowners. On the other hand land consolidation is used to improve agricultural productivity and land structure by addressing land fragmentation, mostly by putting together small farm-holdings which are unproductive with the purpose of having farms with fewer plots that are larger and better shaped (Huggins, Nyukuri & Wakhungu, 2008).

Walker (2002:35-36) enumerates several types of reforms that took place or are still under implementation in sub-Saharan Africa, including:

- **Land nationalisation:** after independence, this consisted of vesting land rights in the state, to assert the power of the state over traditional chiefs and promote its particular development agenda (this happened in all sub-Saharan countries).
- **Tenure reform through registration and titling:** mainly in Kenya but practised in all countries at different levels to promote farm investment and land markets as a basis for agricultural development and growth.
- **Land redistribution and resettlement:** especially in Zimbabwe and South Africa in order to replace the former inequitable and dualistic systems of land tenure that were predominant in those countries generating racial imbalances.
- **Agrarian collectivisation:** approach similar to land consolidation initiated in Mozambique after independence where state farms and producer cooperatives were encouraged (even though this approach was discredited and replaced by various privatisation initiatives later). It was also done in Ethiopia, Kenya and Tanzania.
- **The reaffirmation and recognition of customary rights in land:** the trend that started in Uganda and expanded to the whole region of Eastern Africa.

Considering the history of the land question and the process of implementing land reform, including specifically land registration and land consolidation in sub-Saharan Africa, countries should be divided into categories:

- **Countries of East Africa:** underwent land reform through tenure reform with land registration as well as land consolidation to improve agricultural productivity. These countries include Kenya, Tanzania, Uganda and Ethiopia.
- **Countries of Southern Africa:** suffered from land alienation under colonialism and which organised land reforms through land redistribution, restitution and tenure reform with registration to handle the issue of racial imbalances. Those countries include South Africa, Zimbabwe and Namibia.

According to Walker (2002:11), landownership and tenure systems that are in operation across the region can be divided into three broad categories including the historically state-owned land, currently either held by the state on behalf of occupiers or by people themselves under various adaptations of customary tenure; the privately-owned land; and the state-owned land reserved for various public purposes.

3.4.3 Key implications of land reform in sub-Saharan Africa

With reference to the meanings given to land and land reform in the previous sections, land reform implies acquiring official land rights justified by land title-deeds as proof of ownership and the right to use land (Adams, 1995; Walker, 2002; Palmer, 2000). The following sub-sections review literature on the implications of land reform in sub-Saharan Africa.

3.4.3.1 Restitution and redistribution of land to benefit the poor

The distribution of land is a major tenure concern in Africa. According to Place (2009:1329), in countries which did not experience foreign settlement (Rwanda, Burundi, Uganda, Tanzania, etc.) the distribution of land was fairly equal as there were limits to the amount of land that a family could cultivate. When commercial land opportunities emerged, people attempted to increase their landholdings, hire labour and generate surplus (Mackenzie, 1993; Guichaoua, 1995; Cotula, 2007; Makana, 2012). Significant differences were observed in national household surveys in Zambia, Kenya and Ethiopia with Gini coefficients on land holdings between 0.5 and 0.6. In Rwanda and Ghana, there is a considerable degree of land inequality with Gini coefficients ranging between 0.4 and 0.5 (Place, 2009:1329). The Gini coefficient measures the deviation of distribution of income among individuals or households within a country from a perfectly equal distribution. A value of 0 explains absolute equality while a value of 100 represents absolute inequality (World Bank, 2013). With regard to the above figures on Gini coefficients on land holdings, the levels of inequality in land distribution among households in East African countries and Ghana in West Africa are almost similar. Overall the problem of inequality in land access and ownership is considerable in the countries mentioned above.

Countries affected by foreign settlement are situated in Southern Africa and in East Africa, particularly Kenya. According to Place (2009:1328), the current land reform programmes of restitution and redistribution concern mostly the Southern African countries where colonialists had settled to farm: mostly in South Africa, Namibia, Zimbabwe, Zambia, Malawi and Kenya. The unequal land distribution among people is one of the historical legacies of totalitarian states that countries of Southern Africa share with those of the east African region (Hall, 2011; Adams & Palmer, 2007). For Deininger (1999:22), in Namibia and Zimbabwe, inequalities in land control were exacerbated by policies of the colonists since 1912 and in South Africa specifically with the start of the apartheid regime in 1948, which neglected the land rights of the Non-white population

During the colonial period large sections of land was accumulated by Whites in Zimbabwe and South Africa where land has become one of the burning political issues since the last decade.

Statistics summed up by Walker (2002:13) indicate the concentration of 78% of privately-owned commercial agricultural land in the hands of Whites in Zimbabwe, 98% in South Africa and 85% in Namibia. On the same matter, Masoka (2004:26) maintains that 13% of the land was owned by Black farmers while White people owned 80 % of the land at the eve of apartheid. Below is the Table showing the distribution of land and population in the three countries: Namibia, Zimbabwe, and South Africa.

Table 3-1: Approximate distribution of land and population in Namibia, South Africa and Zimbabwe

	Total area (hectares)	Private commercial farmland		Historic reserves (state-owned, in trust for people)			Other state and urban land
		% of total area of country	% under Black ownership	% total area country	% total population	Male/female ration	% of total area of country
Namibia	82 000 000	39% (32 M ha)	15%	43%	51%		18%
South Africa	121 909 000	67,5% (82209571 ha)	2% estimate	14%	30%	45/55	18,5%
Zimbabwe	39 058 000	30-32%	22% Includes small-scale	42%	88%		26-28% Includes 9% resettlement

Source: Walker (2002:14).

Table 3-1 above indicates the considerable inequalities in landownership and control between the White people and Black people in southern Africa. This is the reason why land redistribution programmes are more understood and thought of in terms of race, equity and redress in these countries (Walker, 2002:15).

The history of the land question, particularly in South Africa, shows that segregationist policies and laws institutionalised segregation in land access, ownership and control because they were based on mechanisms set up by totalitarian leaders prohibiting land rights for the Non-white people and concentrating large areas of lands in the hands of White people. Some of those regulations were enumerated in the papers of Deininger (1999:22) and Obeng-Odoom (2011:161), namely the Native Lands Act No.27 of 1913, the Trust and Land Act No.18 of 1936, subsequent policies of “black spot removal” and labour laws and were viewed as spreading the seeds of discrimination. The two authors argue that those acts and laws had negative effects on land distribution among the population. Obeng-Odoom (2011:161) says that 87% of land went

mostly into the hands of Whites, but also of Coloureds and Indians while Black South Africans remained with 13% of the land.

According to Deininger (1999:22), the Native Lands Act of 1913 prohibited the establishment of new farming operations, sharecropping or cash rentals by Blacks outside of the reserves which made up only 7.7% of the country's area. In addition, inside the reserves, the same author mentioned an artificial form of 'traditional' tenure with maximum holding sizes and restrictions on land transactions that were imposed by the colonial administration. Obeng-Odoom (2011:161) adds that inside the reserves, Black people were not allowed to occupy land without permits obtained from the South African Development Trust.

Later on, subsequent policies of "black spot removal" transferred the majority of Black farmers who had legitimately owned land outside the reserves into the homelands where tenure restrictions, high population density and lack of capital and market access made commercial agriculture virtually impossible. Moreover, labour laws discriminated against Blacks in favour of White workers and generous capital subsidies contributed to successive evictions of large parts of the Black population from White farms where they had been employed as labour tenants and farm workers (Deininger, 1999:23).

The Apartheid regime that started in 1948 also dispossessed some Black people of their lands and related rights and up to the eve of the coming to power of the ANC after the election of 1994, there was an extremely unequal land distribution between White and Non-white people: average amount held per person was 1.3 hectares by Blacks while for the Whites the average was 1,570 hectares per person) (Deininger, 1999:23; Kloppers, 2012).

The post-apartheid government adopted a land reform programme in 1994 and the same programme was consolidated in the South African Constitution of 1996. The aims of land reform include redressing the inefficiencies of the apartheid system and restoring land rights to people who were dispossessed of property since 19 June 1913 as a result of past discriminatory laws or practices (Obeng-Odoom, 2011:162). The three pillars of the land reform policy include land restitution, land redistribution and land tenure reform.

The goal of the restitution programme is about restoring land rights to persons or communities who were dispossessed of property before 1948, and after 1948, by the Apartheid regime. The legal processes have been put in place to compensate those who lost land since 1913. However, the inability of the vast majority of the population to furnish written evidence makes this option feasible for only a few people (Deininger, 1999:23).

Regarding the redistribution programme, it aimed to redistribute White-owned commercially productive agricultural land to historically disadvantaged Black South Africans with the aim of addressing the unequal distribution of land in South Africa and to ensure tenure security to people who were in need of it (Kloppers, 2012). In addition, the redistribution programme targeted both low income and high income Black people with the aim of redressing historical racial imbalances and strengthening commercial agriculture (Walker, 2002:35).

Numerous researchers criticised land redistribution and restitution programmes due to complicated implementation processes, contradictory results and lack of correlation between agrarian restructurings and sustainable rural development (ACTSA, 2010:2). Others mention that it failed to protect the poor from land grabbing by the political elite class and wealthier members of society at the expense of the intended beneficiaries/poor while at the beginning it intended to be pro-poor. Such criticism has been made with regard to Kenya by Kariuki (2004), Huggins, Nyukuri and Wakhungu (2008), Medard (2010), Mackenzie (1998) and Kanyinga (1998); to Zimbabwe by Whitehead (2001) and ICG (2004); to Botswana by White (2000); to Namibia by Quan (2000); to Mozambique by Suca (2001); and to South Africa by Palmer (2000), Shilongonyane (2005), Ntsebeza and Hall (2007) and Walker (2009).

With regard to the case of South Africa, ACTSA (2010:2) observed that the programme of land redistribution failed to protect the poor through a more efficient and equitable distribution of land with the associated political and economic power flowing from it. On this subject, the article of Walker (2002) reveals a special approach in this country where land redistribution went beyond being pro-poor and targeted both low income and high income Black people with the aim of redressing historical entrenched racial imbalances and strengthening commercial agriculture. Walker (2002) criticised the South African government of abandoning its pro-poor approach while the government denies this.

Furthermore, a study conducted by Kloppers (2012) reveals that the land restitution programmes are run at a slow pace. The paper of Lahiff and Cousins (2005) referring to assessed results argue that the process was much slower than it was projected. The target was to redistribute 30% of White-owned commercial agricultural land by 2014 to Black South Africans and settling all claims for redistribution. However, only 3% of targeted land was redistributed in 2004 and to date, more than six years after the initial target, all land claims have still not been settled and less than 10% of the redistribution target has been achieved (Kloppers, 2012:2; ACTSA, 2010:2).

In addition, even the land that was given to Blacks in the redistribution programme is not used productively (more than 90% of the land) which has a negative effect on Blacks who benefited

from land restitution and redistribution as they may suffer from food insecurity, unemployment and become more drawn into poverty. The situation should worsen in future and can potentially become a crisis as recently (2015) some politicians such as the former controversial president of the ANC Youth League, Julius Malema, incited landless South Africans to illegally occupy land of White farmers in these words: “If they don’t want to give the land over to us, we must take it without their permission” (SAPA, 2011 cited in Kloppers, 2012:17). This shows that land continues to be at the heart of the political struggle as it was during colonial times. The same author argues that the low performances of South African land reform would undermine the future of the agriculture sector while this sector plays a vital role in the South African economy.

The above-mentioned negative effects of land redistribution and restitution in Zimbabwe and South Africa are viewed as resulting from the willing-buyer willing-seller approach of a market-led or market-friendly land reform policy adopted by those countries. This is reiterated by Peters (2009:1319) who claims that in South Africa the market-friendly approach did not lead to successful results. In Zimbabwe the willing-buyer willing-seller principle was abandoned long ago.

Obeng-Odoom (2011:162) argues that at the beginning the main aim of land reform in South Africa was to correct the inequalities brought about by the Apartheid regime by stressing the “values” of land redistribution and restitution; however, by contrast those values were changed to become market-driven or values of negotiated land reform. As justifying argument, Deininger (1999:19) adds that negotiated land reform was adopted in the context of the national reconstruction programme with the aim of enhancing productive small-scale agriculture, which was eradicated almost a century ago. In the same context, Obeng-Odoom (2011:162) points out that strengthening the values of redistribution and restitution would not lead to efficient land management.

Nevertheless, Robin Palmer criticises the willing-buyer willing-seller approach because it legalised a century and more of White “land-grabbing” in Zimbabwe, Namibia and South Africa in the course of which millions of people were uprooted from their ancestral lands, without compensation (Palmer, 2003). In addition, the willing-buyer willing-seller programme is criticised because it gives opportunities to some Whites to buy legally land from landowners. Some Black people who received land sell it to White farmers and land is returned into the hands of Whites, this time legally. It was reported in 2011 that of the almost 6 million hectares bought by the government to be redistributed through the land reform programme an estimated 2 million hectares (or 30%) have been sold back to the previous White owners, largely as a result of lack of support from government (AFP, 2011 cited in Kloppers, 2012:17). In effect, these people failed to use the land productively due to a lack of financial and training support.

Land reform in South Africa involves only redistribution and restitution but does not support individual households' livelihood activities on the land. The fact is that people not only need land, but also technical and financial support in order to manage land legally and sustainably and make it productive. On the contrary, the programme has resulted in the establishment of numerous unsustainable, poorly managed projects (Kloppers, 2012:19).

In order to make land redistribution and restitution more effective in South Africa, Deininger (1999) and ACTSA (2012) suggest certain mechanisms to adopt as soon as possible and warn if they are not implemented the resettled people would remain vulnerable to further economic exploitation through the globalised economy while others might become landless through emerging competition for land, thereby leaving a significant section of rural society, and increasingly urban society as well, in chronic poverty. According to Deininger (1999:19) much greater effort needs to be put into establishing decentralised infrastructure necessary for the implementation of land reform, providing services such as marketing and technical assistance and increasing beneficiaries' agricultural and entrepreneurial capacity. On the same matter, ACTSA (2012:2) enumerates a number of other items, including infrastructure in water, power and roads, credit, extension support and marketing needs, and highlights that this would broaden access to land, and establish new political rights over land.

3.4.3.2 Land registration, land titling and guarantee of security over land

The concept of tenure security has been widely used in many sub-Saharan countries since the end of the last century. According to Place (2009:1327), land tenure security refers to the bundle of land rights held by an individual or entity, including access to land, ownership, control and use. The same author argues that dispute over losing land rights, or risk of expropriation of land should lead to tenure insecurity.

According to Place (2009:1329), the chief mode of acquiring land is by inheritance and the customary land tenure system is dominant in all parts of Africa. Apart from inheritance, which is accompanied by strong long-lasting private rights, other modes of acquiring land include purchase and receiving it as a gift in all the parts of Africa (Alden, 2012)

In most sub-Saharan African countries, both the customary land tenure and the statutory land tenure exist (Alden, 2012). Customary land tenure is more dominant, even though it does not provide land titles as proof of ownership and tenure security. The customary tenure system mostly governs land in rural areas while the statutory tenure system is dominant in the cities (Cotula, 2007 & 2010). As most African countries are rural, the customary tenure also becomes more dominant because a lot of land is held customarily (Obeng-Odoom, 2011:162). However,

there are some cases like in Kampala, the capital city of Uganda, where a combination of customary tenure and statutory systems coexist with a great deal of land being customarily held. For example, in Kampala city, customary tenure governs the customary land (*mailo*) which is about 52% of the city land. The remaining land, such as state land, individual land and public institutions, is governed by the statutory tenure system (Giddings, 2009).

The experiences of land reform in sub-Saharan Africa consisted of changing the customary land system to a statutory land system by registering and titling land to secure land tenure (Hendricks, 2001, Alden, 2012; Peters, 2013). The most documented programmes of land registration mainly took place in the eastern part of Africa including countries situated in the horn of Africa: Kenya, Ethiopia, Tanzania, Mozambique, Uganda and currently in Rwanda (Daley, 2005; Adams and Palmer, 2007, Cotula, 2007; Alden, 2012).

The origin of massive land registration activities in these countries can be traced back to the recommendations of the United Nations in the 1970s. During the post-World War II period, the United Nations sought to reduce poverty and promote development in developing countries by improving agricultural productivity through land reform. In this regard, land tenure reforms have been a focus for different organisations to promote land value and improve economic development. These organisations include the Commission for Africa (2005), NEPADs Comprehensive African Agricultural Development Programme (CAADP) (2003) and the UN Millennium Project (2005). In addition, land reform through land registration has been a key subject of policies in the Poverty Reduction Strategy Papers developed by different African countries.

Prior to the mentioned period most sub-Saharan African countries did not have a strong legal basis for enhancing land productivity. Peters (2009:1318) argues that the main reason behind the current land reform is to change customary tenure to statutory tenure because the first did not enhance land productivity. In addition, the findings of the study conducted by Bruck and Shindler (2009:1379) on the subject of land access and ownership in the northern part of Mozambique revealed that after civil war (in 1992), the country experienced a weak legal framework of land tenure and for that a land reform programme was undertaken in the same period. In Ethiopia, Bruce and Knox (2009:1365) also identified problems of poor land tenure regulations.

Cotula, Toulmin and Hesse (2004) and Deininger and Binswanger (1999) highlight the official landownership processes by British colonists in Kenya. When the black Africans organised a rebellion against colonists who had acquired large tracts of lands, the colonists developed what they called the “Swynnerton Plan” in the 1950s that enabled a few Black Africans to register

their lands and get security of landownership (Cotula, 2011). This helped them to benefit from agriculture credit and to have freedom of transaction and access to export crop markets (Deininger and Binswanger, 1999). The creation of a small class of Africans holding titles to land was also a way “to create a class of African freeholders, who would have a stake in the regime” (Anderson, 2010:13). The “Swynnerton Plan” did not only aim to promote the institution of freehold tenure but also and mainly to push Africans to farm high-valued cash crops like coffee and tea (Kariuki, 2004). The successful land registration programme made Kenya a good example so that many countries came to learn lessons from Kenya.

However, apart from a number of positive effects as indicated above, the land registration in Kenya during the colonial and post-colonial period was followed by a number of disadvantages, including the creation of economic disparities, generation of disequilibrium in social institutions, failure to improve agriculture productivity, and a new form of stratification and status differentials among the small farming sector (Anderson, 2010:13). There was no significant correlation between registered land titles and rural credit. In addition, there were negative repercussions for vulnerable groups and generally land registration reinforced class and wealth differentiation (Cotula, Toulmin and Hesse, 2004:3-4).

In Uganda, the land tenure system has undergone reforms over time, from before colonisation up to the present. This is due to political and administrative instability that lead to changes in leadership of the country up to the current regime of President Museveni (Mugambwa, 2007).

Since the launch of land reform programmes, the above-mentioned countries adopted changes in land tenure to accommodate strong legal bases, even though the customary land tenure system remains dominant in most of those countries. Since land reform programmes started in different countries, a large body of recent studies were conducted to assess the implementation of land reforms in sub-Saharan Africa, including the studies conducted by Cross & Hornby (2002) Deininger & Feder (2009), Jane, Mather & Mghenyi, (2006), Mugambwa (2007), Toulmin & Quan (2000), Bruck & Shindler (2009), Bruce & Knox (2009), Cotula (2013), and Obeng-Odoom (2011).

In this regard, in Ethiopia customary land rights have been abolished though land use rights are inheritable and can in general be leased but not sold or mortgaged (Bruce and Knox, 2009:1365). Kenya adopted a land registration programme with the issuing of titles to land to enhance development among landowners. However, currently (2015) most of the land in Kenya is owned under customary tenure, allowing land to be bequeathed to children as inheritance. This is due to the fact that communities in Kenya ignored the state-led land titling programmes that did not fit their needs (Bruck and Schindler, 2009:1367). As a consequence, problems of

poor agricultural productivity resulting from land fragmentation still exist and constitute a barrier to agricultural development.

Mugambwa (2007), Brux and Knox (2009) and Obeng-Odoom (2011:162) narrate at length the experience of land registration and tenure reforms that the Republic of Uganda went through since the pre-colonial period up to today. Mugambwa (2007) who did a comparative study of the land tenure law between Uganda and Papua New Guinea is helpful in understanding the land reform process in Uganda. According to the author, in the pre-colonial Uganda land was governed by the customary land tenure system and owned through communal land ownership. During the British colonial administration, the land tenure stem changed to an individual land tenure system because the British colonialists deemed the former system “to impede individual enterprise and economic development” (Obeng-Odoom, 2011:162).

After independence the government officials changed the individual land tenure system back to a customary system and strengthened it with a legal basis. The customary land tenure system was more preferable than the previous for various reasons: it was more African as it did not contribute economically to individuals or business enterprises but it contributed economically to collective owners. Although the customary tenure system was more supportive of collective landownership, it could not refuse individuals to own land. Furthermore, the socialist trend that swept through many countries after World War II reached Uganda and the government officials adopted it; maintaining an individual land tenure system was, therefore, a challenge to the principles of socialism in regard to landownership and use (Mugambwa, 2007).

Nevertheless, the coming to power of the dictator Idi Amin was followed by changes in the land tenure system. All forms of communal ownership were abolished and land was vested in the state and all landowners who held land under the customary tenure system had to apply to the state for leases (Mugambwa, 2007). After President Yoweri Kaguta Museveni came to power, the socio-political structures of the country became more stable. The new government made changes in the land tenure system and the 1995 Constitution recognised individual or communal land tenure, as well as leaseholds and *mailo* (quasi freeholds) (Bruce & Knox, 2009:1364). In Uganda most land (over 75%) is held under customary tenure without any title, but the Constitution recognises this system. In fact, the only land covered by formal documentation is found in urban areas and in the Kingdom of Buganda (Mugambwa, 2007).

In order to implement the land reform policies of international financial institutions including the World Bank and IMF, the Uganda Constitutional Commission recommended phasing out the customary tenure system since it impedes economic development and agricultural modernisation (Obeng-Odoom, 2011:162). In this regard, the recent land reforms started in

1988 with a legal basis after the passing of the Land Act of 1998 stating that customary land should be converted to statutory land through a land registration and titling process. According to Bruce and Knox (2009:1364), both the 1998 and the 1995 Constitution recognises all the forms of land tenure, including public land ownership and private land ownership (freehold and *mailo*) as well as customary ownership.

The case of Uganda differs from that of Ethiopia, where customary land rights have been abolished. Land use rights are inheritable and can in general be leased but not sold or mortgaged (Bruce & Knox, 2009:1364). With regard to land tenure security, Obeng Odoom (2011:162) argues that there is no problem of insecure land rights such as in other countries; rather, the majority of Ugandan people who own land customarily want to acquire land titles. The observation made by Obeng-Odoom endorse the findings of Deininger and Castagnini (2006) in Uganda that showed that the reason that influenced many people to seek titles over land is not to get secure land rights but to make land transfer easy so as to obtain credits from banks and make land more productive and valuable.

In Mozambique land access and ownership is a sensitive issue due to conflict and unequal smallholder land access. The country is very poor and it tries to move towards a market-oriented economy (Bruck & Shindler, 2009:1379). The findings by Bruck and Shindler (2009) in Mozambique revealed that the post-civil-war period has been marked by the move towards a market-oriented economy despite of poverty related to a high degree of unequal smallholder land access in the post-war northern part of the country.

In addition, different factors restrict smallholders from establishing comparable farm sizes. Some of those factors include household composition, the war-time destruction of assets and households' social standing within the community. These factors had a large impact on land access, with female-headed households being extremely constrained in their access to land. The findings of the same study revealed that high land endowments in aggregate do not equalise land access at the household level, which thus requires rural development and social protection policies for some groups of small holders.

Place (2009:1319) reviewed the nature and tenancies in Africa and found that due to inequalities in landownership, poor landowners use rentals and tenancies to acquire more land and reduce inequalities, although the size of leased land is often small. For example, renting is commonly used by between 25% and 50% of households in different countries of Africa including Kenya, Benin, Burundi, Rwanda, Uganda, Malawi and Ethiopia (ibid).

In post-colonial Tanzania, land reform took place under a radical villagisation programme that was introduced in 1967 by President Mwalimu Julius Nyerere (Daley, 2005; Jane, Mather & Mghenyi, 2006; Ntirenganya, 2012). This programme substantially reordered settlement patterns and social relations around land (Walker, 2002:7).

With regard to the case of South Africa, both private and customary land ownerships are recognised and protected (Bruce & Knox, 2009:1366). However, the land tenure reform has not been effective as promised; instead, land tenure remains insecure and land-based inequality is prevalent. Those who own land experience a lack of security in fear that landless people would forcibly occupy or invade their lands (Shilongonyane, 2005, Cotula, 2011).

Nevertheless, since land reform has been implemented in Africa, research findings have revealed its negative effects, including intensification of competition and conflict over land, new types of transfer contracts, as well as insecurity of land tenure. On this subject, Peters (2009:1320) argue that land access has become increasingly restricted. This situation amplifies insecure land rights, deepens rifts between and within kin-based, ethnic and regional groups, and makes expropriation of land by local and non-local agents more common (Deininger, 2011).

According to Place (2009:1319), since land reforms through land registration have taken place in Africa, land sales have also occurred up to the present, even though such sales are not often formally recorded, and are in some cases illegal. The same author argues that the purchases of land are important means of land acquisition in some areas of increased land pressure, arising from both population growth and commercial opportunities in Rwanda and in southwest Uganda. On the same subject, Catherine & Platteau (1997) observed that the concern about land sales in Rwanda is that such purchases impact on equity in land holdings since they are made by land-poor households under distress. However, land purchasing does not worsen land distributions in the highlands of Kenya, Tanzania and Uganda (Daley, 2005; Place, 2009:1328; Makana, 2012).

The intensification of production, increasing reliance on the market for inputs, state demarcation of forests and other reserves or conservation areas, as well as population growth, intensified competition over land and the latter caused different forms of tenure insecurity (Peters, 2009:1320).

On the same subject, Place (2009:1328) observes that insecurity arose from the state or actions by the state. For example, in Ethiopia policies of state ownership and redistribution of land engendered considerable insecurity among smallholder farmers and the move from customary

to formal tenure systems resulted in conflicts between people enjoying traditional rights and those claiming newly-created legal rights (Deininger, 2003).

It seems that land reform has been a source of processes leading to exclusion, deepening social divisions and class formation, as well as conflicts (Peters, 2009:1320). For Place (2009:1329) land tenure reform also has been a source of land conflict and tenure insecurity. This was the situation when profitable investments arose, when land rights to successors were not clarified prior to the death of a landholder, or when tenants might attempt to increase their claims to land.

In this context, land disputes were found common in different countries at different degrees of frequency. For example, in Uganda, Zambia and Burundi the percentage of households that have experienced land disputes were 21% in Zambia and 43% in Burundi where approximately 20% of Burundian households reported that they had lost land in disputes (Guichaoua, 1995; Place, 2009:1329, Cotula, 2010). Deininger and Castagnini (2006) found that in Uganda the level of land disputes was high and almost all of the 1 000 surveyed households in six districts of Uganda expressed a desire to acquire titles to their lands and would be willing to pay a modest amount for it. In Uganda, nearly 33% of households reported to have lost land through land disputes. Between 25% and 30% of agricultural plots in Uganda and Kenya were involved in land disputes, whereas in Rwanda and Ghana the figure was less than 10% of agricultural plots. (Place, 2009:1329). Disputes tended to be related to family members during the processes of inheritance, especially in Burkina-Faso and Ethiopia (Cotula, 2007; Bruce, 2011).

To sum up, land registration has been adopted before independence in most of the sub-Saharan countries in East and Southern Africa with the aim of giving land to colonialists. In the post-independent period, land registration was carried out under land reforms that were organised by independent states with the aim of ensuring security of tenure and giving land to the landless. However, land tenure reform also has been a source of land conflict and tenure insecurity, specifically during the processes of inheritance and whenever profitable investments arose.

3.4.3.3 Land consolidation to boost agricultural productivity

Land consolidation took place in Tanzania, Kenya and Ethiopia (Cotula, 2007; Toulmin & Quan, 2000), but this sub-section will focus on Kenya. Land consolidation was carried out in 1956 in Kenya with the aim of solving the problems of land fragmentation and increasing agricultural productivity. The land registration and consolidation programmes of the 1950s made Kenya an

excellent example of agricultural revolution as people in different areas were benefiting from cash crops such as Arabica coffee, specifically in Bungoma (Makana, 2012).

Land consolidation in Kenya continued in the post-independence period, which made Kenya the African country with the biggest increase in agricultural productivity in the 1960s (Kariuki, 2004). However, the progress in increasing productivity of market-oriented crops did not benefit all Kenyans in the post-independence period (Huggins, Nyukuri & Wakhungu, 2008). Rather, the post-independent Kenyan governments only favoured the rich holders of large tracts of land by facilitating access to credit for them. As many poor small holders were not able to use their lands productively, they sold them. Other struggling small holders' lands were confiscated and given to those who were able to make land more productively. This happened in some areas such as Luo, a sub region of Kanyamkago (Mackenzie, 1998).

According to Makana (2012), land registration and consolidation in Kenya tended to increase agricultural productivity in Kenya. However, due to inequalities in access credit, not all Kenyans were able to make a profit; poverty resulting from poor agricultural productivity and land fragmentation continued in Kenya as the tradition of inheritance persisted. In addition, land registration did not serve the poor as they eventually chose to sell their lands when they failed to make it productive (Cotula, Toulmin & Hesse, 2004; Chimhowu & Woodhouse, 2006; Cotula, 2007).

In short, land consolidation had been carried out in East African countries and the Horn of Africa since the 1950s with the aim of addressing land fragmentation and increasing agricultural productivity. As a result, there was an increase in agricultural productivity and many people profited from it. Nevertheless, the persistence of the tradition of inheritance, inequalities in access credit and land sales by the poor kept on undermining land consolidation. The poor were, therefore, largely not able to profit from land consolidation. Land consolidation did not address land fragmentation sufficiently.

3.4.3.4 Gender-based implication: women's access to land

One of the key implications of the current land reform is the recognition of women's land rights which customary land tenure excluded them from in almost all sub-Saharan African countries. Obeng-Odoom (2011:163) argued that multiple efforts were combined by international organisations to enhance economic development through securing and promoting equal land rights for both men and women. In this regard, international financial institutions including the World Bank and IMF jointly with the Commonwealth Association of Surveying and Land Economy (CASLE), the United Nations Human Settlement Programme (UN-HABITAT) and the

African Real Estate Society (AfRES) held a conference in 2006 in Bagamoyo, Tanzania. Among the recommendations made was the commitment to prioritise gender equality in the process of poverty alleviation through sustainable land management. In addition, the Millennium Development Goal (MDG) No 7, target 11, indicator 32, highlights that land rights for both men and women should be equally secured in order to empower also women and help them participate in the economic development of their countries (Chu, 2011:38; World, Bank, 2013).

Nevertheless, Place (2009:1328) observed that privatisation and changes in patterns of land acquisition have largely excluded women. Speaking of land rights in Kenya, Bruck and Shindler (2009:1376) argue that several studies emphasise that while women have limited but recognised land rights under customary tenure systems, their rights may be totally lost under a private property regime. One of the shortcomings of land reforms in Uganda is, in the words of Obeng-Odoom (2011:162) “discrimination against women” in terms of land rights. However, it is clear in the Constitution of 1995 that customary laws apply only when they do not discriminate against any person and Section 40 of the Land Act of 1998 states that women’s land rights should be protected during reforms (Kariuki, 2004; Brown, 2006).

It is clear that in the above countries, discrimination by the customary tenure system is related to the patriarchal system of land administration rooted in tradition which does not recognise women’s land rights. In this tradition, women are seen as “property” rather than “persons” with the implication that “property” cannot own other property (Brown, 2006). Discrimination against women within the context of land access ownership and control does not allow them to be involved in the process of development (Cross & Hornby, 2002; Daley et al., 2010; World Bank, 2013).

In South Africa, the central aim of land reform was to secure women’s land rights since up to the end of Apartheid, the majority of landless people were Black women. Many related official documents and policies, including the White Paper on Land Policy (1997) and the Communal Land Rights Act of 2004, warned against discrimination and gender-based inequities and highlighted the need for women empowerment (Cousins, 2007; Alden *et al.*, 2011).

However, the land reform process in South Africa was unable to change the power structures embedded in custom that does not recognise women’s rights (Obeng-Odoom, 2011:163). According to Ntsebeza (2005), the government seems to support the customary system and chiefs that impinge negatively on women. Furthermore, the Traditional Leadership and Governance Framework and Communal Land Rights Acts entrench the traditional system. Subsequently, Black women remain landless despite many efforts to claim land and to voice their dissatisfaction for not being able to own and manage their own lands.

The article of Obeng-Odoom (2011:163) points out that women have been expressing their grievances in different protests calling for the right and opportunity to own land. According to them, farms should be given to the workers. The government should become involved, change farms to BEE (Black Economic Empowerment) units and enable farm workers to become shareholders. The argument is that land redistribution for farm workers, especially women farm workers, would help them build the capacity of women and enable them to own and manage their own farms. A sound criticism on the land reform process is found in the paper of Cross & Hornby (2002). The latter argue that in practice, women's land rights have not been protected because land reform implementers were concerned with macro-national issues and forgot the micro-local and household power structures.

In a summary, as it stated above, the land question in sub-Saharan Africa is related to inequality in land access and ownership with the exclusion of women from land rights. It also includes disputes over land, land scarcity, poor agricultural productivity, the conflicts related to boundaries, et cetera. Furthermore, in Africa, the history of the land question is rooted in colonialism which is the source of most land-related issues, including land disputes related to land scarcity, poor agricultural productivity, conflicts and war around territory or national boundaries, inequality in land access and ownership among social categories, and exclusion of female children from land control.

3.5 Conclusion

This chapter documented the relevant findings on land reform through land registration and land consolidation in different countries globally. The overall review of findings attempted to establish the link between land reform, poverty reduction and conflict resolution. The experiences of land reform in countries of Latin America indicate that the main aim is to redistribute land, which is in the hands of the rich classes, to the poor. The focus of such a strategy is to solve the problems of inequalities in land access and ownership, and enhance equal participation of the population in improving agricultural productivity for development.

The literature, which reviews experiences of land reform in sub-Saharan Africa, in Papua New Guinea and in Europe, informs that the objectives of land reform in those countries include improving security of tenure and agricultural productivity. In sub-Saharan Africa particularly, land reform aimed to address the problem of inequality in land access and ownership through giving land to the poor, especially to women.

To sum up, it becomes apparent that the land consolidation programmes which have been implemented in the countries mentioned above were aimed at addressing land fragmentation

and increasing agricultural productivity. However, land consolidation programmes were implemented differently depending on the history, culture and legislation of each country.

The lessons that can be drawn from this chapter entail the information on the experiences of land registration and consolidation in different countries of the world. The focus is particularly on factors of success of both types of programmes where they were implemented, their weaknesses and strengths. The information provided in this chapter explains factors of failure and success of land registration and consolidation, leading to greater understanding. For the purpose of the present study, the information provided in this chapter will be referred to during data analysis. This analysis will contribute to more understanding as to why land registration and land use consolidation in the Southern Province of Rwanda vary in success and failure or what the factors of failure and success are.

CHAPTER 4: LAND REFORM IN RWANDA

The previous chapter analytically discussed the literature on land reform in a number of countries globally. This chapter investigates the background, and statutory and regulatory framework to land reform in Rwanda. Previous research findings on land reform through land registration and land use consolidation in Rwanda inspired this chapter. The history and the nature of the land question in Rwanda will be discussed and its consequences assessed on socio-economic livelihoods of people. Thereafter, the activities of land registration and consolidation in Rwanda will be presented. Finally, the regulatory documents governing land reform in Rwanda will be analysed. The focus will be on literature documented by scholars, researchers and practitioners with the aim of identifying gaps left by previous research but also to support the interpretation and analysis of the findings of this study

4.1 History of the land question in Rwanda

This section describes and discusses the Rwandan land tenure regulation and the land question over time. The land question originates from the lack of a strong land tenure system prior to the development of land policy in 2004 and land law in 2005, more particularly in pre-genocide Rwanda. Land is a crucial asset for all the people in Rwanda. Rwandans are not only attached to their land but also have a strong ethnic and cultural identity based on their land.

Most Rwandans (more than 95%) live in villages and farm crops but even those who work away, for example, in Kigali or outside Rwanda, make arrangements to return to the villages where they were born in order to visit their parents and relatives or to look after their properties including farms, houses and other projects (Pottier, 2006; Musahara, 2001). Most of Kigali city dwellers are firstly known or identified as *Banyandugas*, *Bakigas*, *Banyagisakas*, *Banyabutares*, and *Banyabugeseras* because for most them their main home is the village in which they were born. Several studies conducted by Boudreaux (2009), Pottier (1997 & 2006), Musahara & Huggins (2004), Gasarasi & Musahara (2004), Platteau (2000) and Musahara (2001) have shown that the problems of land in Rwanda evolve around land scarcity related to the small size of the country, inequality in landownership and the imbalances between available land and increasing demographic pressure.

This section discusses the origin of the land question in Rwanda by narrating and analysing the way land was acquired, used and managed by different kingdoms in the pre-colonial and colonial periods, and by different governments in the post-colonial period.

4.1.1 The origin of the land question and its evolution in Rwanda

The occupation of land under customary practices is inseparable from other aspects of ethnicity and culture. The history of Rwanda shows that Rwanda was successively inhabited by the *Batwa*, *Bahutu* and *Batutsis*. The first inhabitants did not experience any problem regarding land because they were small numbers. People could occupy a piece of land and own it after clearing it (Kagame, 1952; Catherine & Plateau, 1997; Prunier, 1995; Bigagaza *et al.*, 2003)).

The Tutsi pastoralists of the *Nyiginya* dynasty organised a small principality based on lineage in the eastern part of the present Rwanda. They were well organised and feared warriors and between the 14th and 15th centuries annexed neighbouring kingdoms and principalities and expanded their kingdom to the south, west and north of Rwanda, creating a strong Rwandan kingdom. The people they defeated were Hutu agriculturalists as well as other Tutsis who were both agriculturists and pastoralists (Vansina, 1962; Catherine, 1995).

However, the inhabitants in the peripheral areas of the west and north did not surrender. They often fought wars of resistance and continued to resist Tutsi domination up to the eve of the arrival of Germans, the first colonialists of Rwanda (Kagame, 1952).

As was mentioned in the introduction, the pre-colonial Rwanda was dominated by the customary land tenure system which governed the process of land acquisition and ownership under the system of *igikingi* (land tenure system in the East, South and Central Tutsi Kingdoms), *ubukonde* (land tenure system in the North and Northwest Hutu Kingdoms), *gukeba* or *kugaba* (land tenure systems in northern and north-western Rwanda after being annexed by the Tutsis) replaced *ubukonde* (land tenure systems in northern and north-western Rwanda before being annexed by Tutsis) and *inkungu* (land tenure system that was governing abandoned or confiscated and reserve lands) (Vansina, 1962).

4.1.1.1 Inequality in land access and ownership under the successive regimes

The inequality in land acquisition began under the pre-colonial regimes when local leaders representing the King known as *abatware* (chiefs) acquired large tracts of land (Prunier, 1995). In effect, after the annexation, the king had ultimate right over all the land and he or his local representatives called *abatware* could grant usufruct of lands to inhabitants. He had the authority over all land; he could take away land from any person, occupy land from any area, expel the users and confiscate lands; the unused and abandoned lands also belonged to him (Kagame, 1952; Prunier 1995).

When Rwanda was handed over to Germany, following the Anglo-German treaty of 1880 which placed the eastern part of Africa under the authority of Germany, the king of Rwanda benefited from the support of the Germans (who arrived in 1903). Thus the king could conquer and control the peripheral zones of the west and the north and impose his leadership on these areas, as well as the system of *igikingi* where it was not yet known (Vansina, 1962). This system allowed the king authority over all the lands in the whole country as the Germans' indirect rule system did not change his regime nor touch his authority. In the same way the king's representatives at local level had the same authority over land and could give or take away land from people (ibid).

The Tutsi Kingdom instituted a system of *Ubugake* (clientship) that consisted of serving the landlord (mostly Tutsis, local leaders) for a certain period of time, and getting land or cows from him (IRDP, 2007). So far, inequality in landownership was a problem, as under the *igikingi* system these local leaders *abatware* and some heads of clans under *ubukonde* had acquired large tracts of land and could give plots to their clients (Kagame, 1952; Prunier, 1995.).

The Belgians replaced the Germans under the mandate of the League of Nations in 1923. The Belgian colonial administration in Rwanda also played a big role in making land scarcer by favouring and enabling some categories of people to accumulate more land than the poor peasant class. The Belgians made administrative reforms by creating new chieftaincies (chiefdoms), and sub-chieftaincies (sub-chiefdoms) with expanded political power to chiefs and sub-chiefs (Catherine & Platteau, 1997). These local leaders created their own *amasambu* (properties of lands) or *ibikingi*, increasing the problem of unequal land ownership and creating a problem of land scarcity (Prunier, 1995). In the peripheral territories of the west and north strong resistance to the accumulation of large tracts of land by the chiefs and sub-chiefs under the *igikingi* system was organised but suppressed by the Belgian soldiers (Kagame, 1952).

As was discussed previously, the Belgian colonial rule gave particular land rights to private institutions, such as church missions, and foreign businessmen. The businessmen wished to invest in land in Rwanda and they accumulated large tracts of land. This also exacerbated the problem of land scarcity and inequality; the poor-clients remained with small plots of land that they could only own after a long time of working for it under the clientship of the *umutware* (chief) (Platteau, 1994; Liversage, 2003). The post-independence period witnessed the continuation of the legacy where the elite class and businessmen accumulated still more land while the ordinary people remained with small tracts of land (Isaksson, 2011).

After independence the state became the owner of land and granted the usufruct (right of land use) to occupants of the land; the government officials at central and local levels, soldiers and the state elite accumulated large tracts of land in the national reserves including the lands left

by the Tutsis who had fled in 1959 and 1973 (IRDP, 2007). The government of the Second Republic established ethnic quotas for accessing schools, military services, jobs and other governmental services. The aim was to exclude Tutsis and the moderate Hutus mainly from the south (ibid).

The victory of the RPF-*Inkotanyi* on 4 July 1994, after bringing the genocide to a close, was also followed by land seizure by senior government officials and military leaders, mostly in the Eastern Province close to the borders of Rwanda, Uganda and Tanzania (Uvin, 1998). This problem was dealt with by the Presidential Commission but not solved fully because some still retained large tracts of land in comparison with the poor's dwelling places in the rural areas of Rwanda (Isacksson, 2011, USAID, 2011).

4.1.1.2 Increasing demographic growth and land fragmentation through inheritance

The problem of land scarcity was also worsened by the demographic growth as the case was in the colonial period. The population of Rwanda began to increase more rapidly. The Belgian colonial rule dealt with the problem by sending some people to Congo and established an institution called *Mission d'Immigration des Banyarwanda* (MIB) with the task of organising migrations of Rwandans to the Belgian Congo. It was reported that the objective of this mission was not only to relieve the demographic pressure but also to provide Eastern Congo with needed labour for mining, coffee and tea plantations (IRDP, 2007).

The population of Rwanda increased from 1,5 million people in 1934 to over 8 million in 2002 and to 10 537 222 people in 2012; it is estimated to increase up to 13 million people by the 2020s (NISR, 2012, MINECOFIN, 2012). The dramatic population growth has resulted in a change of population density. The population density on arable land had risen from 272 inhabitants per square kilometre in 1990 to 321 inhabitants per square kilometre in 2002. Currently Rwanda is the most densely populated country in sub-Saharan Africa with an average density of about 431 people per square kilometre, with the average family household occupying 0.76 hectare of land, which is not even fertile (NISR, 2012:22; Jones, Laura & Bizoza, 2014:15).

With such demographic pressure, the available land got lesser and obtained a very high value. Certain authors like Catherine & Platteau (1997) Boudreaux, (2009), Park, (2007), Musahara (2006) and the Report of MINISANTE (2012) link the problems of land scarcity, land access and control in Rwanda to the demographic growth. The high demographic growth deepened the question of land, particularly land scarcity, as the available land could not meet the people's needs (Musahara, 2006:5). When RPF-Tutsi rebels attacked the country from their exile in October 1990, the government of President Habyarimana said that there was no place for them

in Rwanda as the country was very small and already full (fully inhabited). Following the victory of the RPF the former refugees returned in large numbers. Furthermore, without a successful population growth control programme the Rwandan population continued to increase (Lisa, 2001:23; MINISANTE, 2012:9). The rapid increase in the population density has resulted in an increased pressure on marginal land and an increase in the uneven distribution of land (Musahara, 2001; MINITERRE, 2004, Homer-Dixon, 1994; Ohlsson, 1999). Farm holdings have become tiny plots of land due to excessive land fragmentation (Boudreaux, 2009:13). Due to the lack of land for agricultural production people invaded forests and national reserves, including the national parks (Musahara, 2006:5, Ohlson, 1999:28).

Furthermore, the customary land tenure system with the tradition of distributing family land to all children who are heirs is responsible for land scarcity (USAID, 2013). Due to the fragmentation of land through the process of inheritance and the demographic growth, the land occupied and left by ancestors became even smaller for most of the rural and poor families (Bigagaza *et al.*, 2003:54). The land tenure system also contributed to land scarcity, thereby making it even more difficult for current generations to inherit land (Musahara & Huggins, 2004; Huggins, 2012).

4.1.1.3 Lack of strong land management policies and laws

Research on the land question in Rwanda was conducted by scholars such as FAO (1998), Musahara and Huggins (2004), Pottier (2006), ICARRD (2006), Musahara (2006), Ansoms (2008 & 2009), RISD (2008 & 2013), Boudreaux (2009), RGAC (2011), and Kairaba and Simons (2011). These scholars found that before the implementation of the current land policy the previous governments did not develop policies and laws able to solve the problems related to land in Rwanda. The customary law that governed approximately 100% of land in Rwanda did not give a guarantee of tenure security to landowners; rather, it caused land disputes between families due to unclear family land borders, and among children of the same parents in terms of inheritance (Pottier, 2006; RISD, 2013; RGAC, 2011).

Customary law also increased the problem of land fragmentation through inheritance and poverty as the poor had no way to present land to the bank as collateral and thereby acquire a loan. The written law introduced by Belgium could not solve the land problems; rather it deepened the problem of inequality through giving the privilege of obtaining titles to lands to a few people, mainly foreigners. It did not reduce the inequality in landownership, neither abolished the clientship system nor the *igikingi* system (Pottier, 1997; Prunier, 1995). However, in 1954 King Mutara III Rudahigwa attempted to solve the problem of inequality in landownership but this intervention was not durable (IRDP, 2007). Faced by increasing landlessness and inequality in landownership related to the clientship system and the injustice

of the *igikingi* and *ubukonde* systems, people (mostly Hutus) complained and demanded change. Social discontent continued until King Mutara III Rudahigwa relieved tensions by abolishing the clientship system and ordered land sharing between concessionaires and clients (Nkurikiyimfura, 1994). For this purpose, he issued the royal decree 1/54 of 1/04/1954 determining modalities of sharing land between the land concessionaires and clients. For the same purpose, the *Igikingi* system was also abolished in 1960 (IRDP, 2007).

Rwanda became independent in 1962 and the successive political leaders of the country did not develop land policies and laws that were able to solve the problem of inequality in land acquisition and ownership and ensure better land use. Rather, they instituted other kinds of injustices that continued the legacy of accumulating large tracts of land for government officials and the elite class (RISD, 2008; Musahara, 2006; Musahara & Huggins, 2004).

The customary law that was dominant before the 1999 law (which recognised women's right to land access and land ownership) maintained inequality and discrimination based on gender by considering land as a prerogative of only men (MINITERRE, 2004, MIGEPROF, 2011). The custom excluded women from the inheritance of the family property, and fathers only bequeathed their property to male children (Ngoga, 2012). Only widows were entitled to the right of usufruct over family land and gave it to the male children when they came of age (Guichaoua, 1995). At the death of the husband, the woman was obliged to return to her parents unless she had borne the late husband's children. However, she could stay on her husband's land if she married one of her husband's brothers. But the landownership rights belonged to the new husband, not to the woman (Laurel, 2005).

However, women also could own land, but as a donation or a gift. In some regions of the country, fathers could offer plots of land as a gift that was named *urwibutso* (reminder or souvenir). In the Province of Ruhengeri, a piece of land was offered to the bride as a marriage gift named *intekeshwa* (a gift to welcome her in the new family) (Musahara, 2006:12; Burnet & RISD, 2003: 185). In the same context, a woman could receive a plot of land called *inkuri* (land as a gift from her parents after bringing her new-born baby to them). Women who were disowned or repudiated by their husbands could be provided with plots of land named *ingaligali* (portion of land received from the chief of the clan) (MINITERRE, 2004; Brown, 2006).

According to custom, the chief of the clan had a land reserve known as *ingaligali* that he could allocate to his daughters that were repudiated by their husbands, and these women, known as *indushyi*, were allowed to claim this type of land (Kagame, 1952). The written law introduced by Belgium and the land policies and laws of the post-independent period, particularly under the First and the Second Republics (before the genocide) did not address gender-based

inequalities in land access, ownership and control (Polavarapu, 2011). Nevertheless, the exclusion of women from inheritance constrained their economic development (Burnet & RISD, 2003; Ngoga, 2012). The current land reform through land registration assures access to land and ownership for all female children. It also helps young women respond to their basic needs and eventually to develop economically because land is the main asset for rural Rwandans.

The issue of gender inequality in matters of property ownership has been addressed by the new inheritance law published in the Official Gazette No.22 of 15 November 1999. Article 50 of the same legislation stipulates that male and female children are all equal and have equal rights to inherit their parents' properties after the death of their parents, without any discrimination (MIGEPROF, 2011).

To sum up, the history of land management in Rwanda was characterised by the lack of strong policies and laws governing land and inefficient land management systems and institutions. This was not conducive to tenure security, equality of all Rwandans to access land, ownership and control and better land usage that could improve agricultural productivity. This is the reason why the current land reform policies and laws, and new land management system were adopted. The above shortcomings of the land management system in Rwanda were not without consequences to the livelihoods of people of Rwanda as it is discussed in the following sub-section.

4.1.2 Consequences of the land question on the livelihoods of the people of Rwanda

As was explained previously, the land question in Rwanda revolves mainly around land scarcity related to the small size of the country and the imbalances between available land and the population growth, as well as poor management of the available land. This matter had several consequences for people's social and economic livelihoods: conflicts were generated and intensified, food shortages became more of a reality and rural residents experienced increasing poverty.

4.1.2.1 Land-related conflicts

According to Schulze and Daale (2000) conflict is understood as a situation of opposition and confrontation between two or more parties in a certain society or community because of the parties' inability to reach consensus. Conflict can result from ethnic or group differences, or differences can arise among stakeholders on how to manage a project. However, these differences can be avoided through preventative measures or addressed when they occur (ibid).

Land conflicts are those disputes involving individuals with regard to land access, ownership and control (Roodt, 2001). In Rwanda, land disputes and structural conflicts were caused by inequality in land distribution and limited access to the available land (Bigagaza *et al.*, 2003:54). Over time this resulted in the displacement of people in and outside the country and the redistribution of wealth as well as people's land shares by the government (Musahara, 2006). In addition, during the genocide the young Hutu men killed Tutsis because they expected to own the Tutsis' land (Pottier, 2006). The Hutus also wiped out the Tutsis who were inside the country in order to keep and safeguard their own land. This was because political leaders told the Hutus that Tutsis from outside and inside Rwanda would seize the Hutus' lands after the RPF victory (Boudreaux, 2009; Gasarasi & Musahara, 2004).

Several researchers argued that the remote cause of conflict between Hutus and Tutsis is found in *igikingi* and clientship systems. Under the system land and cow owners from lineages that were mainly Tutsis could grant land or cows to clients in exchange for duties (Kagame, 1972; Pottier, 2002; Prunier, 1995). This system brought about inequality in landownership between Hutus and Tutsis. Neither the pre-colonial rulers, nor the colonial rulers could develop a land policy to solve the problem and provide equity in land sharing. The exclusion of the Hutus from participation in running the country's affairs in the pre-colonial and colonial periods, as well as conflicts over land, is prominently reported on as the cardinal grievances that brought down the monarchy and lead to a republic and independence. The bloody circumstances in which this happened started with the "Hutus' Social Revolution" of 1959 which sent hundreds of thousands of Tutsis to exile in neighbouring countries (Bigagaza *et al.*, 2003:62).

Before the genocide in 1994 the promise of land was continuously used as an incentive to lure the rural peasants, mostly Hutu youths, into killing Tutsis, especially during the mentioned genocide (Prunier, 1997; Pottier, 1997; Diamond, 2005). In the post-genocide period, the land question took on another form. It became an intricate issue and difficult to manage because of the large numbers of returning refugees who had been in exile since 1959 after the so called "Hutu Social Revolution" (Liversage, 2003:12). At the same time, a large number of people, mostly Hutus, fled the country to neighbouring countries such as Tanzania, Burundi, Congo and Uganda immediately after the genocide. The former refugees settled on the plots and properties of the new refugees, then, and when the latter returned from 1997 onwards, the government officials decided to force the new refugees to share their lands with the old refugees. Conflicts due to the resistance and refusal by former new refugees to share lands were reported in some areas of the peripherals like in the east and north of Rwanda, but they were quickly solved by the local government officials (Bigagaza *et al.*, 2003; Dushimimana, 2006).

Among former refugees the number of landless people increased as some of them, specifically the youth, did not acquire land through the sharing of property, as they were born later. On the other hand, in the families of the new refugees, the problem of diminishing land became serious due to the sharing of land the selling of land to pay damages caused by the family members, mostly husbands during the genocide. Up until the implementation of the land reform programme, with high population growth over decades and the return of different waves of refugees, pressure on land had exacerbated and land scarcity caused intra and inter-familial conflicts in different parts of Rwanda (Clay *et al.*, 1998; Homer-Dixon & Perceival, 1995; Ohlsson, 1999; Musahara, 2001; MINITERRE, 2004; Kazooru 2004).

Different researchers such as Boudreaux (2009), Diamond (2005), Prunier (1997), and Pottier (1997) have linked the Rwandese genocide and land scarcity. Diamond (2005:24) argues that the reason why Rwandans chose to kill their fellow citizens instead of looking for other measures of promoting their economic living conditions should be studied carefully. He firstly posed the question why people were unable to solve their land conflicts in a peaceful way and instead chose violence as a more effective strategy. Secondly he queried why Rwandans did not apply strategies used by some very densely-populated countries such as Singapore. The government of this country introduced birth control policies in the late 1960s after noting that the population was rapidly increasing while the country was small and natural resources were extremely limited. By the late 1990s the population in Singapore decreased to such an extent that the problem occurred of too few people entering the labour market, which resulted in a shortage of skilled workforce. Then the government planned to introduce a “baby bonus” scheme in 2001 that aimed to encourage couples to have more children in order to cover the gap left by the small number of people entering the market (*ibid*).

According to Bourdreaux (2009:21), what drove Rwandans to become killers was poor living conditions as they were economically desperate. In effect, as Rwandans mostly live in rural areas where their main source of income is land and agriculture, they tried to maximise their lands by all means and safeguard what they own.

A further question that Diamond posed in relation to what pushed Rwandans to kill one another is: “Why did Rwandans continue to depend on agriculture instead of shifting to other activities generating revenue?”(Diamond, 2005:18). Diamond (2005) provides reasons why land became a contested resource in Rwanda in the post-genocide period. The first reason is legal restrictions ordained by the government of Rwanda to limit individual freedom in general and the operation of local markets in particular. Due to these restrictions the people of Rwanda could not resort to other strategies such as selling their land and begin non-agricultural jobs as people of other densely populated countries do. The second reason is the combination of regulations,

history and legislation that instigated ethnic tensions and conflicts among people competing for land. The same combination of factors prohibited the selling of land. The third reason is the ideology of genocide that was spread by the post-independence governments throughout the country.

According to Bourdreaux (2009:28), rural people would have left the countryside for urban areas or emigrated. Following the example of Belgium and the United States of America, efficient or well-off farmers would have bought lands from the poor rural dwellers and developed a commercial agriculture sector that would feed the rest of the population. According to the same author, the people of Rwanda would also have limited their birth rates.

Since the recognition of land rights for women conflicts rose in different areas of the country as women's brothers opposed the application of the law (Pottier, 1997; Prunier, 1997). The present study investigated whether young women are given land in terms of inheritance without resistance or opposition on behalf of the male children and their fathers. In case of conflicts that arose during the implementation of the law, the study also examined the consequences of these conflicts on the social relations of brothers and sisters and how the land reform addressed those conflicts.

In short, the study investigated whether all the types of the land-related conflicts that characterised the pre-land reform period persisted in the Southern Province of Rwanda. Or did new kinds of conflicts arise following land registration and consolidation activities? The types of conflicts and the modalities of handling them were investigated as well.

4.1.2.2 Poverty related to poor agricultural productivity

In Rwanda, the agriculture sector comprises 34% of the economic activity in the country, industry 14% and services 52% (Lussuga Kironde, 2012:14). Most of the people have practised subsistence agriculture for a long time. Due to a lack of developed tools the country experienced low productivity and increasing poverty. According to the World Bank, 95% of the Rwandan population who were living in the rural areas of Rwanda in 1994 were farmers, approximately 80% of their farms were less than 2 hectares; nearly 20% of farms were less than 0.37 hectares while less than 20% of farms were larger than 1.90 hectares (World Bank, 1994:79 cited in MINAGRI, 2012:6). According to NISR, in 2008 approximately 57% of Rwandans lived in poverty and survived with less than \$1 US per day. Because of this situation many children of households do not attend schools, neither do the households have access to water supplies and basic sanitation, 45% of children under five years are stunted while 23% are

underweight and only 44% of the whole population has sufficient access to proteins per day (MINAGRI, 2011).

According to the Ministry of Local Government (MINALOC), in 2007 the upper poverty line was at 56.9% and the lower at 36.9% (MINALOC, 2011). Most poor people live in rural areas while the well-off ones live in urban areas. In Kigali the poverty level is measured at 13% while it is measured at 62.5% in the villages of remotes areas. The rural areas are poorer and people there experience food shortages so that 45% of them find food with difficulty (Musahara, 2006; Laura, 2012). Considering the way the Gini-coefficient has changed from 0.47 in 2000 to 0.51 in 2007, one can conclude that there is tangible inequality in distribution of resources, particularly access to land and ownership (NISR, 2011). In addition, the Rwandan land and agrarian policies were criticised by some researchers such as Palmer (2000) and Liversage (2003) who stated that the policies actually increased the differentiation between the rich and the poor. These authors observed that the land and agrarian policies, through the market process, resulted in a situation where land was concentrated in the hands of the wealthy and the politically connected elites.

According to Musahara (2006) Rwanda had no food shortages in the 1960s and 1970s because the country increased food production in this period. However, the problem of food shortages began in the 1980s and this was followed by a rise in the poverty rate (Laura, 2012). The reason behind this is not only a scarcity of land but also poor agricultural practices such as only a limited use of fertilisers to improve soil fertility, lack of irrigation, little intercropping and excessive growing of coffee instead of food crops. This drove the population of rural areas into poverty and some areas of the country were struck by famine; the only region that was well-off was in the northwest of the country (Diamond, 2005).

The government mobilised citizens to make an effort to increase agricultural productivity. However, this outcome was not attainable because the farmers did not change techniques of agricultural production. As a result the agricultural productivity did not increase to satisfy the needy population. In addition, people continued to divide their small plots into yet smaller pieces of land and gave these extremely small plots of land to their male children as inheritance when these children married (Newbury, 1998:14).

These inefficient agricultural practices and low productivity led to food shortages, causing rural dwellers to suffer from hunger. This worsened the problem of land conflicts and forest invasion, as well as environmental degradation. According to the Ministry of Economy and Finance, 60% of people live below the poverty line and Rwanda's GDP per capita is \$250 US per annum (MINECOFIN, 2000).

In addition, customary law did not hand out title-deeds as a proof of land ownership; this impeded the current generation from developing the land, as they could not access credit from the bank to buy artificial fertilisers and make the land more productive. This is the reason why the rural areas continued to experience problems of food shortages (Musahara, 2001). It is therefore clear that the problem of landlessness will worsen as long as the population living in rural areas continues to have agriculture as their main means of livelihood.

In short, the history of the land question in Rwanda comprises various and multiple land-related problems where land scarcity results from the imbalances between population growth and available natural resources. In addition, the history of Rwanda is marked by poverty related to low agricultural productivity subsequent to infertility and degradation of agricultural land, poor land use, lack of mechanisms of making land more productive and lack of strong institutions of land administration and management.

The current government of Rwanda embarked on addressing all the land-related problems above by developing a new land reform programme through land registration and land use consolidation. The aim of land registration is to record land information and ensure security of land tenure to all Rwandans by providing landowners with titles to land (MINITERRE, 2004). In countries such as Rwanda where the majority of Rwandans (more than 90%) live in rural areas, are poor and rely on land as their main source of socio-economic livelihoods, improving tenure security and agricultural productivity become important factors to reduce poverty (Musahara, 2006:10; Huggins, 2012:20). The land reform has been implemented throughout the country since the regulatory and institutional framework governing land and land reform were developed in 2004. The following section analytically discusses the statutory and regulatory framework governing land in Rwanda.

4.2 Statutory and regulatory framework of land reform in Rwanda

This section presents and analyses the statutory and regulatory framework in relation to land registration and land consolidation in Rwanda. This explains how land tenure was governed over time in Rwanda. It also presents the legal and regulatory documents governing land reform, particularly the access, ownership and use of land in Rwanda. The relevance of each document to the present research topic will be discussed. These documents include the Customary Law (MINITERRE, 2004, Reyntjens & Gorusi, 1978), the Constitution of Rwanda of 2003 (MINIJUST, 2003), the National Land Policy of 2004 (MINITERRE, 2004), the new Law No 43/2013 of 16/06/2013, and certain orders and decrees that set details on land planning and administration (MINIRENA, 2013). The new Law No 43/2013 of 16/06/2013 replaced the Organic Land Law No 08/2005 of 14/07/ 2005 in determining the use of land in Rwanda.

4.2.1 Customary Law

Only customary law governed land in the pre-colonial period before the introduction of written law by the Belgian colonial rulers in 1926 (Reytjens & Gorusi, 1978). Customary law recognises land rights to the owner who acquired land under traditional conditions, including free land occupation and inheritance, through land sale or as a donation (MINITERRE, 2004). In the pre-colonial period unoccupied land was available and most people acquired land as first occupiers after clearing new land to which nobody had claimed ownership as Rwanda was at that stage not so densely populated. The first occupier had rights of use and could bequeath his land (Kagame, 1952).

Four sub-systems exist under the customary law, namely *Igikingi*, *Ubukonde*, *Inkungu* and *Gukeba* which governed land tenure. The *Igikingi* system governed land in a large part of Rwanda, specifically in the east, south and centre of Rwanda. These areas were under the Tutsi kingdom. The king who was the owner of all the land, or his chiefs named *abatware* could grant rights to grazing land to pastoral families in exchange for a certain payment (Catherine, 1995). The *Ubukonde* land tenure system was dominant in the northern-west of Rwanda, and in the Hutu kingdom of Bukunzi and Busozo. Under this system the land belonged to the clan but the rights of control and access to the land was held by the chief of the clan stemming from the lineage of people who first cleared the forest. The head of the clan would grant land to several families named *abagererwa* who would settle in the area and be subjected to a land tax in kind. The *gukeba* land tenure system named also *kugaba* replaced *ubukonde* in the agricultural area controlled by the Tutsi and this system refers to the process of settling onto the plots of grazing land or fallow land called *isambu*. The *inkungu* land tenure system put confiscated or abandoned land at the disposal of the local political authority. These lands were classified as reserved lands, available for allocation by the authorities to those in need (Ibid.).

The responsibility for the management of use of land and other resources was in the hands of a triumvirate of social, political and administrative structures made up of the three high authorities named below:

- The chief of land, *Umutware w'ubutaka*, was in charge of collecting gifts and offerings from agricultural and handcraft industries for the king, as well as solving land related issues.
- The chief responsible for livestock, *umutware w'umukenke*, was responsible for collecting tax on livestock production and distributing land for grazing to cattle owners (pastoralists owning more than five cows).

- The chief of army, *umutware w'ingabo*, was responsible for national security, war issues, and solving land disputes and any other kinds of disputes among people (Prunier, 1995).

Though the customary land tenure system granted landownership rights to people, all the land belonged to the king and he could grant or take away land rights from any individual. These rights to land acquired under the customary system were respected by all the people and have been passed on from generation to generation up to now. In general, apart from land acquired through occupation and inheritance, customary law recognises the land rights of those who acquired it through the process of transfer by sale or as donation (MINITERRE, 2004:26).

4.2.2 Civil Code and Laws

The written land law was introduced by the Belgian colonialists to govern land acquired by colonialists, other foreigners, churches and businessmen. The Germans who firstly colonised Rwanda in 1903 did change neither the land tenure system nor the traditional politico-administrative system of Rwanda. The Germans started to lose their power during the First World War and the Belgians took over control from them in Rwanda in 1917. The Belgians organised many changes in the political administration of Rwanda which affected also the land tenure system and management. In 1925, they did away with the administrative structures made of many small districts lead by chiefs, and divided Rwanda into chieftaincies. They removed power from the chiefs of clans on land and introduced the written law known as the 1935 Decree on Land Use (Kagame, 1952, MINITERRE, 2004).

Settlers, especially foreigners, wishing to invest in Rwanda were called to apply for land not to the king but to the colonial administration and received titles to land as proof of ownership. This allowed foreign businessmen and companies to acquire private land in cities and towns and private institutions like churches especially the Roman Catholic Church, to acquire large tracts of land around their churches where they built schools, hospitals and other social welfare infrastructures (Nkurikiyimfura, 1994, Kagame 1972).

However, the same Decree on Land Use of 1935 recognised the land rights acquired under the customary system because it stated that natives should not be dispossessed from their lands (MINITERRE, 2004). This explains that before the promulgation of the Organic Land Law (OLL) in June 2005, a dual system governed land tenure in Rwanda: the written law issuing titles to land and governed the few lands owned by foreign settlers, churches and businessmen while the customary law which does not give title deeds continued to be dominant, governing most of the land (approx. 90% of the country's land) owned by the indigenous people of the country (Musahara, 2006; Liversage, 2003; Bledsoe, 2004).

When Rwanda achieved its independence on the 1st July 1962, after chasing numerous Tutsis monarchs into exile, the new country's Hutu leaders altered the customary law by setting up new land legislation. For example, the *Loi Communale* (District law) of January 23, 1963 assigned the *commune* (district at present) the responsibility of managing all the land under customary law while Law No 09/1976 of 04/03/ 1976 stated that all the land owned by the state and land obtained under custom were the property of the state and that people were only allowed to sell and purchase customary land with the permission of the Minister of Lands (MINITERRE, 2004). This enabled the wealthier government officials and businessmen to acquire land from national reserves or to confiscate land formerly owned by Tutsis and to buy land from the poor. Most of the poor peasants lost their land in this way. The consequence of post-independent land legislation was unequal land repartition and land scarcity, especially among the poor, ordinary people.

The pre-genocide governments combined all the written laws in a book entitled *Codes et Lois du Rwanda* and the written laws governing land were therefore also captured in this book (Reytjens & Gorusi, 1978). The post-genocide government that was set up after the genocide of 1994 added other laws to the existing ones in the *Codes et Lois du Rwanda*. The government recognises land rights of the private corporations and individuals who owned land under the written law and who have got certificates of registration as proofs of absolute title to land. As landownership is transmitted to heirs when the owner dies, likewise, the absolute title to land is transmitted according to the succession law.

The civil code also recognises other forms of land rights accorded to the owners, including servitudes and emphyteutic leases of between 15 and 99 years (Sagashya & English, 2010). However, the customary system did not make it possible for Rwandans to be issued with title-deeds which they could present to the bank and get loans and thus invest on land. Rather, it maintained the traditional ways of land acquisition, especially through inheritance, which encouraged land fragmentation, overexploitation, land degradation leading to infertile lands, and low agricultural productivity. It also embroiled rural dwellers in endless conflicts around land boundaries and land ownership. The customary system therefore did not help raise Rwandans from their poverty.

On the other hand, the written law did not help Rwandans, especially the rural dwellers. Rather it marginalised them and excluded them from formal landownership rights and created socio-economic inequality between urban and rural dwellers. Urban residents and private institutions profited from the law as it enabled them to acquire formal ownership and therefore land documentation which they could use to access loans from the bank.

It should be noted that none of the successive political and administrative leadership in Rwanda did grant total ownership of land to the people. Under the monarchy all the land belonged to the king while under the republican regimes all the land belonged to the state.

This review of land legislation before and after colonialism points out gaps that justify the urgent need of land reform. The envisaged land reform would address the issue of inequality in official landownership brought by the colonial rule by giving proofs of ownership to every Rwandan. Other types of inequality based matters such as on gender, ethnicity or wealth, should be addressed. The land reform would also restore land rights to those who lost it through injustices of the First and Second Republics, specifically to former Tutsi refugees who were forced into exile by Hutu regimes. The land reform would also issue proof of full ownership to people and protect them from losing land and remain landless. It would also set up mechanisms teaching people how to improve land production through investment and solve land-related conflicts through the development of collective ownership and the utilisation of land.

4.2.3 The Constitution of 2003

Post-genocide Rwanda got a new constitution which was adopted by a referendum on the 26th of May 2003 and was promulgated in the Official Gazette on 4 June 2003 (MINIJUST, 2003). Certain articles of Chapter 2 of the Constitution relate to property rights, including land.

Article 29 states: “Every person has a right to private property whether personal or owned in association with others. Private property whether individually or collectively owned is inviolable. The right to property may not be interfered with except in the public interest in circumstances and procedures determined by law and subject to fair and prior compensation.” In addition, Article 30 of the same chapter states that “private ownership of land and other rights related to land are granted by the State”. Furthermore the law should specify the modalities of acquisition, transfer and use of land. For the same purpose, Article 43 states that in the exercise of rights and the enjoyment of freedom, every person shall be only subject to the limitations set by laws, in order to ensure the recognition and respect of others’ rights and freedoms, good morals, public order and social welfare which characterise the democratic society.

The Constitution states that no contradiction should be allowed among different laws. The Constitution remains the Supreme Law and any law contradicting it should be null and void (Article 200). In the same context, Article 93 states that no land law should contradict the National Constitution of 2003.

4.2.4 The Land Policy of 2004 and Vision 2020 document

The National Land Policy of 2004 is one of the documents clearly relevant to the present study. The policy elucidates the vision and orientation underlying the process of land reform in Rwanda. Like the Constitution, the policy also suggests that an organic law and other regulations pertaining to land reform should be set up as mechanisms to facilitate the implementation of land reform, specifically the National Land Policy.

The key provisions of the current National Land Policy are found in its objectives, principles and statements (MINITERRE, 2004). As was mentioned previously, the main objective of this land policy is to guarantee security of land tenure to all Rwandans and provide a package that will guide all land reform activities in order to achieve rational utilization and management of the national land resources. To achieve the main objectives a number of specific objectives were set out. Those related to land registration and land consolidation and formulated by MINITERRE (2004:22) are the following:

“To set up mechanisms which guarantee land tenure security to all land users for the promotion of investments in land, to avoid land fragmentation and promote land consolidation in order to enhance rational use of land resources and increase agricultural productivity, to establish mechanisms which facilitate giving land its productive value in order to promote the country’s socio-economic development, to develop actions that protect land resources from the various effects of land degradation, to promote conservation and sustainable use of wetlands, to establish institutional land administration arrangements that enable land to have value in the market economy, and to sensitise and involve the people at all levels in order to infuse land use practices that are favourable to environmental protection and good land management.”

A number of principles also guided the land policy but the ones related to land registration and land consolidation as stated by MINITERRE (2004:23-24) include the following: land is a common heritage belonging to the past generation, the present generation and the future generation; the government becomes the guarantor of the country’s land and environmental heritage and must ensure its good management while taking into account the needs of the present and the future generations. Based on the Constitution’s statement that all citizens are equal, all Rwandans enjoy equal rights of access to land without any discrimination. Land administration and management should ensure a guarantee of tenure security by issuing title deeds to owners and should ensure the best use of land by putting in place strategies to stop the fragmentation of land and encouraging land consolidation in order to improve productivity. Furthermore, a well-defined and robust legal and institutional framework is indispensable for the implementation of the land policy. Cadastral plans and maps would help with the gathering of data related to land, guide the understanding of the land situation and facilitate the land reform

plan. Furthermore, good land management should include a good planning system, including the organization of dwelling areas and the regrouping of plots for a more economic and productive use of the land (ibid).

The policy states that security of land tenure will be formalised to boost the economy and to achieve sustainable and harmonious development of Rwanda. The policy also states that land tenure reform based on land registration and a cadastral survey is a pre-requisite to make investment possible and attract investors specifically to rural areas (MINITERRE, 2004:27). However, there is still a problem related to the size of most of the plots in rural areas of less than one hectare. Lisa (2001) and Musahara and Huggins (2004) argue that this size cannot be viewed as viable since banks would not regard this size as sufficient to serve as a collateral for the approval of a loan.

The policy states also that land tenure should be guided by the provisions of a written law and that the customary law will no longer govern land tenure because it is not economically profitable, neither for the people nor for the state. However, landowners who acquired land tenure under the customary law should be given full rights of ownership (MINITERRE, 2004:27). Furthermore, Landowners will register their land and registration certificates reflecting the title deeds will be given to them as a long lease of up to 99 years. Landowners will also pay cadastral and registration fees (MINITERRE, 2004:28).

Regarding land consolidation, the policy recommends that such consolidation modalities should be studied and encouraged in order to ensure the economic development of land (MINITERRE, 2004:28). In rural and urban areas master plans will be drawn up for better land use and management and individual cadastral cards will be given to landowners according to the prevailing use of land. In urban areas people will not be allowed to build a house without a registration certificate (MINITERRE, 2004:29).

This document is also important for the present research because it enables the researcher to understand the logic and philosophy behind land reform in Rwanda, which is to give land tenure security to all Rwandans and to give a market value to the land. The land policy also sees land as the basic element for the socio-economic development of Rwanda; it provides the foundation for better land use in order to involve all the people, both rural and urban, in the viable economic development of the country. However, some critics states that the policy reflects a top-down driven process and does not consider some limitations, including bureaucracy (Palmer, 2000; Bledsoe, 2004). Endorsing this argument, one can add that the policy does not mention how to deal with official processes at banks that could hinder positive effects.

Furthermore, changing the land tenure system is viewed and supported by the Vision 2020 document which states that the transformation of agriculture, which is the engine of the national economy, must increase considerably with an average of 13% per year in order to ensure that Rwanda is a middle-income country by 2020 (MINECOFIN, 2000:13). The Vision 2020 document states that the number of people for whom agriculture is the mainstay of their livelihood must be reduced by up to 50% in 2020, which means about one million people fewer (MINECOFIN, 2000:5).

4.2.5 Land Law No 43/2013 of 16/06/2013 governing land in Rwanda

The Organic Land Law No 08/2005 of 14/07/2005 (OLL) determining the use and management of land in Rwanda was revised and amended to become the Land Law No 43/2013 of 16/06/2013 (MINIRENA, 2013). The revision of the former law aimed to comply with the provisions of the constitution of the Republic of Rwanda and to address various weaknesses found in the former law which made its application difficult during the implementation of land registration and consolidation. The former law was published in the official gazette of 2005 just following the land reform policy development in 2004 and came into effect on 15 September 2005 to establish a framework for effective land reform.

The current Organic Land Law of 2013 states that all types of lands in the country have to be registered and proofs of ownership title-deeds must be given to owners (Articles 6, 17 and 18). As it was discussed in previous sections, before the enactment of the Organic Land Law of 2005, a dual land legislation, consisting of customary law and written law, was governing land tenure in Rwanda. This had generated inequality in land acquisition and ownership.

Before 2005 only a few, which included churches and businessmen, had acquired title-deeds, while the majority of people, specifically ordinary people mainly living in rural areas, had no title-deeds as proof of ownership (Nkurikiyimfura, 1994; Palmer, 2000; Musahara & Huggins, 2004). Noticeably women were not allowed to own land. Due to the lack of proof of ownership and known land boundaries, conflict among ordinary people developed. This was also a source of poverty, as ordinary people could not present their land as collateral to the bank in order to obtain a loan (Musahara & Huggins, 2004). The new Land Law No 43/2013 of 16/06/2013 provides mechanisms to address the issue of lack of formal proof of land ownership. It sets up a legal and administrative framework offering to all Rwandans, including women, the same rights of access and ownership of land. Regarding the effective implementation process, the law prescribes how institutional arrangements at the central and local levels must be set up as well as how rational land planning must be conducted (MINIRENA, 2013).

4.2.5.1 Provisions of the Land Law No 43/2013 of 16/06/2013 related to land registration

The overall provisions of the new Land Law No 43/2013 of 16/06/2013 are found in four articles:

Article 3 stipulates that land is a common heritage for all Rwandans: ancestors, past, present and the future generations. The same article states that the State has the supreme power to manage all national land in the public interest in order to ensure sustainable economic development and social welfare. The State remains the only authority with the power to grant rights of ownership and use of land. It also has the right to expropriate private lands in the interest of the public. However, this article does not state that the right of expropriation must be accompanied by the right of being given a fair compensation. This is in contrast to Article 3 of the former Organic land law of 2005 which clearly stated that the State has the right of expropriating private land, but only after fair compensation.

Article 4 protects and advocates women's land rights which were denied by the customary system. The same article stipulates that men and women enjoy equal rights to land and any discrimination based on gender or the place of origin is prohibited. With regard to married couples, the right to land for a man and a woman lawfully married shall depend on the matrimonial regime they opted for. Furthermore, Article 21 requires the consent of women in terms of transfer or transaction of rights to family land. Concretely Article 21 stipulates that any transaction on land rights made by a family representative requires the consent of all the registered holders of the land title. Persons not legally qualified to represent their own interests shall be represented by a person authorised to do so under the law. The consent shall be conveyed through an authentic document signed by the concerned persons or appending their fingerprints to the document before a competent notary in land matters.

The prohibition of all forms of discrimination, including gender-based discrimination in terms of land access and ownership, and legalising equal rights to land between man and women means that female and male children have equal rights to inheritance. This is in accordance with the provisions of the national gender policy developed by MIGEPROF (2011). If these articles were well understood and popularised to make rural dwellers understand that female children have equal rights with their brothers the inequality based on gender in terms of access and ownership of land will no longer be a problem and conflicts around that will be avoided as all children will be equal heirs of their parents' properties. Nevertheless, the increasing number of heirs can cause other kinds of conflicts, specifically in case of children born outside lawful marriage and those born through polygamy who would claim for land. This needs to be investigated.

The consent of women is obligatory in terms of transfer or transaction of rights to land, which means that no man is allowed to sell the land without the consent of his wife. This matter of legal consent has also to be popularised because most of men would be reluctant to acknowledge the role of women in deciding how the family land is sold and in case women do not agree it can result in disputes between men and women.

The provisions of the above-mentioned article acknowledging equal land rights for men and women must be well understood by people of Rwanda; if not, this would generate other forms of conflict as the restoration of women's land rights takes place at a time when land has become scarce and has increased in value. Yet, at the same time the concept of gender balance is not understood by all Rwandans, especially in rural areas (MIGEPROF, 2011). In addition, a small number of women would not get any advantage or get very small plots of land which would not serve them.

It should be added that during the implementation of the OLL (2005) 30% of all land commissioners at the national and district levels were women and 40% of all deputy registrars of Land Titles in Rwanda were also women (MINITERRE, 2005). They also form part of the land registration's technical field implementation team in their capacity as para-surveyors and adjudication committee members (Ngoga, 2012:11).

Article 5 states that any person or association with legal personality who acquired land under customary law or by the virtue of authorisation granted by competent authorities or by purchase is allowed to acquire title-deed documents as proof of ownership. These titles are in the form of a long-term lease.

Article 6 grants absolute title to land to all Rwandans and foreigners who invest in Rwanda for residential, commercial, industrial, socio-cultural and scientific purposes. The same article stipulates that for a group of individuals co-owning land, a business company, or an organisation or association with legal personality a freehold title can only be granted if at least 51% of its stake is owned by Rwandan citizens, except for land designated as Special Economic Zones.

In effect, if the provisions of Articles 5 and 6 are well implemented, land would be properly managed to the benefit of all the people as everyone would hold formal proof of landownership which gives a great value to the basic asset that the majority of people have. This is different from the past where only a few people owning land could use title-deeds to get loans. In addition, land rights for Rwandan men and women are more protected by the current land law

than in the past when people who were given land titles tended to be foreigners, including business men and church leaders or missionaries.

Article 9 describes urban land as opposed to rural land: urban land refers to land which is confined within boundaries of towns or cities established by a Presidential Order while all the remaining land is considered as rural land. Any other land included in urban land shall be determined by a Presidential Order. This law should be understood well and applied properly; if not, people of rural areas would pay an equal amount to those of urban areas in terms of land taxes.

Article 10 specifies the nature of private land. It stipulates that private individual land comprises land acquired through custom or written law. Such land may have been granted by competent authorities or acquired through purchase, donation, inheritance, succession, ascending sharing and exchange, or through sharing. In addition, this law recognises and protects equal rights over land resulting from custom and written laws: With reference to Articles 3, 5, 6 and 10 it is clearly established that customary law is abolished, but rights obtained on land before land reform, whether from custom or written laws, remains recognised and safeguarded.

Article 17 states that the right to land is granted by the state in the form of emphyteutic leases, the land lease period being more than three (3) years and not exceeding ninety-nine (99) years but renewable. "Procedures for land allocation, leasing, and ascertaining the exact number of years of land lease and its renewal shall be determined by a Presidential Order. However, in case the lessee does not comply with the lease contract obligations other than those stipulated in Article 38 of this law, the lessor may terminate the lease after a written warning notice of fifteen (15) working days, without any other formalities" (Article 44).

Article 18 states that a certificate of land registration issued by the registrar of land titles would serve as proof that the land has been allocated or leased. In case of loss or damage of the certificate of land registration, the registrar of land titles shall issue another. In the same context, the law gives landowners full ownership rights and protects them against dispossession. Article 34 stipulates that the landowner shall enjoy full rights to exploit his/her land in accordance with the provisions of this law and other laws. The State recognises the right to freely own land and shall protect the landowner from being dispossessed of the land, whether totally or partially, except in the case of expropriation due to public interest. In addition, all the activities carried out on the owner's land belong to him/her. Article 35 states that all buildings, crops and other works found on land that have been performed by the landowner using his/her money are presumed to be his/hers.

Article 19 stipulates that swamp land belongs to the State and shall definitely not be allocated to individuals and no person can use the reason of long-term occupation to justify a definite takeover of the land. The same article however states that it may be lent to a person based on agreement concluded between both parties. A Prime Minister's Order shall draw up a list of swamp lands, their classification and boundaries and set up modalities of their use, development and management

With regard to land registration Article 20 states that the registration of land is compulsory for the landowner. The minister in charge of land will have to indicate modalities and procedures for land registration and cancellation.

Article 21 stipulates that land may be transferred between persons through succession, gift, inheritance, ascending, sharing, rent, sale, sublease, exchange, servitude, mortgage or any other transaction, in conformity with the conditions and methods provided for by the laws and regulations. Furthermore, Article 22 requires the consent of registered right holders on the land title in terms of transfer or transaction of rights to family land. The same article stipulates that any transaction on land rights made by a family representative requires the consent of all the registered right holders on the land title. Persons not legally qualified to represent their own interests shall be represented by a person authorised to do so under the law. The consent shall be conveyed through an authentic document signed by the concerned persons or by appending their fingerprints to the document before a competent notary in land matters.

Critique of the process focuses particularly on the issue of ownership of land. Lisa (2001), Musahara & Huggins (2004) and Palmer (2000) argued that providing title-deeds has the advantage of ensuring the security of tenure and this is an encouraging mechanism to urge people to invest in land. In addition land becomes a more highly marketable commodity as its value is increased. Most people, after being given certificates of ownership, will sell their land, let it, exchange it for other lands or mortgage it to secure loans to invest in lands or elsewhere. The mentioned researchers criticise this flexibility which could lead to people speculating in land in a way which will impede land productivity and the development of the country. The risk is that people in desperate need of money would sell their lands for less than its value and become landless or be coerced or manipulated into selling or exchanging their land with an infertile one.

The idea of leasing tends not to be acceptable to people who have owned land for a long period, for instance where landowners' parents were also full-time owners of the same piece of land. When such people are classified as tenants of their lands for 99 years, they would view this as a form of indirect dispossession from their lands by the state.

However, Lisa (2001) rejects the complete ownership by individuals and argues that it reduces to some extent the state control over land and supports the alternative model of long-term lease. The foundations of this argument are that the long-lease model allows the state to retain its ownership of the land, even if it leases it to individuals for extensive periods of between 3 and 99 years. This enables the state to dictate how land should be used in the interest of all in the country. A long-term lease also gives the individual the necessary sense of security to encourage investment and to exchange it for money or other property, or mortgage it and solve the problem of conflict over boundaries as well.

The long-term lease mechanism has already been decided and implemented, but the state would invigilate the way people are using the land they were given certificate of ownership for and make sure that they do not sell it in order to get money and become landless. This would bring another sense of security of tenure and ownership ensured by the government because making sure that the person decides on his land in ways that help him or his family members is also a responsibility of the government. Otherwise the government would be criticised of having set up mechanisms encouraging the increasing number of landless people.

Regarding land transfer, it is allowed and it is governed by succession laws (Articles 33, 34, 34, 36, 37, and 38) (MINIRENA, 2013). The transfer of landownership might be done through succession, gratuity, mortgage, emphyteutic lease and purchase, but no transfer of land as indicated above or rental agreement should be signed if it is not recorded on a register. If the land is collectively owned, the consent of family members is compulsory for the lawful transfer, mortgage, long-term rental agreements and creation of servitudes.

With regard to succession, the point on how heirs should share small plots of land was criticised by scholars like Musahara & Huggins (2004). Referring to Article 91 of the 1999 Inheritance Law which states that a plot smaller than one hectare cannot be partitioned, it is not clear how women would have access to individual landownership. There is also no clarity on how most of the plots in rural areas which are less than one hectare will be owned and managed by the young members of the same family in case the succession/inheritance is accepted.

Concerning land administration and management, Article 31 establishes an institutional framework governing land registration. It states that land registration, the issuance of land titles and the maintenance of a land register, land management and geo-information services shall be carried out by the competent national institution. A Land Bureau is established at the district level headed by a District Land Officer. The District Land Bureau shall be technically answerable to the national institution in charge of the national land registry and geo-information services (Article 32).

Other institutions are land committees which will be established by the Prime Minister's Order (Article 33). The District Land Officer holding the power of public notary will keep the land register and issue certificates of land registration or proof of ownership.

According to Sagashya (2012:6), institutions of land management and administration are the following:

- **Ministry of Natural Resources:** keeps the coordination of all activities of land reform to the territory of Rwanda
- **National Land Commission:** Oversees the work done by the national land centre and its branches at local level;
- **Rwanda Natural Resources Authority (RNRA):** Centralised office coordinating land reform activities in Rwanda;
- **Office of Registrar of Land Titles:** Centralised Office of the Registrar which deals with issues of land planning and administration and develops procedures and standards for effective land administration;
- **Department of Lands and Mapping** (Former National Land Centre);
- **District Commission:** Oversees the work done by the Land Bureau at the district level
- **District Land Bureau:** deals with land planning and administration at the local level, including sectors and cell levels;
- **Sector and Cell Land Committee:** administrative sector and cell sensitise local people, the beneficiaries of land registration, to land use consolidation activities, and call them to participate in the activities of land reform for its effectiveness in a transparent way.

Article 39 requires the owner to utilise land in a productive way, and in accordance with its nature and intended use. Any person who uses another person's land through legal procedures is required to properly maintain it and use it in a productive manner. According to Article 40, the land which is considered to be used in a productive way is any land with crops, buildings or infrastructure, land with forests and seedling, land that has been under fallow for more than three (3) years, harvested land, as well as any land on which a reasonable number of livestock belonging to individuals, associations or organisations, graze. On the other hand, land considered not to be properly used is the following: "land not protected from soil erosion; land meant for agriculture which is not covered by crops or other plants by at least up to a half (1/2)

of its area; land meant for grazing which does not respect grazing regulations or is not covered by pasture for animals by up to at least one half (1/2) of its area; land meant for buildings and/or infrastructure which is not developed within the period prescribed by competent authorities” (Article 41).

Article 43 stipulates that the landlord has an obligation to pay a land tax prescribed by a specific law while a landowner with an emphyteutic lease shall pay lease fees as provided for by the Presidential Order.

Article 50 states that transgressions which prevent the proper management and use of land shall be punishable in accordance with the penal code. Article 51 stipulates that the administrative sector is in charge of inspecting whether the land is used in a proper and productive way. Every year, at the latest on 31 March, the administrative sectors authorities shall present to the district administration an inspection report on the use of individual land, of land allocated by the State or its institutions to investors, and of land in the private domain of the State and its institutions with legal personality. After analysing those reports the administrative authorities at the district level will send to the minister reports with recommendations.

The current law also provides for temporary requisition of land where there is tangible evidence that land meant for agriculture, livestock or forestry is not being used properly. Article 52 states that if the land is not used for a period of three (3) consecutive years without a sound reason, the minister in charge of land has the power to order the requisition of the land for a period of three (3) years. In addition, if the landowner does not demonstrate the will and the capability to use that land, that period may not be renewable.

Article 53 provides for the notification for the requisition of land. This article stipulates that the requisition shall be carried out after a written formal notice of forty five (45) working days has been given to the holder of the land right or the person who was supposed to utilise it. This differs from what was provided for by the former land law where, in Article 74, it was stated that land which would not be used after three years, would be requisitioned for a period of three to six years. After that period of time it can be given to another person who demonstrates the ability to conserve it and make it productive, or it can be confiscated. However, this would raise another problem for many people, specifically rural dwellers who would lose their land, not because they do not want to make it productive, but because of the lack of resources as their lands are small and the banks do not see these plots as exchangeable for loans due to risk assessment.

To sum up, the Land Law No 43/2013 of 2013 determining the use and management of land in Rwanda is very important as it provides the legal framework for the implementation of land reform in Rwanda. This law is a result of the revision and amendment of the former law that aimed to comply with the provisions of the Constitution of the Republic of Rwanda and to address various weaknesses that were found in the former law which made its implementation difficult during land registration and land consolidation. The main provisions of this land law include the following objectives: to ensure tenure security, to enhance development, address inequalities in land access and ownership, and to resolve land disputes.

4.2.5.2 Categories of land and owners by the Land Law No 43/2013 of 16/06/2013

The Civil Code divided land into two categories: land in public domain and land in private domain. The Land Law No 43/2013 of 16/06/2013 distinguishes between urban and rural land on the one hand, and between individual land and public land on the other hand. Urban land is confined within the boundaries of towns or cities or any other land established by a Presidential Order as urban land, while rural land includes all remaining land (see Article 9). According to Article 10, private individual land comprises land acquired through custom or written law, the land granted by competent authorities or acquired by purchase, donation, inheritance, succession, ascending sharing and exchange, or through sharing. For Article 11, public land consists of land in the public and private domain of the state, land belonging to public institutions and land that belongs to local authorities, whether being in their public domain or in their private domain. The land owned by public institutions should be donated by the state, individuals or associations, or they should acquire it by purchasing it.

State land is made up of land in the public domain including land on which government institutions are settled, land and buildings dedicated to public service and administration use, state roads and road reserves, land reserved for environmental conservation, public parking, and foreshores of rivers and lakes. State land also comprises land in the private domain including land which does not belong to private individuals, corporations, public domain, local authorities, cities and municipalities. These are tracts of vacant land, land without owners, land confiscated, land expropriated for public purposes, land occupied by the state and land donated to the state. The land owned by municipalities and local authorities is donated to them by the state or private individuals or entails land purchased by local authorities (Articles 12-16).

The importance of the above-mentioned legal framework is that it provides knowledge on the legal prescriptions of how land should be owned and used and the expected outcomes as well. The Organic Land Law indicates who owns what and how, the process of acquiring and owning land, the role of the state, requirements related to the use of land by landowners, categories of

land and land management institutions. The law is important for the researcher to understand the context of the on-going land reform programme by understanding the legal process of how land reform branches, including land consolidation; land redistribution and land registration help reduce poverty. This can happen as the issuing of title-deeds as proof of landownership can be used as collateral at the bank to obtain a loan, encouraging increased agricultural productivity.

4.2.6 Provisions of laws relating to land consolidation

Land consolidation is governed by two laws namely the Land Law No 43/2013 of 16/06/2013 governing land in Rwanda and the Organic Law No 24/2012 of 15/06/2012 relating to planning land use and development in Rwanda. Article 30 of the mentioned Land Law establishes land use consolidation and prohibits the subdivision of plots of land reserved for agriculture and animal resources. It states that for the purpose of optimisation of productivity, an order of the minister in charge of Agriculture and Animal Resources shall set up procedures and modalities of land use consolidation for agricultural and livestock purposes. If the result of the subdivision of plots leads to plots of land of less than a hectare in size for each of them, it is prohibited to subdivide plots of land. Owners of lands that are prohibited to be subdivided shall co-own and use the land in accordance with the laws.

Article 2 of the Land Law No 43/2013 of 16/06/2013 defines land consolidation as a procedure of putting together small plots of land in order to manage the land and use it in an efficient and uniform manner so that its productivity is increased. Article 4 of the Law No 24/2012 of 15/06/2012 relating to the planning of land use and development in Rwanda provides fundamental principles of land use and development in Rwanda. One of the principles is that land use and development must be administered and managed so as to contribute to sustainable development for the benefit of current and future generations of Rwanda. A further principle is that land use and development must take gender into account.

Article 5 of the same law stipulates that during the planning of land use and land development priority must be given to higher density, multi-family residential settlements, either located in the urban or rural area. Planning of land use must focus on integrated land use where settlement areas comprise residential, commercial, civic and community and light industrial areas, minimising the physical distances between home and work place.

4.2.7 Orders and decrees setting details for planning and administration of land in Rwanda

After developing the above-mentioned laws governing land registration and land consolidation, the following step was to develop secondary and tertiary regulations under the Organic Land Law of 2005 that was recently amended and replaced by the Land Law No 43/2013 of 16/06/2013. Most of those regulations were drafted; few of them have been implemented while others are still being formulated. However, land registration and land consolidation programmes have been implemented although these orders were not implemented following the guidelines of the land policy of 2004 and the Organic Land Law of 2005.

The ministerial order determining the content and the procedures for land allocation and leasing (framework for leasing and titling) were drafted as well as the ministerial order determining the content and procedure for the extension of full ownership rights making provision for full ownership outside the leasehold framework (criteria of implementation).

The presidential order determining the length of the lease for different categories of land according to what such land is intended for was developed. The ministerial order determining the modalities of land registration of title to land is under formulation. The presidential order determining the structure, the powers and the functioning of the office of the registrar of land title has been developed. The ministerial order determining the structure of land registers, the responsibilities and the functioning of land bureaux in districts was drafted in 2006. The presidential order determining the organisation, responsibilities, the functioning and the composition of land commissions was drafted. However, the delay in drafting the legislation and regulations which are important tools for the purpose of land registration, would be one of the causes of land registration failing. Implementers need to take cognisance of regulations and laws, read and understand them in order to use them properly in order to organise and carry out activities of land registration efficiently.

Concluding this section, one can argue that the provisions of the Land Law No 43/2013 of 16/06/2013 relating to land consolidation and land registration, if well implemented, will deal with the history of land-related conflict that characterised Rwanda before and after the 1994 genocide. It is also a key tool of ensuring equality in landownership as it provides land titles to all the people, without discrimination based on gender, origin, ethnic group or social category.

Poverty can also be reduced among people as land value increases due to the issuance of title-deeds and people would increase agricultural productivity if mechanisms of land consolidation contained in the Land Law No 43/2013 of 16/06/2013 are implemented. The role played by

implementers and the level of participation of beneficiaries in land consolidation and land registration implementation have to be assessed, as well as challenges brought about by the implementation of the new Land Law No 43/2013 of 16/06/2013.

To sum up, this section on the statutory and regulatory framework is highly important for the objective of this study as it determines how land reform, specifically land registration and the consolidation of land use, ought to be structured. Regulative documents such as the customary law, the Constitution of 2003, the land policy of 2004 and the Land Law of 2013 provide the philosophical framework to land registration and consolidation of land use with regard to the prescriptions and procedures to be followed during the implementation process.

The philosophy behind the land reform processes is to give land tenure security to all Rwandans without discrimination based on gender, origin or social category. It aims to promote liveable economic conditions for all Rwandans where more than 95% of the Rwandan people are basically part of an agricultural community, mostly living in rural areas. The issuance of title deeds by the government of Rwanda to all Rwandans increases the value of land and serves as a key factor of giving each individual means of profiting from his basic asset to get loans and invest in income-generating activities. In addition, if well implemented with participation of beneficiaries (rural farmers), the land use consolidation programme will promote socio-economic livelihoods for rural dwellers.

Measures, stated in legal documents, are taken against those who do not use their land. These measures are important means to coerce and force people to work on their land and use their land in a more productive way. However, the government needs to provide more facilities and assistance to rural dwellers who are not able to make their land productive due to the lack of knowledge and modern techniques of agriculture, as well as their inability to meet bank formalities.

There is the need for an in-depth investigation on how the government (implementers) and beneficiaries (people) collaborate for the effective implementation of land consolidation and land registration. The following section investigates the reviewed literature on the activities of land registration and consolidation implementation in post-genocide Rwanda.

4.3 Activities of land registration and consolidation implementation in Rwanda

The primary purpose of this section is to make a documentary analysis of existing literature on land reform experiences through land registration and land consolidation in Rwanda. The focus first is on the experiences of land registration and continues with land use consolidation in different parts of the country. Rwanda has experienced many land-related problems over time,

including land scarcity due to inequality in landownership, poverty because of poor land productivity and land disputes owing to the customary tenure system (Boudreaux, 2009:3; Huggins, 2012:21). The studies conducted by Pottier (1997) and Musahana and Huggins (2004) revealed that the land problems of unequal access to land, ownership and control are power and ethnic-based; they result from land seizure by different leaders of the country, since the pre-colonial period up to today.

There is a lack of a strong land tenure system that would enhance development and land disputes, as well as create mechanisms to make land more agriculture sector export-driven. These are the main factors that reform in the post-genocide Rwanda. This policy necessitated reforms in administration. Currently a special institution governing land global land management perspective is developed as

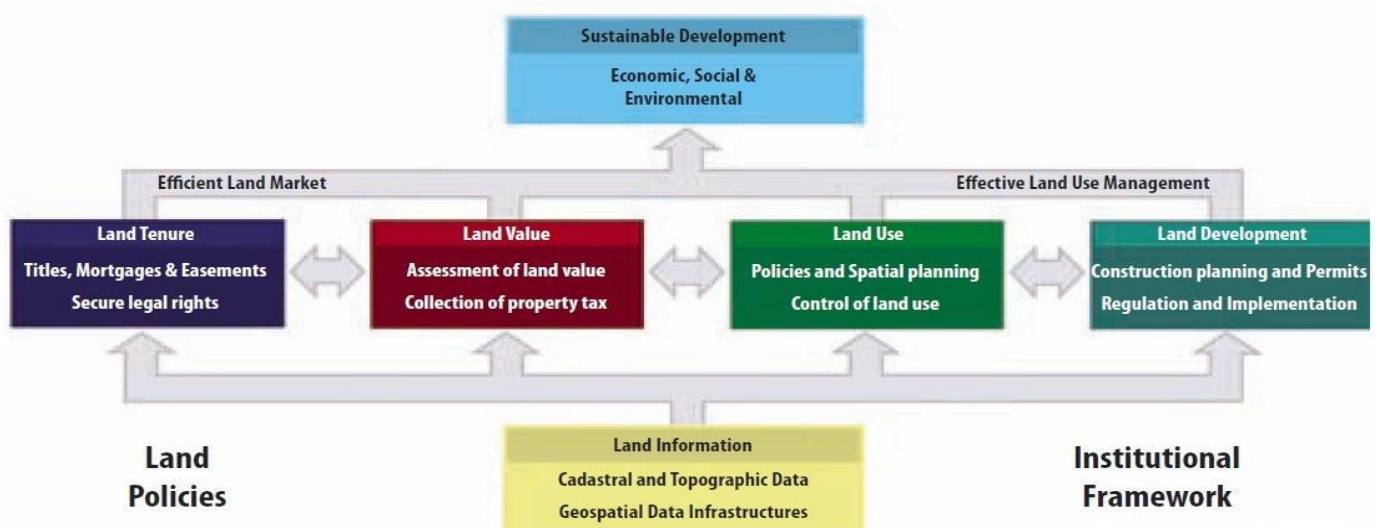


Figure 4-1 below shows.

Figure 4-1: Global land management perspective

Source: MINIRENA (2012:5)

Figure 4-1 above depicts the land management perspective that ensures sustainable development in terms of economic, social and environmental development. In other words, those are the expected outcomes when land reform is implemented effectively. For that purpose, different activities will be completed following the institutional and legal framework and the guidance of a strong land administration system. The land registration programme entails

recording land objects (plots/condominiums) on which subjects (natural or non-natural persons) have rights (MINIRENA, 2012:5) and land use consolidation programmes which consists of growing one regional priority crop (MINAGRI, 2008). The intention is to implement these programmes in a way that will lead to an efficient land market and effective land use management. The land policy and law stipulate that subjects, whose lands will be registered, will receive land titles as a proof of object rights ownership (property) and that registration of land in Rwanda is mandatory (MINITERRE, 2004; MINIRENA, 2013). Likewise, the reform of land management and administration in Rwanda aimed to turn the agriculture sector into a commercial one in order to boost the Rwandan economy MINAGRI (2012:5). The process of land tenure reform that guarantees security of ownership and the land use consolidation programmes expected to enhance agricultural productivity are discussed in the following sub-sections.

4.3.1 Land registration to enhance tenure security and development

The government of Rwanda implemented systematic land registration and recorded land information from 2007-2009 in the whole country. This took place plot by plot and cell by cell following a general boundary survey that was carried out using orthophotos and satellite imagery (Sagashya, 2012). This was done to replace the legacies of customary land tenure. Arguments supporting this programme were made by different researchers such as Sagashya & English (2010), Musahara (2006), Quan (2000), MINIRENA (2008), MINALOC (2011), Ngoga (2012), Liversage (2003), Huggins (2012) and Ansoms (2012).

By 2009, for the 30 districts of Rwanda with 2148 administrative cells, approximately 2141 administrative cells (99% of all the cells of Rwanda) were covered by the land registration programme; 10.9 million plots were registered and demarcated throughout Rwanda with the participation of cell land committees; 83% out of them had full information on claimants, less than 1% (10,600) land disputes were registered; 6.6 million plots were digitised and 7.5 million plots were entered in the Land Tenure Regularisation Database (LTRSS) (Sagashya & English, 2010).

According to Ngoga (2012:16), 1087 cells have undergone objection and corrections; 3.6 million of leasehold titles were approved; 3.5 million leasehold titles were printed and 1.4 million leasehold titles to land were collected by owners. In addition, 80% of all the registered private land owned by individuals in Rwanda belonged to married couples (co-owners); 5% was owned by men while women owned 11% of all the individually-owned land as *de facto* or sole owners. The systematic land registration process was carried out in five steps, namely notification of the Land Tenure Regulation (LTR) area, Training of Committees and a Local Information

Campaign, Demarcation and Adjudication, Receiving Objections and Corrections, and Final Registration and Titling.

Recently, the Deputy Director General in Rwanda Natural Resource Authority (RNRA) said that the systematic land registration with land tenure regularisation was carried out plot by plot, and cell by cell (Sagashya, 2012). It started as a pilot phase from 2007 to 2009 and the road map for land tenure regularisation was approved by the cabinet in March 2008. An estimated 10 million plots of land in Rwanda was registered in 2148 cells through a participatory approach with cell land committees. The whole process made use of supportive tools such as aerial/satellite orthophotos. It was supported by the Government of Rwanda, DFID, SIDA, the Netherlands and the EU (Sagashya, 2012:7)

4.3.2 Land consolidation and agriculture reform activities

In Rwanda land consolidation was launched in 2006 as a key project aimed at the radical restructuring of the rural agriculture sector. This was supported by new mechanisms of agricultural development and with a strong regulatory basis of Article 20 of the Organic Land Law (2005) that was recently amended; however, the same statement is maintained by Article 30 of the Land Law No 43/2013 of 16/06/2013. The land consolidation programme was devised after realising that the increasing smallholding fragmentation of farming land is the source of poor land productivity (MINAGRI, 2008; Musahara & Huggins, 2004; MINAGRI, 2012). Several sources have indicated growing landlessness, small land fragmentation through inheritance and subsequently pressure on marginal forest land and the National Park of Akagera (Musahara, 2001; MINITERRE, 2004; Huggins, 2012).

According to Muhinda & Dusengemungu (2012:3), the implementation of land use consolidation is multi-sector and participatory, which means that it is implemented by different institutions working in partnership and with the involvement of the local people. MINAGRI through its implementing agency (RAB) establishes the technical plan for land use which is implemented by the staff of MINAGRI in collaboration with MINALOC through its local administration authorities, as the implementation process for the use of farm land as Figure 4.2 below shows.

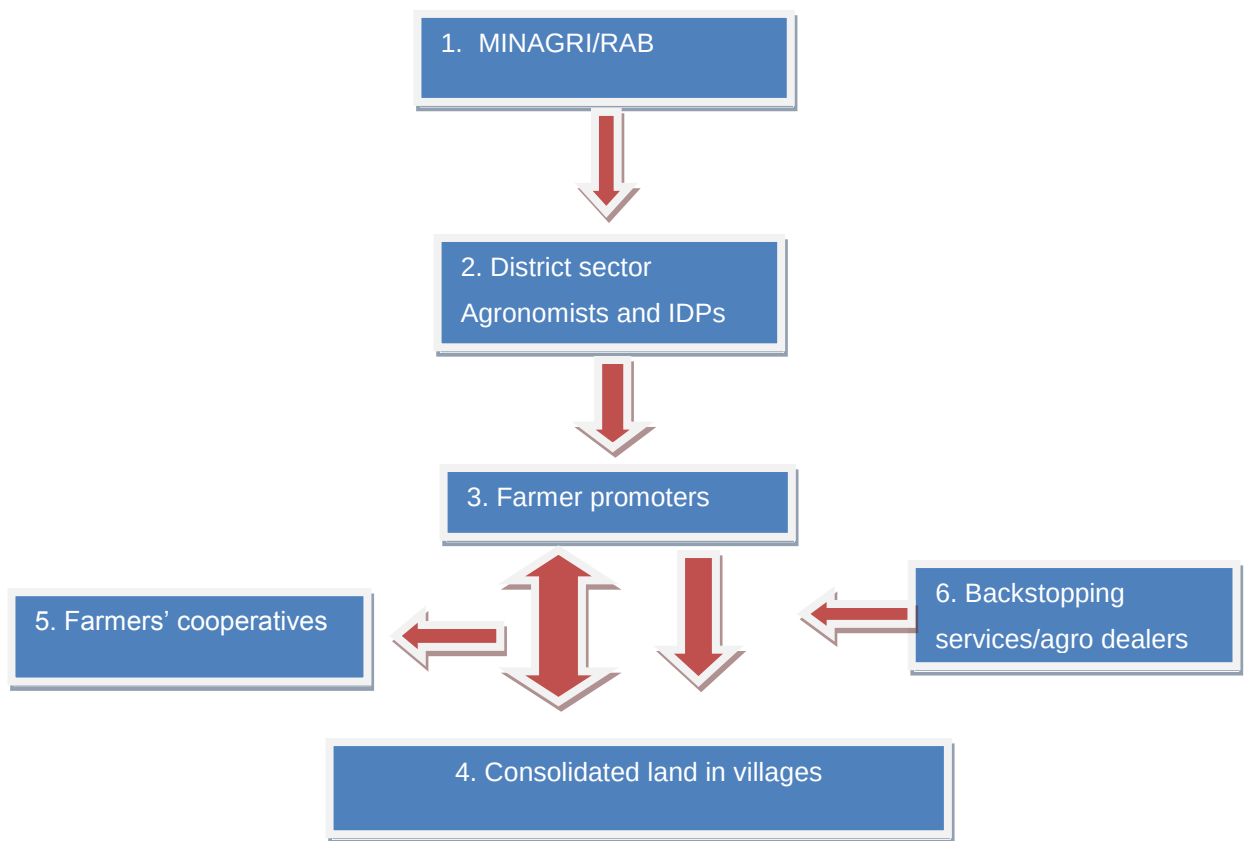


Figure 4-2: Farm-land-use implementation process

Source: Muhinda & Dusengemungu (2012:3)

Figure 4-2 above shows how the land use consolidation programme is implemented:

1. **MINAGRI/RAB:** MINAGRI, through its implementing agency RAB, establishes the technical plan for land use, which is implemented with the staff of MINAGRI in collaboration with MINALOC through its local administration authorities.
2. **District/sector agronomists and IDPs:** The direction of the first arrow from the central level to the local level indicates that at the central level MINAGRI/RAB collaborates with district authorities, agronomists and IDPs. At the local level, it is the districts that identify farm lands that can be consolidated and cultivated with priority crops. Thus, the consolidated areas are reported to the Crop Intensification Programme (CIP).
3. **Farmer promoters:** The second arrow that links district agronomists and IDPs to farmer promoters indicates that at the local levels, the district and sector agronomists collaborate with IDPs in administrative cells and Farmer Promoters known as *abajyanama b'ubuhinzi* in villages mobilise the farmers to cultivate priority crops in consolidated lands.
4. **Consolidated lands in villages:** The arrow that departs from the central level ends up at the consolidated lands in villages where priority crops are grown.
5. **Farmers' cooperatives:** At the local areas, farmers' cooperatives support the implementation of consolidated land use by promoting mono-cropping.
6. **Backstopping services/agrodealers:** These are supporters of the implementation of consolidated land use, which include local and international organisations intervening in agriculture and agro-businessmen.

It is important to note that at the national level the main land use consolidation stakeholders under the framework of the IDP steering committee include MINAGRI, MINALOC, MINIRENA, MININFRA, NGOs, the Private Sector Federation, and Province and District authorities (RGB, 2012:11).

With regard to the implementation process, initially the government intended to *consolidate land ownership* but this was suspended because it would create more problems as rural dwellers were opposed to the amalgamation of farm holdings. Thus, the government adopted *land use consolidation* which consists of encouraging neighbouring households, whether grouped in

cooperatives or not, to grow the same crop with reference to the crops adopted by the government for their region (Musahara & Huggins, 2004:2; MINAGRI, 2012:5). The reluctant behaviour of rural dwellers proves the attachment that people have to land. This attachment is so deeply set that could not agree to merge their lands as they felt that on they would not be able identify the former land boundaries. A group of researchers, including Pritchard (2010), Pottier (2007), and Musahara & Huggins (2004), pointed out that the origin of the related conflicts in Rwanda could be found in the strong attachment to land held by Rwandans.

Furthermore, several researchers, including Milz (2011), Huggins (2012) and Hahirwa (2012), explained that people were opposed to participation in land use consolidation because of a lack of knowledge of the programme. For example, in 2006, when the programme was launched in the Eastern and Southern Province s people refused to consolidate their lands. It was only when soldiers came to force them to participate that they started growing maize in the Kirehe District of the Eastern Province and in the Muhanga District of the Southern Province (Milz, 2011). Most of the people in the Muhanga District, for example, refused because they did not understand what land consolidation was about or they were not explained the outcomes of land consolidation and how it would differ from their former multi-cropping system (Umuhoza, 2012).

Regulations framing land registration and land consolidation established coercive measures punishing people who would go against the implementation of land and agricultural reforms as this contributed to failure to achieve the economic growth targets of Vision 2020. The fact is that people who refused to implement the land consolidation programme faced strong measures, including land confiscation or requisition if their land was unproductive or degraded (Art, 58-61 of Land Law No 43/2013 of 16/06/2013).

In effect, the National Land Policy of 2004 and the Land Law No 43/2013 of 16/06/2013 state that land will be confiscated from farmers who will not follow agricultural policies, land use master-plans and other related government regulations. Article 58 of the Land Law No 43/2013 of 16/06/2013 also stipulates that the state can proceed to the requisition of land for three years renewable if the owner fails to make it more productive or if the land is being degraded.

The present study investigated evidence that land confiscation took place in different targeted places of the Southern Province . However, in the view of Huggins (2012:32), the “coercive paradigm in the Rwandan legal and institutional framework diverges significantly from the idea of private property rights (absolute landownership, enjoyment of profits and transfer) that is a fundamental aspect of neo-liberal development paradigms”.

In order to deal with this socio-cultural problem, people were allowed to start farming after it was assured that their lands were not less than the minimum size as determined by the Ministry of Agriculture. The minimum size for a consolidated plot is five hectare (MINAGRI, 2012:15). Different studies and official reports by Ntirenganya (2012), MINAGRI, (2012), Mbonigaba & Dusengemungu, (2012), Huggins (2012), Hahirwa (2012), Musahara (2013) and the reports of AGRA (Alliance for Green Revolution in Africa) are informative about the process of land use consolidation in different parts of Rwanda. The studies conducted by Ntirenganya (2012:99) in the district of Bugesera of the Eastern Province and Huggins (2012) in the north-western part of Rwanda showed that the owners of the consolidated lands agreed on common crop planting regime, weeding and harvesting schedule and on the agricultural inputs to be used such as fertiliser and pesticides. It is interesting that the idea of grouping landowners came from the local government officials and people implemented it. The annual report of the Ministry of Agriculture in 2012 and the findings of RISD show that in all the parts of the country, farmers were encouraged to group themselves in cooperatives and farm the same crop. In addition, the local authorities and people collaborated in rearranging plots of land, selecting and growing one crop and marketing and selling the produce (RISD, 2008:13; MINAGRI, 2012:6).

The following programmes were implemented to support the consolidation of land use: the Strategic Plan for Agricultural Transformation in Rwanda (SPAT), the Regional Crop Specialisation Programme (RCSP) that was done after selecting crops according to the region, the Crop Improvement Programme (CIP), livestock ownership and the National Policy of Promotion of Cooperatives (MINAGRI, 2012). Other support includes agricultural farmers' cooperatives and the widespread terracing of hillsides that was implemented in some areas with the use of prison labour force. The CIP (Crop Intensification Programme) is considered a key supportive programme and the main instrument to implement the strategic programme entitled "Intensification and Development of Sustainable Production System". The aim of the CIP is to increase agriculture productivity on a per-hectare basis largely through water and soil management, conservation measures, regional crop specialisation and increasing the use of fertilisers (Huggins, 2012:24). The seven crops selected by the government since 2006 for regional crop specialisation are maize, rice, wheat, beans, soybean, Irish potatoes and cassava. Each administrative sector chooses three of these crops which its households then grow (MINAGRI, 2012:16).

However, there is also criticism on the land consolidation implementation process, particularly with regard to the participation of beneficiaries in the implementation of land policy. Pritchard (2010), Huggins (2012) , Bizoza and Havugimana (2013), Ntirenganya (2012) and Ansoms

(2010) all critique the top-driven policies, lack of consultation and field testing at the grassroots and negative behaviours of local government officials that result in a large group of people not participating. For example, Huggins (2012:8) argues that the Crop Improvement Programme (CIP) was not a true pilot study but an opening phase of the programme. However, the same author argues that two dynamics that can explain why the reform programmes were implemented quickly were the ambitious targets of quick results the national development of the government of Rwanda outlined in the “Vision 2020” document and the need to address the negative effects of land fragmentation and land scarcity. In addition, Pritchard (2010:15) points out that despite the need for land reform, the latter was implemented with aggressive goals, scale and methods and this posed a significant threat to rural livelihoods.

As was mentioned in the introduction, the report of MINAGRI (2012) said that the agricultural reform policies, particularly the CIP, were not accepted and implemented at the same level in different provinces. For example, land consolidation was accepted more readily in the Northern and Eastern Provinces than in the Southern and Western Provinces of Rwanda.

The causes of this difference in accepting the policy are not known but Huggins (2012:12) argues that those causes should be searched in “the complex local socio-political contexts and particularly in the historical legacies of state-community relations, the reinterpretation and renegotiation of policy directives by local level administrators and in some cases reflect some uncertainties amongst senior policy makers or the extent to which local administrators tolerate certain practices which contravene the policy”. In-depth research is needed to investigate the actual causes of this difference in the acceptance of land consolidation among the provinces.

The Ministry of Agriculture and Animal Resources in Rwanda has declared that the CIP’s strategy was to use a “participatory approach”, taking into account preferences of farmers. The government documents, however, showed that the CIP was developed by state agencies without participation of farmers’ associations or any other organisation directly representing the interest of farmers (Pritchard, 2010:72; Ansoms, 2012:15).

Instead of consulting rural development actors as was provided for in the progress report of the integrated development programme, the only agencies that were consulted were state entities, para-statal organisations and other stakeholders. Rural farmers or any organisations representing their interests were not consulted. Crops to be grown were listed but no procedures indicated for consultation with farmers. There is a need to investigate the link between the top-driven nature of the land consolidation programme, the lack of consultation and the level of participation of rural farmers in the areas of study (Huggins, 2012:26).

With regard to farmers' cooperatives, the government decided to structure farmers into agricultural cooperatives in order to enhance the implementation of land use consolidation. These cooperatives were viewed by government as essential tools for succeeding in land consolidation, state control over crop production and agriculture reform in general. Moreover, the government also viewed the cooperatives as preferable to simple associations for the following reasons: they have a legal status that allows them to access bank loans, they are more transparent and easier to monitor as they have to produce regular reports on membership, activities, and there is the availability of capital and statistics. There were 1 121 agricultural cooperatives in Rwanda in 2007 and the government aimed to double this number to 2 242 by 2012 (MINECOFIN, 20011).

However, critics point to the structure, administration and management of the agricultural cooperatives. For example, Ansoms (2012:67) point out that those cooperatives tended to be controlled by local government officials. In addition, Huggins (2012:25) reports that most of the times the government coerced rural farmers to form agriculture cooperatives with the pretext that cooperatives were cost-effective ways to bring farmers together in order to receive state-sanctioned goods, such as training, seeds, credit and fertilisers. Furthermore, apart from a few cooperatives initiated by farmers, other cooperatives have also been imposed on the farmers by the local administration in order to fulfil *imihigo* targets. In effect, the land consolidation programme is initiated and encouraged by the government because it considers this programme as the key element for agricultural reform. For this reason local leaders write this programme in their performance contracts under *imihigo* targets; consequently they encourage and sometimes force people to join existing agriculture cooperatives or create new ones and consolidate their lands (MINAGRI, 2012).

Furthermore, the research conducted by Hahirwa (2012) and Rwembeho (2012) cited in Huggins (2012) in the *Kirehe* District, one of pilot districts for land consolidation and CIP implementation, revealed that in 2011 most of the agricultural cooperatives made losses rather than profits. It was found that the harvest in the district was not sufficient due to climate change, specifically heavy rainfall, and secondly because of competition at the market as people, including local authorities, preferred to purchase cheaper maize from Uganda rather than local maize. In the same area, in 2008 local government officials forbade farmers to sell maize that was produced privately; they had to wait for state-approved-buyers. This resulted in high post-harvest losses because when they were permitted to sell their harvest some of it became decomposed or was affected by insect infestation. As a result, the buyer purchased the remaining products at a lower price while farmers had to pay credit for fertiliser they were forced to obtain from the local government officials (Hahirwa, 2012).

There is a need to know how in the Southern Province of Rwanda, agricultural cooperatives involved in land use consolidation are organised and function and how they benefit members and the poor of the local areas. Gender aspects, including how women and men are equally integrated in cooperatives, as well as how they equally make profit from cooperatives, will also be investigated.

As is the case in Europe, in some regions of Rwanda, resettlement groups or villages were created and people were moved from their former houses to live in agglomerations (villages) in order to obtain larger agricultural lands. Similarly, this programme was also initiated in Tanzania by President Julius Nyerere and it was named *ujamaa*, which means “family-hood”. Moreover, other sources reported that there were people who refused to leave their holdings to live in resettlement groups and to consolidate their lands. This happened mostly in the Western and Southern Province s (MINAGRI, 2012; Dushimimana, 2006). The agglomerations were criticised for being far from their farm holdings, measures to protect their crops against thieves were lacking and there was a lack of basic infrastructure and facilities in those villages (RISD, 2008; Musahara & Huggins, 2004; Musahara 2006, Dushimimana, 2006). The land use consolidation is expected to reduce poverty and particularly hunger among rural dwellers of Rwanda by bringing considerable changes in the agriculture sector to fulfil the aims of the government of turning farming or the agriculture sector into a commercial and market-oriented one (Sagashya & English, 2010; Laura 2012).

The land use consolidation is also expected to create employment (MINITERRE, 2004:18). According to MINAGRI (2012) the improvement in agricultural activities and turning farming into a business resulted in increased job creation, especially through people moving from agriculture to other sectors of production. The NISR (2012) estimated that the number of people employed in agriculture was reduced to 72.6% and the rest were probably employed in other sectors of production; the same source indicates that from 2005 to 2012 there had been new sources of employment and the percentage of laid-off farm workers had increased by almost 7%.

According to MINAGRI (2012), despite the many challenges facing land consolidation, it achieved positive results by increasing productivity owing to the use of agriculture inputs such as fertilisers and pesticides. Studies conducted by GIEWS/FAO (2010), IFDC (2010) and the report of MINAGRI (2012) on the implementation of land consolidation revealed some positive effects. For example, cereal production increased from approximately 320 000 MT to more than 600 000 MT in 2009/2010, Cassava production tripled, Irish potatoes, and soybean and bean yields almost doubled (GIEWS/FAO, 2010).

However, critics point out certain crops such as sorghum and sweet potatoes that are resistant to drought were prohibited. The government aims to change the agriculture sector to become more export-oriented with little proof that the agriculture policy is pro-poor (Ansoms 2009:24). Critics of the export-oriented agriculture point out that this will take time because Rwanda does not have processing facilities with a big capacity. As a result, maize flour produced in Rwanda by MINIMEX is not competitive at the local and regional market because maize processing facilities have no equal capacity to those of other facilities in the region. Thus, locally grown maize flour costs more to produce than maize produced elsewhere and consumers can easily purchase maize from East African countries such as Uganda because the price is lower than the price of maize flour produced in Rwanda (Huggins, 2012:28).

There is a need to know whether crops grown in the Southern Province of Rwanda are consumed by their producers or whether they are exported; in other words: To what extent do locally grown crops help fight malnutrition and food insecurity in Rwanda? Activities of terracing, agro-forestry and water harvesting were carried out to prevent and control erosion. The government provided people with agricultural inputs like fertiliser and improved seeds and from 2007-2010 the bulk of fertiliser was imported and distributed by private sector organisations; this resulted in an increase from 4kg to 29kg of fertilisers per hectare (AGRA, 2010; MINAGRI, 2012).

However, the programme of radical terracing was criticised for being driven from the top because it was done without consultation with local communities and most of the times it involved the demolition of houses and the uprooting crops. Many households were told to uproot their crops and did it forcibly. Later on the farmers remained waiting for sowing in the new terraced soil and this also led to significant anger among rural households (Pritchard, 2010). The same cases of uprooting crops took place in the district of Musanze when people waited for a long time for maize-seeds to be approved by government. They decided to plant other crops, which were forcibly uprooted after the approved seeds arrived (Huggins, 2012; Laura, 2012).

According to IFDC (2010), 87.7% of the farmers used fertilisers and 60% of them used fertilisers in consolidated lands. Between 2008 season B and 2011 season A the total consolidated land area increased from 28,016 ha to 502,916.55 ha and in 2011 season B the consolidated area increased up to 524,185.95 ha (29.86% of arable land) (IFDC, 2010). This statistics is detailed further in Table 4.1 below.

Table 4-1: Land area (Ha) under consolidated cultivation of priority crops in Rwanda

Crops	2008A	2009A	2010A	2010B	2011A	2011B
Maize	17, 808	35,000	83,427	29,474.29	138,492.35	83,470.70
Irish potato	160	5,000	36,420	2,728.71	37,183.00	60,263.00
Cassava	9,448	10,000	5,748	n/a	57,981	102,528.00
Wheat	600	10,000	7,340	3,721.00	5,800.20	29,679.00
Rice	0	6,000	6,703	6,900.00	8,700.00	8,500.00
Soya bean	0	0	5,570	n/a	751.00	2,000.00
Beans	0	0	105,580	n/a	254,011.00	237,745.25
Peas	0	0	3,660	n/a	n/a	n/a
Total	28,016	66,000	254,448	42,824	502,916.55	524,185.95

Source: MINAGRI (2012:12)

NB: n/a: Data not available

The findings of the research conducted by Huggins (2012:10) in the District of Kirehe (Eastern Province) revealed a problem of corruption related to profit-making by local authorities who forced people to buy fertilisers in order to make profit indirectly from fertiliser sales. As the reformed agricultural activities took place in highly decentralised structures, the central government or the state could not quickly detect and squash such weaknesses. In addition, the same researcher observed that there was a domination of particular corporations in the transport and agricultural processing activities. There was particularly a lack of competition in the fertiliser distribution and crop intensification.

Huggins argued that “this increased risks of collusion and price fixing and few opportunities for smallholders to negotiate good terms for their products” (Huggins 2012:11). Referring to the example of a private company, Entreprise Nkubili Alfred & Sons (ENAS), Huggins argued that this private company was given the market of intensifying crops in the District of Kirehe, Eastern Province in 2009 but its double role as distributor of fertilisers and provider of extension services meant that its extension staff had largely turned into fertiliser salesmen (Huggins, 2012:12).

There is a need to know how the market for the harvested products is organised and whether farmers gained profits from land consolidation, especially from mono-cropping in the areas of the current study as well as how the local leaders manage the process of fertiliser sales. Moreover, there is a need for in-depth research to know if these achievements helped to reduce incidences of malnutrition and improved food security in the areas of our study.

Though there is extensive data available on land reform worldwide, and particularly on land reform experiences in Rwanda, several gaps in the literature remain. Before the genocide of

1994, most studies focused on the link between high demographic density and land scarcity or land disputes; other studies paid more attention to the analysis of land policy and laws while others were concerned about women's land rights and the agricultural sector. Only a few studies were conducted on land issues in the post-genocide era. Palmer (2000) and Lisa (2001) criticised the draft land policy; Musahara and Huggins (2004) made a critical analysis of the land policy of 2004; Huggins (2012) conducted a research on land consolidation in the Northern Province of Rwanda; and Hahirwa (2012), Kairaba and Simons (2011) and Ansoms (2012) investigated the implementation of land reforms in the Eastern Province and in the city of Kigali. This mentioned literature was used to understand and interpret the results obtained by the current study. This present study therefore contributes to the existing literature by evaluating the land reform process in the Southern Province regarding both land registration and consolidation with a specific focus on how these two programmes impacted the living conditions of rural farmers.

4.4 Conclusion

In this chapter, the question of land in Rwanda was discussed and findings on its origin and evolution analysed. The land question in Rwanda revolves around land scarcity related to the small size of the country, inequality in landownership and the imbalances between available land and increasing demographic pressure. The first inhabitants of Rwanda did not experience land issues since they were small numbers and the land for cultivating and grazing was sufficient.

The problems of inequalities in land access and ownership developed over time as a result of different leaders of the country under successive regimes who took over large tracts of land. The increasing demographic growth over time and the persistence of the culture of inheritance exacerbated land fragmentation and worsened the problem of land scarcity.

The land question in Rwanda could not be addressed over time due to the lack of strong land management policies and laws. The customary land tenure system that was dominant and governed land acquisition, ownership and use from the pre-colonial period before the adoption of the new Land Law in 2005 did not give a guarantee of tenure security to land owners; rather, it caused land disputes between families due to unclear family land borders, and among children of the same parents in terms of inheritance. The customary tenure system also increased the problem of land fragmentation through inheritance and poverty as the poor had no way to offer land to the bank as collateral and earn a loan.

Consequently, the land question impacted negatively on the people's social and economic livelihoods. It generated and intensified intra- and inter-familial conflicts. The land issue was also linked to the genocide where young Hutus killed Tutsis, expecting to own their lands, and with the aim of keeping and safeguarding their properties because politicians told them that Tutsis from outside and inside the country would take over the Hutu's lands after the RPF victory. Furthermore, due to land scarcity and poor agricultural practices such as little use of fertilisers to improve soil fertility, lack of irrigation, little intercropping and excessive growing of coffee instead of food crops, the country experienced food shortages and hunger, and especially rural dwellers lived in increasing poverty. The objective of the land reform that was adopted by the post-genocide government was to address all the land-related problems mentioned above and achieve development built on a strong legal basis.

This chapter also discussed the legal and regulatory documents governing land reform in Rwanda, including Customary Law, Civil Code and Laws, the Constitution of Rwanda of 2003, the Vision 2020 document, the National Land Policy of 2004, the new Law No 43/2013 of 16/06/2013 governing land in Rwanda that replaced the Organic Land Law No 08/2005 of 14/07/ 2005 determining the use of land in Rwanda, and specific orders and decrees that detailed on land planning and administration.

The literature on the experience of the implementation of land registration in Rwanda that was discussed in this chapter revealed a systematic land registration aimed to enhance tenure security and development. This started with a pilot project from 2007 – 2009 and went on throughout the whole country, plot by plot and cell by cell, following a general boundary survey that was carried out using orthophotos and satellite imagery.

Up to the end of 2009, 99% of all the national land was registered and leasehold titles are under collection by owners (Sagashya & English, 2010). In addition, 80% of all the registered private land owned by individuals in Rwanda belongs to married couples (co-owners), 5% is owned by men while women own 11% of all the individual owned land as *de facto* or sole owners (Ngoga, 2012). Concurrently, the consolidation of land use and agricultural reform activities were launched in 2006. The objective was a radical restructuring of the rural agriculture sector using new mechanisms of agricultural development. At the beginning rural people opposed the policy of consolidating their household's farm-holdings but the government decided to change the policy to land use consolidation which means that people grow the same regionally adopted crops on their individual plots. However, agricultural cooperatives were given the marshlands and unused available lands to practise mono-cropping through land consolidation and this approach was very successful.

In view of the arguments in this chapter, the neoliberal and populist approaches to land reform, as well as the benefit theories and social exchange theories, are applicable to the present study evaluating the implementation process of both land registration and land use consolidation in the Southern Province of Rwanda. These approaches to land reform will be used to explain the philosophy behind land reform, particularly the benefits of land registration and titling, as well as the role of land use consolidation in developing the agricultural sector, while the populist approach indicates the way that should be followed in order to benefit the poor landowner and user. The extent to which land registration and consolidation improve commercial agriculture will be assessed with reference to the statements of the neoliberal approach. The populist approach will be used to appreciate the extent to which land registration and consolidation benefit the poor and advance equality. In addition, the benefits and social exchange theories will be used to assess the weaknesses and strengths of land registration and land consolidation, the level of participation of the population and the extent to which land reform stabilises rural relationships.

Overall, the findings of this chapter coincide with the findings in the literature on the experiences of land reform through land registration and consolidation worldwide presented in chapter 3. Rwanda differs from other countries in terms of objectives and procedures but follow the same agenda of land reform. This is, namely development through improving the agriculture sector, addressing inequalities in land access, ownership and use and lessening land-related conflicts.

CHAPTER 5: RESEARCH METHODOLOGY

Kothari (2004:1) defines research as a scientific and systematic search for pertinent information on a specific topic. For the same author, research methodology entails the search of truth, with the use of observation, comparison and experiment in order to contribute to the existing body of knowledge. According to Zikmund, Babin, Carr & Griffin (2013:3), research can provide information that is used in making informed decisions and addressing key issues faced by all competitive business enterprises. Without research, all business decisions involving both tactics and strategies are made in the dark (ibid). This means that research methodology may be regarded as the process of collecting and processing data with the aim of attaining the study objectives.

The overall aim of the present study was to evaluate the implementation of land reform through land registration and land use consolidation in the Southern Province of post-genocide Rwanda. The focus was on collecting views of implementers and beneficiaries regarding land registration and land use consolidation. The aim was to determine the extent to which land reform addresses poverty and land related conflicts, as well as ascertain the strengths and weaknesses of implementation process. This chapter outlines the research design, the study population, sampling and the instruments used for data collection.

5.1 Research design

According to Creswell (2009:5) research design is a plan for the research process outlining the research elements and its inner relation. According to Mouton (2006:55), research design is a blueprint determining how the researcher intends to conduct the research, starting from the problem statement and continuing to the end of the research. The design indicates the type of study the researcher undertakes, the data needed to answer the research question, methods of data collection and the analytical techniques employed in order for the data to answer the question successfully (Greenstein *et al.*, 2003:14; Mouton, 2006:180).

For the purpose of the present study, secondary data were collected by means of a literature review. The literature review describes the experiences of land registration and consolidation in other countries in general as well as the activities of land registration and consolidation in Rwanda in particular. The theoretical and conceptual framework provides an understanding of the following concepts relevant to the study: land reform, land registration, land consolidation, agricultural production, use of the land, and agricultural market participation, agricultural profit, and equality, participation practices between government and land owners.

The framework also presents the concepts of: people's knowledge about land use, the protection of the poor, gender balance, rural social relationships, land conflict, social cohesion and the issue of land fragmentation.

There are three approaches in research design: quantitative, qualitative and *triangulation* or mixed method which is a combination or mixture of both quantitative and qualitative methods (Creswell, 2009:5). Bryman and Bell (2007:28) describe the quantitative approach as a research design that quantifies data into numerical factors allowing for exact measurements. The same authors indicate that quantitative research is based on questionnaires and enables the researcher to use statistics to determine certain outcomes and analyse data. Quantitative research makes it possible for the researcher to describe the relationship between variables statistically.

The alternative approach is the qualitative design. Welman, Kruger & Mitchell (2007) describe the qualitative design as research that uses words rather than figures, by recording oral data through interviews and focus-group discussions (hereafter abbreviated as FDGs) with the aim of gaining more in-depth knowledge of variables under study. This design gathers the beliefs, opinions, emotions and relationships of individuals. It also helps to identify intangible factors such as social norms, socio-economic status, gender roles, ethnicity and religion of which the role in the matter under research may not be readily apparent (Myers and Newman, 2007).

In the present study, data were collected through *triangulation* or a mixed-methods approach of both paradigms recognised in social sciences namely, the above-mentioned quantitative and qualitative designs. The choice of the methodological *triangulation* was motivated by the need to explore, describe and evaluate the process of land registration and the implementation of land use consolidation in the Southern Province of Rwanda, particularly by assessing the process' strengths and weaknesses. In the context of the mixed methods procedure a sequential explanatory design was followed. This means that a quantitative study formed the major part of the empirical investigation, but it was expanded by a qualitative study conducted afterwards on grounds of the results. The aim was to add information to the results obtained from the quantitative study. This was to ensure an in-depth explanation of the problem on which the present study focuses. The quantitative study was conducted by means of a survey and the qualitative study was done through interviews, focus groups and observation.

5.2 Sampling methods

Cooper and Schlinder (2008:37) define sampling as a process of selecting certain elements as representative of the total population. Kent (2007:229) believes that using a sample rather than collecting data from a full population saves costs. Wegner (2007:213), in turn, points out that it often happens that collecting data from a full population becomes impossible due to time and cost constraints. In short, sampling consists of selecting a representative unit, which is a limited number drawn from the study's population to represent the general view.

As stated previously, the main purpose of the present study was to evaluate the land reform implementation in the Southern Province. Therefore, the key role-players identified as respondents were land reform beneficiaries who originate from the Southern Province, own land and use it for agricultural purposes. Since the implementation of land reforms, the Ministry of Lands through the Rwanda Natural Resources Authority (RNRA) registered their lands and provided for land title-deeds with the recipients. They also received various forms of support provided by the Ministry of Agriculture through officials of the Rwanda Agricultural Board (RAB) in collaboration with local government authorities to implement land use consolidation by growing regional priority crops.

The Southern Province of Rwanda consists of seven districts, namely Kamonyi, Muhanga, Ruhango, Nyanza, Huye, Nyaruguru, Nyamagabe and Gisagara. A sampling frame for the database was drawn from the whole population of the Southern Province totalling 2 594 110 inhabitants according to National Institute of Statistics of Rwanda (NISR; 2012).

Sampling allows the researcher to study a workable number of cases. Bryman (2001) warns, however, that it must be representative of the full population to deliver findings that are relevant to all members of the whole population. The literature review reveals whether researchers should apply the qualitative or quantitative approach and whether they may choose a sample based on a probability or a non-probability sampling system. Probability sampling allows each member of the selected population an equal opportunity to be included in the sample. With non-probability sampling not everyone has an equal chance to be selected. The sample is then rather extracted according to certain criteria or preferences and the probability of being chosen is unknown (Zikmund & Babin, 2007:417). In the present study both probability and non-probability sampling methods were used. With regard to the probability sampling, the simple random sampling method and the systematic random sampling method were utilised. The simple random sample was used for selecting administrative sectors with their cells while the systematic random sample was adopted for selecting the households. The whole process of probability sampling followed three stages:

- *The first stage was the sampling of sectors with their cells from all districts in the Southern Province:* Two administrative sectors were selected randomly from each district. Therefore, in total the study covered 16 administrative sectors from a total of 101. Each sector has four cells. The survey was conducted in every cell of the sectors selected in the sampling process. This means that 64 cells were included in the study.
- *The second stage was the sampling of households:* This sampling was conducted systematically from a sampling frame – list of households of the specific cell, which was obtained from the local cell office. For the sample six households were selected systematically. The interval was determined by dividing the number of households by six. From the sampling frame, the first household was selected randomly; thereafter households were chosen according to the interval calculated for the cell.
- *The third stage consisted of selecting participants from the households:* From each selected household an available adult was selected who enjoyed permanent residence in the household, is literate, and 21 years or older. The parents, whether male or female, were selected depending on each parent's availability and acceptability to participate.

Concretely, a sample of 385 households of land reform beneficiaries (farmers) was drawn from a population of 2 594 110 inhabitants of eight districts of the Southern Province of Rwanda according to the National Institute of Statistics of Rwanda (NISR) (2012). These farmers have acquired land but only 378 of the 385 households owned registered lands (they did not participate in land registration) and 346 have acquired the proof of ownership document and 263 households were involved in land use consolidation. Apart from general questions that were answered by all 385 persons, only 364 people from the households, whose land was registered and titled, answered questions related to the evaluation of land reform through land registration. Of the respondents, 263 only answered questions related to land use consolidation.

It was crucial to sample these categories of respondents because they represent all farmers who are beneficiaries of land reform through registration and consolidation of land. They also have a similar understanding and experience of the land reform implementation's outcomes, weaknesses and strengths as well as on issues of agricultural development. Furthermore they are aware of the challenges they face and which policies and strategies are needed to address land reform weaknesses and overcome challenges. The aim would then be to implement a successful land reform process that solves the problems of poverty and land-related conflicts. In this respect, the sample could provide quality information. To supplement the quantitative research, interviews and FGDs were used. Interviewees were selected with purposive sampling and with availability sampling. The reason for choosing purposive sampling is that it enables

researchers to know in advance which category of informants they are going to interview (Kothari, 2004: 59). According to Grinnel and Unrau (2011:234), informants are selected on the basis of their availability at the time of the study. The availability sampling was done when the researcher was in the field of the study, by choosing informants who were available and assented to participate in the research. This was done mostly when some authorities such as Mayors and Project Coordinators were not available on the day of the appointment. The absent candidates were replaced by their deputies.

Categories of interviewees that were chosen include twenty four rural farmers, eight district Mayors, ten officials of the Rwanda National Resources Authority (RNRA) who are primarily responsible for the implementation of land registration and titling, ten officials of Rwanda Agricultural Board (RAB) who are responsible for the implementation of land use consolidation and twenty nine members of Civil Society intervening in the land reform implementation process and those working in Agriculture sector. However, some of officials as interviewees were unavailable and some were replaced by their deputies while others could not be replaced due to the absence of replacements. The interviewees were as follows:

- Eight district Mayors (one per district): six were available (District Mayors of Kamonyi, Muhanga, Ruhango, Nyanza, Nyamagabe, Nyaruguru), only two District Mayors respectively of Huye and Gisagara were unavailable and were replaced by their deputies. All of the Mayors or deputies were interviewed in December 2014 in their respective district offices.
- Ten representatives of RNRA (one per district, one at the provincial level and one at the central level). However, two of them from Nyaruguru and Gisagara Districts were not found and could not be replaced. Interviews with RNRA representatives took place in the period of June-December 2014 in their respective offices;
- Ten representatives of RAB-MINAGRI (agronomists; one per district, one at the provincial level, one at the central level): five agronomists were interviewed including those of Kamonyi, Muhanga, Nyanza, Huye, Nyamagabe. Those who were unavailable were from Ruhango, Nyaruguru, Gisagara and were replaced by agronomists at administrative sector levels of Kinazi (Ruhango), Kitabi (Nyaruguru), Gikonkwo (Gisagara). Interviews with RAB representatives took place in the period of June –December 2014 in their respective offices. It was crucial to involve key informants from the government organs both at the central and local level in order to gather views from the managerial side of the land reform implementation process.

- Twenty-nine key informants from civil society including: five persons from five Civil Society organisations intervening in the land question in Rwanda (HAGURUKA, RISD, IRDP, USAID Land project, INGABO), sixteen opinion leaders (two per district) (mainly, church leaders, local lawyers, Businessmen) and eight presidents of Abunzi (mediators; one per district). Civil society members were interviewed in order to ascertain the level they were involved in the land reform implementation process and their appreciation of the programme. In addition, the key informants in civil society play an important role as community facilitators and private professionals in the sectors of agricultural, law and community development. Thus they were approached for their perceptions and opinions about any discernible weaknesses and/or strengths in land registrations, which could assist in solving problems of land disputes and to alleviate poverty. The interviews with all of the key informants took place in their respective offices.

Overall, the total number of targeted population for interviews were 81 people, including rural farmers and key informants from both local and central government and the civil society organisations members but the real total number of interviewees were 79 people. Table 5.1 below identifies interviewees, clarifies their number and indicates where they were found.

Table 5-1: Interviews

Target people	Number of persons covered	Place held	Date
District Mayors	8	Respective offices	December 2014
Representatives of RNRA	10	Respective offices	June-December 2014
Representatives of RAB-MINAGRI (agronomists)	10	Respective offices	June-December 2014
Civil society members	29	Respective offices	December 2014
Farmers	24	Local administrative offices	December 2013

As far as farmer interviewees are concerned, the study sampled three per district of the Southern Province. The snowball sampling method was used to access those farmers for interviews. The method of snowball or chain sampling is used to identify people who have the information needed (Punch, 2000:56). Local authorities and mostly local agronomist officials were asked to identify victims of land conflicts and to point out the perpetrators before and after the land registration. Agronomists indicated people who used to experiment with low agricultural productivity. These authorities also helped to invite interviewees to the district or sector offices where they were met for the interviews. The purposive selection of farmer participants in interviews was guided by the following criteria:

- (a) gender (both men and women);
- (b) those who registered their land and hold a certificate of land registration as a proof of ownership, and are possibly involved in the land use consolidation program;
- (c) those who have experienced land conflict (in intra- or inter-familial context) before and/or after land registration – possibly disputes regarding inheritance, boundaries or economic transactions;
- (d) those who have experienced food shortages due to poor harvesting;
- (e) those willing to participate in the interviews/focus-group discussion (FDG).

To partake in the FGDs, in total 56 farmers were identified for the whole Southern Province (seven individuals per district). The number of participants in the FGDs, the place where and the period when it were held are detailed in Table 5.2 below.

Table 5-2: Focus groups

Area	Number of participants	Place held	Date
1. Kamonyi District	7	Gacurabgenge sector office	2 December 2013
2. Muhanga District	7	District office	9December 2013
3. Ruhango District	7	Kinazi sector office	11 December 2013
4. Nyanza District	7	Ntyazo sector office	16 December 2013
5. Huye District	7	Kinkanga sector office	6 January 2014
6. Gisagara District	7	Gikonko sector office	8 January 2014
7. Nyamagabe District	7	Kitabi sector office	15 January 2014
8. Nyaruguru District	7	Rubona sector office	16 January 2014

As is shown in the Table above, FGDs took place in all the eight districts of the Southern Province and each FGD included seven participants. However, the places where the FGDs were held and the dates differ. Apart from the Muhanga district where FGDs took place at the district office, others were held at the local administrative sectors offices. The period of the FGDs extended over two months including December 2013 and January 2014. All the sampling methods above were used to complement one another and with the purpose of triangulation and validation.

5.3 Development of questionnaire and interview schedule

Before undertaking the survey and conducting interviews, the first step was to expand the questionnaire guide and develop questions to follow-up on the survey. The designed questionnaire covered the information about the various elements of the hypotheses. These were concepts relevant to the study taken from the theoretical and conceptual framework as was indicated under 5.1. above.

The questionnaire was developed under the supervision of the promoter of the study and the Statistical Consultation Services of the Potchefstroom Campus, North-West University. After developing the questionnaire it was translated in Kinyarwanda (mother tongue of Rwandans, which is spoken by both the researcher and respondents/participants).

Thereafter the researcher prepared a list of questions (unstructured and structured) in a form of an interview schedule. While designing the interview schedule, the researcher ensured that all the elements of the hypotheses mentioned above were covered. The interview schedule was inspired by the literature review (chapter 2), the statutory framework (chapter 3), and the findings of the survey (quantitative data). Seeing that the interview schedule was developed in English, it also was translated in Kinyarwanda before being administered to the respondents.

5.4 Data-collection procedures

This subsection narrates the whole process of data collection that was done in the Southern Province of Rwanda. The first step consisted of visiting local, provincial and central officials in charge of management and land reform projects implementation to inform them about the research project and ask for their support and collaboration. For this purpose, the researcher visited the central offices of RAB and RNRA in Kigali and met with Deputy Director General of RNRA and Deputy Director General in Charge of Research at RAB. The researcher explained the objectives of the study and asked them to partake. The officials in both central offices responded positively and gave the researcher permission to go ahead to the provincial and district levels. The researcher visited the Southern Province three times and met with local government authorities in charge of implementing the land reform programme. These included the Provincial Representative of RNRA and the Director of Districts Development Programmes in the Southern Province. The researcher also visited district Mayors, agronomists, and officials representing RNRA in all of the districts. During those visits, the researcher explained the objectives of the study and how it would unfold and requested the collaboration and support from all the local authorities mentioned above.

A similar visit was organised with civil society members including other organisations such as NGOs supporting land reform projects and relevant authorities such as Abunzi (mediators) with the aim of informing them about the objectives of the study and asking them to partake. The visits to the different partners in the land reform process in the Southern Province enabled the researcher to get acquainted with officials of RAB, RNRA and civil society organisations that work in partnership with local government in the land reform process in the Southern Province . The researcher was also able to identify those who would be able to provide the data necessary for the study. Discussions between the researcher and the local authorities and civil society members went on through mobile phones during the field research survey, interviews and FGDs up to the end of the study.

The data collection was undertaken in three phases, namely the survey, interviews and FDGs. Therefore the discussion and the application of the three techniques will be done separately. For the survey, a pre-test (pilot study) was conducted with a small number of the target population in two administrative sectors of Kamonyi, namely Gacurabwenge and Mugina sectors to determine the feasibility of the study and if respondents could understand all questions. The pre-test revealed that there were still mistakes and limitations in the questionnaire but also confirmed the relevance of the study. There were language mistakes, some aspects of the hypotheses were not captured and aspects of questions that respondents could not understand. After correcting the mistakes, adjusting the questions in order to facilitate the respondents' understanding and integrating the mentioned omitted elements of the hypotheses, the researcher together with his fieldworkers proceeded with data collection (survey) in 16 sectors of the districts of the Southern Province . The researcher was assisted by ten fieldworkers who went through all the administrative cells one by one. They had experience of field survey (did research for their Bachelor's degrees in sociology) but before conducting this particular survey, they were trained by the researcher on techniques of obtaining information from the respondents, behaviours and values of a researcher. The fieldworkers were taught how to complete the questionnaire and the pre-test ensured that they were capable of conducting the surveys successfully.

Respondents were approached in their homes. Before asking them any question from the questionnaire, they were informed about the objectives of the study and how it would unfold. The candidates were also told that they were free to participate or not, and could withdraw from the survey at any stage without any repercussions. A number of local people from both targeted categories of beneficiaries and implementers were reluctant to participate in interviews due to the sensitive issues related to land use consolidation. The researcher explained the relevance of the study and promised no harm, anonymity and confidentiality in the managing of

information. As a result, some candidates did decide to participate, but others who remained reluctant were replaced. To those who agreed to participate, consent forms were given, which they completed. They were assured of the anonymity and confidentiality during and after the survey. Seeing that they were contacted in their homes, this created a familial and conducive environment which allowed them to participate freely in the survey without any hindrances.

During the data collection, the researcher was in the area of the study with fieldworkers to follow up and ensure that the fieldworkers did not face difficult problems. The questions were read to the respondents and their responses were written down by the fieldworkers. The fieldworkers took between 20 and 25 minutes to complete each questionnaire. Completed questionnaires were brought to the vehicle of the researcher who checked it immediately. Any irregularities found were quickly corrected before leaving the area of survey. After completing the data collection through the survey, the process of entering the data began. Thereafter the analysis was done with the programme SPSS. The Tables and analysis were e-mailed to the Statistical Consultation Services of the Potchefstroom Campus, North-West University for control.

By means of the survey research, by studying the sample, the quantitative approach enabled the researcher to acquire a quantitative or numerical description of trends, attitudes and opinions of respondents about activities regarding land registration and land use consolidation. This especially applies to their strengths, weaknesses and the challenges which implementation posed to them.

The use of the quantitative approach enabled the researcher to generalise the research results from the sample to the whole of the study population, which would ensure external validity. The concept of external validity refers to the approximate truth of propositions, inferences or conclusions drawn from a representative sample with the tendency to generalising (Kothari, 2004:21). For external validity of the results, researchers should ensure that the results can be generalised to people outside of their study (Bryman, 2001:7). More concretely, the quantitative approach allowed the researcher to grasp and understand the perceptions of different categories of respondents on how land registration and land consolidation activities meet their expectations to solve conflicts and increases the productivity in agriculture. It should be noted, however, that the use of the quantitative method of data collection, which include sampling, has limitations. These include the inability to examine non-quantifiable data such as gender, values, and views. Thus, the qualitative methods were used to supplement the quantitative research and for triangulation and validation purposes. The expansion of the study by adding the qualitative approach was realised through unstructured and structured interviews and FDGs.

During the survey, when fieldworkers were collecting data through questionnaires, the researcher carried out direct field observations among individuals during their daily agricultural activities in their farm-holdings and among farmers regrouped in cooperatives busy with agricultural activities in different sites of land use consolidation projects. Such field observations were conducted mostly in the marshlands of Rwabashyashya, Gikonkwo, Rugeramigozi and Mukunguri where farmers' cooperatives grow rice and maize crops, and in the sites of Mugina and Kinazi, where the cooperatives cultivate maize and cassava crops, as well as in individual household farmlands. A few interviews with farmers took place simultaneously with direct observations during the survey and many interviews and FGDs were carried out after the survey. The researcher returned to the research field in the Southern Province and farmer participants were given further opportunities to support their perceptions and experiences through interviews and FGDs. They gave detailed information on their close-ended responses written down during the quantitative research. These questions focused on motivating their positions (with reference to the quantitative data), how land reforms reduce poverty and land-related conflicts, identifying their strengths and weaknesses as well as the challenges faced, and providing possible suggestions.

For interviews with farmer beneficiaries of land reform the interviewees were called to the offices of their respective administrative sectors by local authorities and were approached there for the interviews. The exception was the Muhanga district where farmers were met at the Muhanga District office. This did not cause problems but rather enabled the interviewees to express themselves freely, without hindrances as they were in a local and familial environment, near their homes.

The second category of interviewees comprised groups of local and central government authorities who are implementers and managers of land reform activities. Apart from the representatives of RNRA and RAB at national level approached in their offices in Kigali, other government officials who implement land reform were met in their respective districts. It should be noted that there are offices of the representative of RNRA at every district and at the province. Likewise, there is an agronomist working for RAB-MINAGRI in every district and sector of the province.

The third group of interviewees was made up of civil society members who facilitate or intervene in one way or another in the land question in general and land reform in particular. They were interviewed about their practices, opinions on the weaknesses and strengths of land reform and were asked to provide suggestions for a better and successful land reform. Interviews with government officials and civil society organisations took place in their respective offices and at different times.

Interviews were done after informing respondents about the objectives of the study and how it would unfold, and after asking them their consent, assuring of them of anonymity as well as confidentiality during and after interviews. Those who accepted were given the consent forms which they completed. Guided by the unstructured and structured questions in the interview schedule, respondents answered the same questions, which made the data analysis easier. The researcher was able to grasp the relationship between land registration and consolidation, and the various variables such as improvement of commercial agriculture, gender and social equality as well as the reduction of land fragmentation. It also focused on strengths and weaknesses as well as challenges faced in implementing land reform and participants' suggestions for a successful land registration and land use consolidation that could help alleviate poverty.

The FDGs were organised after the interviews were done. FDGs are among the participatory methods which generally use between seven and 15 people. The importance of FDGs is that it enables the researcher to describe and understand different characteristics of the community better (Rakolojane, 2013:124). Mixed focus groups (both male and female) produce better results than single ones (single gender) because the participants exchange and give different views and it is up to the researcher to analyse and select the truth. However, the single focus groups that use only women are preferable in societies where women are reluctant to speak in assemblies of men or when sensitive and risky topics/themes are presented (ibid).

For the present study, the FDGs were mixed including seven people (both male and female) in each district. The discussions addressed the research questions and elements of the hypotheses of this research project. This included questions about people's knowledge of the key provisions of land reform, as well as perceptions of the weaknesses and strengths of the land reform implementation. It also focused on the extent to which land reform addresses poverty, improves agricultural productivity and enhances commercial agriculture, promotes equality, lessens conflicts and increases social cohesion. The discussions aimed to collect the participants' views on possible strategies and policies that could be developed for an improved land reform programme, which would eliminate poverty and conflict in a sustainable way.

The use of the above-mentioned qualitative methods was motivated by the necessity of qualitative research in the field of social sciences. Depelteau (2007:25) argues that social research holds a serious challenge of getting to know the research subject better. In effect, human phenomena are greatly complex, and it is difficult to comprehend the research subject's introspections, self-expression, ignorance, body language, contradiction and resistance. Thus interviews, FDGs and observations are the preferred choice of research.

The same author warns, however, that the researchers must pay attention to the issue of subjectivity in qualitative research, such as subjectivity leading to bias from the researcher and reading meanings into the participants 's responses..

To sum up, the mixed approach that was used in the present study was productive since the data complementing each other. Different sampling techniques and data-collection methods including surveys (questionnaires), interviews, observations and FDGs, all combined to deliver relevant data answering to the research questions and covering the various elements of the hypotheses. It should be kept in mind that those methods were used for the validation and triangulation purposes. On this basis the present study collected quality data. In addition, the data that was obtained reflect the approximate views of the population of the Southern Province as these data were collected from a fairly drawn representative sample from the whole population of the research area.

5.5 Data analysis

The quantitative data were entered into and processed by the SPSS programme by the researcher assisted by a team of experts that serve researchers in the Institute for Research and Dialogue for Peace (IRDP). Thus the researcher was guided in the process of entering the data and cleaning it from errors. Thereafter the researcher proceeded with the data analysis and discussion. This was done by summarising and interpreting the numerical values that were presented in the Tables. The use of Tables enables makes the data evident. The discussion was done by referring to the literature review and theoretical framework as well as the legal and statutory framework. The researcher also supported his arguments with qualitative data according to emerging themes. Qualitative data are words and observations, not numerical values. Testimonials from unstructured interviews and focus-group interviews that were written in a notebook by the researcher were integrated with the quantitative data to supplement and order the data, which enhanced the understanding when interpreting and discussing the results of the fieldwork.

5.6 Research ethics

The ethics of research emphasises the sensitive treatment of people who participate in the study. In particular these ethics helps to avoid abuses related to the research procedures. Thus every researcher should accept ethical responsibility while conducting research. Before starting the field study, the Ethical Committee of the North-West University approved this study and allocated the Ethical clearance number NWU-00049-13-S7 to the research project. Creswell (2009:87-92) and Greenstein *et al.* (2003) highlight a number of ethical principles that should be

followed while conducting the field research. These include: informing participants and requesting consent from them before and during interviews or surveys, and applying the gathered information in a way that does not harm the status of participants. Furthermore the researcher should maintain the privacy of the participants through anonymity and confidentiality. Therefore the identity details of the respondent should not be recorded, but kept safe and not revealed.

During the survey, all the above-mentioned ethical principles were applied. Respondents were fully informed about the research objectives as well as their freedom to participate voluntarily. In addition, they were told that they were allowed to withdraw during the survey without any consequences. The names of the respondents were not asked, hence, privacy was maintained throughout. The researcher requested the fieldworkers to assure each respondent/participant that they would not be harmed and that their names would not be made known. Before posing the questions, the researcher asked for the participants' consent. Those who agreed to participate in the study signed the consent forms. To make sure that it was really done, the researcher approached some respondents and asked them some questions aiming to verify if the principles above were applied. During the survey, the participants' responses were kept in anonymity and confidentiality, thus no participant was exposed to risk or to any compromising or harmful situations.

As far as aspects of gender, culture and age are concerned, the whole questionnaire was proofread by language practitioners to eliminate bias in this regard. A pilot study was conducted with a small number of farmers from the target population in two sectors of the Kamonyi District including Gacurabwenge and Mugina, as mentioned above. The pilot study was done to ensure trust and mutual respect, and to detect if possible marginalisation underlying the questions before the actual study commenced.

Before the interviews and FDGs, a further pilot study was conducted with a small number of farmers of the Kamonyi district, and particularly in the administrative sectors of Gacurabwenge and Mugina, to test the feasibility of the qualitative study. The pre-test of the interview schedule for government authorities was conducted with local leaders of the same district of Kamonyi. In the case of civil-society members the pre-test was conducted with Ingabo Association's representatives. Seeing that the researcher did not request participants' names, responses were not linked to any names during the coding process. Furthermore, interviews and FDGs were written in notebooks because interviewees refused to be tape-recorded. Fieldworkers helped the researcher by taking notes of the interviews and FDGs.

The researcher avoided stressful, insensitive interviews, but rather conducted interviews considering the human situation. This was done by minimising critique on the interviewees or making them feel exposed. Such an approach did not influence the results as the researcher used triangulation to collect all the data needed and cover the gap due to shortcomings of interviews which needed to take the human situation into account.

In order to gain consent of individuals in authority, application letters were written to local government officials requesting access to the sites and asking for participants to the study. The letters clarified the following aspects: research time, the potential impact and the expected outcomes of the research.

5.7 Challenges faced during the research project

This section reports on the major limitations or challenges the researcher encountered during the field work research. These main challenges were:

1. The long distances that had to be covered to different remote areas of the districts in the Southern Province. All of the districts are located far from the capital city of Kigali from which the researcher comes, but the most remote sectors that were reached with difficulty include the sector of Kitabi (in Nyamagabe district), Gikonkwo (in Gisagara District), Ntyazo (in Nyanza District) and Kinazi (in Ruhango district). Not only were the sectors situated away from the main roads but they were not easily accessible due to poor condition of roads. The researcher visited all the sectors. Where the destinations could not be reached by vehicle, the researcher and field workers used motorcycles.
2. The absence of some key informants for the interviews, caused challenges. It was mostly district mayors and coordinators of civil societies' organisations who did not turn up on the day of the interviews. To overcome this problem, the researcher interviewed their deputies/assistants.
3. There was a reluctance of certain local people from both categories of beneficiaries and implementers to participate in interviews where the sensitive issues related to land use consolidation were brought up. The researcher overcame this by explaining the relevance of the study, and promising no harm, anonymity and confidentiality in managing the information. After being informed some did decide to participate. Those who remained reluctant were replaced by others as the withdrawal often occurred during interviews.
4. During the interviews some participants, mostly ordinary people, declined to give their point of view on the role of local leaders in some shortcomings of land use consolidation. Other

participants, including mostly local leaders, did not respond on the matter of the responsibility of government authorities both at local and central level regarding negative aspects of mono-cropping or regional priority crop grown in land use consolidation. However, the researcher could find enough other farmer respondents who were willing to give their views on the role of local leaders in some shortcomings of land use consolidation. Likewise, numerous other officials agreed to give their views on the responsibility of government authorities both at local and central level with regard to the mentioned negative aspects in land use consolidation. As a result, the reluctant responses did not impact negatively on the results of the present study.

In addition, many ordinary people declined to answer questions about the level of increasing and decreasing agricultural produce, particularly the quantity of their harvest and the amount they earn from agricultural produce. This was due to an established tradition. In Rwanda people have a culture of not revealing their financial status to others, for example the income they earn. They do not wish their neighbours or any outsider, except their relatives, to ascertain how well off or how poor they live and what their earnings are. Even in cases of hunger, some children do not reveal the problem to teachers until teachers observe absenteeism or when the problem of famine for a certain region is reported on the radio. For this reason, some data on the quantity of the farmer participants' harvest and the amount they earn from agricultural produce were not collected satisfactorily. Triangulation was thus used to obtain those data from secondary sources. Some participants were suspicious. They were uncertain whether the researcher was a public servant, a policeman or a soldier dressed up as a civilian, despite having introduced himself and showed the relevant identity documents and student cards. This distrust did not harm the validity of the results as triangulation was used to cover the gap left by the use of any method of data collection.

5.8 Conclusion

This chapter presented the research methodology employed to collect and analyse data. It also highlighted certain challenges that were encountered during the research project. The chapter presented a thorough discussion on the research design, sampling methods, data collection and analysis procedures. The mixed-methods approach, which the study used, was explained: Through a quantitative research design an empirical investigation was carried out by means of a survey. To supplement the quantitative data, qualitative research was conducted by means of interviews and FDGs. The quantitative methods were used in conjunction with qualitative methods for triangulation and for validating data.

As stated by De Vos (2011:390), the size of the sample must be representative enough in order to generalise the results to the study population. In the present study, the sample of land reform beneficiaries (farmers) was drawn from the population within all the eight districts of the Southern Province of Rwanda.

The collected data were representative of the Southern Province as the participants represent all the farmers from the Southern Province. They thus have the same understanding and experience of the issues, weaknesses and strengths of land reform in this province. The government officials who were interviewed are knowledgeable of the of land reform process and are in charge of implementing and managing the related activities. In addition, different members of civil society organisations who were interviewed could provide reliable information as they participated in the land policy reform during its development and implementation. In this regard, they are cognisant of weaknesses and strengths of land reform implementation in the mentioned province. Thus, there is no doubt that these representative farmers, officials and civil society members could provide quality, reliable and valid data and information.

The following chapter will present the data collected from the study and its interpretation. The analysis of primary data will be done in support of secondary data on the experiences of land reform implementation in Rwanda. The data analysis will be done to answer the research questions, objectives and hypotheses. The purpose is to draw findings and link these with the literature that was reviewed and the conceptual and theoretical framework that was constructed.

CHAPTER 6: PRESENTATION OF RESEARCH FINDINGS

The main objective of the present study was to evaluate the implementation of land reform through land registration and land use consolidation in the Southern Province of post-genocide Rwanda. This chapter presents the results obtained from the data analysis according to this objective. The analysis focuses on how land registration and consolidation can solve problems of land-related conflicts and poverty and identify the possible weaknesses and strengths of land reform.

In order to achieve this objective, an empirical study was conducted in all the districts of the Southern Province from 10 October 2013 to 25 January 2015. The targeted population were all stakeholders involved in the implementation of land reform including beneficiaries (farmers), local government authorities and civil society members. Particularly the fieldwork survey was carried out during October and November 2013 while interviews and focus-group discussions (hereafter FGDs) were carried out between December 2014 and January 2015. All the respondents and key informants were familiar with the land reform process; some were involved in the implementation whether at national or local level, others as beneficiaries of land reform. Each respondent and key informant answered the questions posed by the survey or interviews and could give his/her point of view and experience. At the end of the research process the data was analysed to inform the objectives of the study.

The findings are presented according to the themes and divided into different sections. Statistical data are contained in Tables or graphs/diagrams, which is each discussed in this chapter.

- The first section presents and discusses the demographic profile of respondents. These entail beneficiaries of land reform who registered their lands and those involved in land use consolidation. The demographic profile of respondents reveals the characteristics such, among others, gender, age, marital status, sector of origin, family size, the family land size, occupation, education level or, children in the household.
- The second section presents the research results on the process of implementing land reform in the Southern Province of post-genocide Rwanda.
- The third section provides the research findings on the outcomes of land reform, particularly how land registration and land use consolidation improved agricultural productivity. It also investigates at which level the problems of poverty, inequality in land access as well as land-

related conflicts were addressed. The aim is to identify weaknesses and strengths of both land registration and consolidation programmes.

- The fourth section presents and discusses appreciations of the land reform by respondents/participants.
- The fifth section examines the challenges of implementation.
- The sixth section reports on various suggestions formulated by different participants during the research regarding an effective and efficient land reform process onwards.

6.1 Description of the study area

As explained in the previous chapter the land reform programmes including land registration and land use consolidation that this study aimed to evaluate, were implemented in all eight districts of the Southern Province. Those districts are namely, Kamonyi, Muhanga, Ruhango, Nyanza, Huye, Gisagara, Nyaruguru and Nyamagabe. The Southern Province is one of the five provinces of Rwanda that was created in the beginning of January 2006, following the local government restructuring under the decentralisation programme (MINALOC, 2011). It covers the former provinces (French: Prefectures) of Gitarama, Butare and Gikongoro and its capital city is Nyanza. The Province is situated in southern side of the Rwanda bordering the neighbouring country of Burundi in the south, the Western Province in the West, the Northern Province in the North and the City of Kigali in the East (See Annexure G). It covers a total area of 5963 square kilometres, with the 2589 975 inhabitants according to the General National Census of 2012 (MINECOFIN, 2012; NISR, 2014). The Southern Province is known as economic hub of the country contributing to the economy of the country with its agricultural production mostly of maize, cassava, beans, the, coffee and Irish potatoes (MINAGRI, 2008).

Moreover, some areas of the Southern Province such as the former province of Gikongoro and Butare were characterised by high unemployment rate, conflicts around land and particularly food shortage due to low agricultural productivity, specifically in the districts of Nyamagabe, Gisagara, Huye and Nyaruguru (Musahara, 2001). The land reform intends to address problems of food shortage and joblessness through turning agriculture sector into a commercial one with a potential to create jobs and contribute to the economy of the country and improvement of food security. The activities of land registration targeted all the households and the areas of land use consolidation projects include the marshlands of Bishenyi, Nkoto, Nkingo, Kayumbu, Rugeramigozi, Save, Rwasave... Therefore, this study evaluates to what extent land reform through land registration and land use consolidation have addressed the issues of poverty, land disputes, inequality and joblessness in the Southern Province .

6.2 Demographic profile of survey respondents

In the presentation of field data, it is useful first to examine the demographic characteristics of respondents from the survey in order to have background information. The description of the respondents sheds light on their social categories such as age, gender and educational level. Table 6.1 below presents the characteristics of the respondents according to their gender status.

Table 6-1: Gender distribution

Gender distribution	Frequency	Valid percentage
Male	218	56.8
Female	166	43.2
Total	384	100.0

n = 384

Table 6.1 indicates that more men than women participated in the survey. However, the percentage difference is limited. The Ministry of Youth, Culture and Sport in Rwanda (MIJESPOC, 2003) defined the youth as a category of young men and women between 15 and 35 years old. MIJESPOC also places people of the age between 36 and 55 in the adult category and those of 56 years old and above in the category of aged people. Respondents were also classified in categories of age as Table 6.2 below shows.

Table 6-2: Age distribution of survey respondents

Age-group	Frequency	Valid percentage
15-35	120	31.3
36-45	125	32.6
46-55	93	24.2
56 and above	46	12.0
Total	384	100.0

n = 384

Table 6.2 indicates that the majority of respondents (63.9%) are 45 years and younger, including 31.3% that are part of the youth. The reasons why so many youth respondents own land are that they inherited it and/or purchased it at an early age. The post-genocide period changed many domains of life in Rwanda. For instance, young people from poor and middle income families no longer depend on their parents. Before the genocide, young men and mainly young women who failed the exam to enter secondary school could stay with or close to their parents, their needs were satisfied by their parents until they married. Currently, young men and women no longer depend on their parents as their needs increased and the parents were

unable to meet it. In addition, the culture of entrepreneurship and business enterprise has been overwhelming in the post-genocide Rwanda. As a result, land has become a potential asset for business and a source of investment for many low-income earners since they were given title-deeds (MINAGRI, 2012). One participant (a Mayor) explained:

“The current land reform policy implementation resulted in increasing land value and many youths see it as a source of income and wealth ... most of them (whether married or not) ask for land from their parents in terms of inheritance; others acquire land through purchase in order to create their own business” (Mayor 2, December 2014).

In the Rwandan society, young people were not used to own land as they usually waited until marriage, were bequeathed land from their parents or acquired it through inheritance. Table 6.3 below presents the matrimonial status of the respondents/participants.

Table 6-3: Distribution of respondents according to marital status

Marital status	Frequency	Valid percentage
Single	34	8.9
Married	306	79.7
Never Married	12	3.1
Widowed	28	7.3
Divorced	4	1.0
Total	384	100.0

n = 384

From the Table above, it is clear that the majority of respondents were married (79.7%). However, the age of some 31.3 % was between 15 and 35 years old, as is evident from Table 6.2 above. Therefore, they owned land and had to cater for themselves, due to the reasons mentioned above. Following is Table 6.4 below that reports on respondents' status in their households.

Table 6-4: Status of surveyed respondents in their households

Status in the household	Frequency	Valid percentage
Parent	338	88.0
Child	25	6.5
Adult dependent	6	1.6
Adult independent	7	1.8
Grandparent	8	2.1
Total	384	100.0

n = 384

Most of the respondents are parents (88%). This is because in the Rwandan culture only a male child can only claim land after he gets married. Other reasons are that most of rural dwellers get married at an early age and land is mostly a major asset that is needed to sustain the household economically. Traditionally, women could claim for landownership in their fathers' houses if they were evicted or refused by their husbands. Table 6.4 above also indicates that 6.5% of the respondents were children living with parents at home. The interviews with some of these children revealed that a number of them still depended on their parents, whereas others, who are employed in the formal or informal sector, were catering for their parents and siblings.

The education level of respondents was also examined. In Table 6.5 below, respondents are classified into the following categories: primary level, vocational training, half-secondary level, high school level and no level.

Table 6-5: Education level of surveyed respondents

Level of education	Frequency	Valid percentage
None	75	19.5
Primary level	223	58.1
Vocational training	22	5.7
Half-secondary level	33	8.6
High school level	31	8.1
Total	384	100.0

n = 384

Results show that the majority of the respondents have a low educational level. Some have no education (19.5%) and more than half (58.1%) only attended primary school education. Few respondents (8.1%) had tertiary education. The respondents with no education and who were illiterate were assisted by their children (who are learners) to complete the questionnaire; these children consulted their parents before writing down the answers.

The findings above also reveal that the education level of most of respondents is not high because only 8.1% completed high school while 8.6% did not. This means that the level of understanding of the land reform programme, particularly the land use consolidation and relevance of land registration would not be high as that of the people who are expected to implement the programme. It is a fact that the success of a development project depends on the participation or involvement of beneficiaries, who must be aware of the relevance of the project and its expected outcomes (Anseeuw & Alden, 2010:54). Moreover, the level of involvement depends on the beneficiaries' level of education because education impacts various aspects:

the standard of life, the awareness of the options in one's environment and the levels of technology employed in economic productivity (Mabizela, 2005:10).

The children who live in the households were also investigated because children are the parents' responsibility when it comes to bequeathing land to them or provide for their needs. During the genocide many families lost their children who were killed; however, after the genocide child birth increased significantly as efforts by the pre-genocide government to reduce demographic density were abandoned. According to the NISR (2014), Rwanda's maternal mortality rate decreased by 77% between 2000 and 2013, and currently stands at 320 deaths per 100.000 live births. In addition, mortality of children under five was reduced by more than 70%, while the life expectancy at birth has increased significantly from 39.34 % in 2000 to 58.02 % in 2011 (Kasango, 2011), and to 64.4% in 2012 (NISR, 2014:7).

The increasing demographic pressure worsened land scarcity and lead to land fragmentation and land disputes in households (Musahara & Huggins, 2004:3, RISD, 2013:22). Since 2012, the government urged all Rwandans through the media and local government officials to use family planning methods in order to reduce imbalances between the family land size and the family size. For this purpose, a national family planning policy was developed and published in 2012 (MINISANTE, 2012). Table 6.6 below indicates the number of children of the respondents who still live in the families.

Table 6-6: Number of children who still live in household

Number of children who still live in household	Frequency	Valid percentage
1	19	5.4
2	62	17.7
3	72	20.6
4	70	20.0
5	45	12.9
6	38	10.9
7	20	5.7
8	17	4.9
9	7	2.0
Total	384	100.0

n = 384

The Table above shows that most families of the respondents had between two and four children. Approximately 20.6% have three children, while 20% have four children, and 17.7% have two children. A limited number of respondents had six children and more in their families – only 10.9% have six children and 2% have seven children.

Since 2012 when the government of Rwanda called on people to use family planning methods many households responded positively but others resisted. Most families with several children according to the Table above are those who refused to practice birth limitation and family planning due to religious beliefs, tradition and ignorance. According to MINECOFIN (2012), fertility in Rwanda is linked to religion and religious beliefs where three Christian churches are generally pro-natalist and reinforce the beliefs that children are a gift from God. These are predominantly 43.7% Catholics, 37.7% Protestants, and 11.8% Adventists, against 2% Muslims. In addition, having many children is seen as the “core of life, cradle of the future and pillar of happiness” (MINECOFIN, 2012:5). Families with such a large number of children are likely to experience more land-related problems such as land disputes and hunger due to low agricultural productivity, as was expressed by a woman interviewee:

“It is very difficult to feed all my children because they are many. I have ten children and I am a widow. I do not even know where I will get land from to give them as inheritance. I tell you the truth; they are a heavy burden to me” (Respondent 12, December 2013).

These problems would increase in cases where these children are not highly educated or trained for other productive activities. Another variable that was examined is the occupation of respondents. This variable links people's activities to land. The number of farmer participants helped to examine how land reforms contributed to the improvement of the agricultural productivity. Table 6-7 below indicates the employment occupied by respondents during the last 12 months.

Table 6-7: Respondents' occupation during the last 12 months

Occupation	Frequency	Valid percentage
Cultivating	356	92.7
Breeding	89	23.2
Small trade/Private	41	10.7
NGO staff	7	1.8
Public service	5	1.3
None	4	1.0
Other occupation/employment	3	0.9

N=384

It should be noted: One person indicated more than one occupation (For example, a cultivator does both breeding and cultivating, a public servant does also breeding, etc.). Therefore the valid percentages do not add up to 100%. The variable “other occupations” include a driver, a mason and a potter.

Table 6-7 above indicates that a few of the respondents are unemployed (1%) while the majority is cultivating land (92.7%) and does breeding (23.2%). Some of the respondents were hired in wage employment as a public servant (1.3%) and NGO staff member (1.8%). Very few were occupied in small trade (10.7%) and in other employments (0.9%). Several reports in the past revealed that the most valuable family asset in Rwanda was land, followed by livestock (Prunier, 1995, Pottier, 1996; Platteau, 1997, FAO, 1997, Musahara, 2008), with small trade being the third, and craft industry occupying the fourth position (NISR, 2012:16).

With regard to the variable “matrimonial regime” chosen by respondents, all (100%) had chosen the universal community of property. Recently, the government of Rwanda encouraged people who were married illegally to legalise their marriage in order to avoid problems that used to occur to women and children after the husband’s death. The fact is that women who are not legally married do not have ownership rights to properties that were formerly owned by their “husbands” who passed away.

This study also investigated the household’s land size that respondents owned, estimated in *ares* (metric unit of area: one *are* equals to 100 square meters). Respondents were asked to present the ownership document that was given to them by the former National Land Centre, which changed into the Rwanda National Resources Authority (RNRA). The reason for presenting the document to the researcher was that some of them could not read and interpret the cartography and the whole document. Table 6.8 below indicates the size of the household land owned by respondents.

Table 6-8: The household’s land size

Size of the household land	Frequency	Valid percentage
Ares 6-96	219	57.0
Ares 101-450	154	41.3
Ares 500-2500	11	2.9
Total	384	100.0

n = 384

The Table above shows that the majority of respondents (57%) were from households with less than one hectare (*ares* 6-96). These findings are not far removed from results by previous

studies conducted by Dushimimana (2006), FAO (1998) and Prunier (1995). For example, the study conducted by Dushimimana (2006) in the Kamonyi District of the same Southern Province revealed that the majority of respondents were from households with less than 0.5 hectares of land. Compared to Table 6.6 above indicating the number of children who still live in the households of respondents, these findings suggest a serious problem of land scarcity due to the strong imbalance between the family's size and the family's land size in the area of research.

6.3 Process of land reform implementation in the Southern Province

The land reform through the registration programme and land consolidation in Rwanda was adopted to address the negative effects of the customary land tenure system that governed more than 90% of the national land from earliest times (MINITERE, 2004:25). The customary system did not provide title-deeds to landowners, whereas the World Bank perceived land tenure as a means to access credit through formal title-deeds (Bleadsoe, 2004). In addition, due to the lack of modern agricultural techniques, the land owned by poor rural households has not been productive. As a result the poor land use was seen as the potential source of poverty and hunger for many years (Musahara, 2006:5). The National Land Policy of 2004 stated that there would be a land registration programme across the country to create a modernised land *cadastre*. This would be followed by the issuing of land titles as proof of land ownership and a land consolidation programme supported by "villagisation" (*agglomerations*) to address fragmentation where people would be encouraged to form adjacent plots and farming similar crops (MINAGRI, 2012:6).

The present study investigated the whole process of implementing land reform through registration and consolidation programmes. The particular focus was on the levels of consultation and participation/engagement of beneficiaries/respondents in the implementation process, as well as the specific activities to address poverty, and promote equality and social cohesion.

6.3.1 Consultation and sensitisation to the land reform programme

The first activity of the land reform was to introduce the programme to beneficiaries and enhance their knowledge. In the present study, it was relevant to establish whether the communities were consulted before the development and implementation of the national land policy and law. Typically the level of involvement in any policy implementation activity is determined by consultation and the level of awareness and understanding of the policy by beneficiaries and/or implementers (Kamusiime, *et al.*, 2005:27).

There is oral evidence that from 1998 to 2004 the government of Rwanda organised consultative meetings at different levels in all provinces while the Ministry of Lands simultaneously was writing the land policy (Musahara & Huggins, 2004:3). The present study investigated at which level the respondents of the Southern Province were consulted during the period prior to the development and implementation of the national land policy and law.

Table 6-9: Extent to which respondents were consulted before land reform policy adoption

Level of consultation before land registration	Frequency	Valid percentage
Very High	11	3.2
High	33	9.5
Moderate	95	27.5
Low	84	24.3
Very low	74	21.4
Not at all	49	14.2
Total	346	100.0
Level of consultation before land use consolidation	Frequency	Valid percentage
High	4	1.2
Moderate	36	10.4
Low	117	33.8
Very low	106	30.6
Not at all	83	24.0
Total	346	100.0

n = 346

Results in the combined Table above show that the majority of respondents ranked the consultation before land registration at a moderate level (27.5%) but a considerable number of respondents rated it at a low level (24.3%) and very low level (21.4%), while 14.2% indicated no level at all. Regarding consultation for land use consolidation, the majority of respondents (33.8%) rated it at a low level (33.8%), 30.6% at a very low level and 24% at no level. Overall, this means that most of the farmers were not consulted sufficiently or as much as was needed before the implementation of both programmes in the Southern Province. An official of Ingabo (civil society organisation supporting farmers in the south) who was interviewed asserted:

“Only local authorities were consulted by MINAGRI and MINITERE about the programme of land registration and consolidation mainly about growing priority crops selected according to the region and they accepted to implement it through the performance contracts without consulting rural dwellers. However, instead of consulting people, they rather told them to implement as they were told by the central government authorities” (Member of Civil Society 5, February 2014).

Other civil society members of Haguruka and RISD who were interviewed declared that consultative meetings took place but the central government officials who organised these meetings consulted local government authorities, opinion leaders and civil society organisations instead of targeting local ordinary people at grassroots (Member of Civil Society 1, Member of Civil Society 2, February 2014). In addition, all these meetings took place at the provincial and district offices and/or in the hotels instead of being held in cells or at village level.

Several documents by Palmer (2000:12), Musahara & Huggins (2004:3), RISD (2013) and Ali, Deininger, & Goldstein (2011), as well as official records from MINITERE (2004), reported those various meetings, which including the preliminary consultative meetings with local authorities throughout the country in 1998 that led to the drafted Land Bill. The same documents also reported meetings with different civil society organisations for their comments on the National Land Policy draft in 2001 and the national consultations and consultative meetings that took place in all the provinces, largely involving local authorities at district level between 2000 and 2004.

The civil society organisations were presented at discussions on a draft land bill and asked to comment during the consultative meetings. However, it was a case that they were merely being informed since most of their comments (e.g. giving more time for the sensitisation process) were ignored, only a few of were considered – as mentioned by two civil society members who were interviewed (Member of civil society 4 and 5, February 2014). These results support Robin Palmer's view that the civil society's involvement was not as strong as in other countries with a similar situation. This was mainly due to the persisting culture of the top-down policy process that made Rwanda a non-fertile ground for people to speak their minds openly:

“In what follows it needs to be stressed that civil society involvement has been somewhat stronger in other countries, such as Uganda and South Africa” (Palmer, 2000:4).

Given the testimonies above it is clear that at grassroots level, apart from the local government authorities, none of the other groups who were consulted returned to the villages to inform people about the objectives of the meetings as was pointed out by one of the respondents (Respondents 14, March 2013).

The informant from Ingabo explained that as a result of the low level of consultation and sensitisation at the beginning of the land consolidation implementation, some people at grassroots resisted to the process but others (the majority) participated as “they feared the public force and to be taken as opponents to the government policies” (Member of civil society 5, February 2014).

Normally land use consolidation must be implemented after consulting beneficiaries and acquiring their commitment for participation. These results oppose the statement of the Food Agricultural Organisation (FAO), on effective land use consolidation in this case:

“Before implementing land consolidation stakeholders should be willing to participate actively in the decision-making process of a project, the process should be a demand-driven and a project site must be identified where local citizens and community authorities are interested in land consolidation (FAO, 2003:59).

The main research question for the present study was: Why does land reform through land registration and land consolidation vary in success and failure in the Southern Province of post-genocide Rwanda? The results provided in Table 6.9 indicated one of the causes of variation in success and failure, namely that consultation with beneficiaries or landowners were on a low level before the implementation, particularly regarding the consolidation land use.

A rural farmer that was interviewed pointed out that several months *after* the land reform activities were launched the local authorities undertook sensitisation campaigns in public meetings and through social media to promote the land reform by means of land use consolidation and registration programmes.

Table 6-10 below indicates the sources of knowledge acquired on the matter of land reform.

Table 6-10: Sources of knowledge acquired

Sources of land-reform-related knowledge acquired	Frequency	Valid percentage
In the public meetings	305	98.4
In the media	5	1.6
Total	310	100.0

n = 310

The results in Table 6-10 attest to the fact that the local farmers became aware of the matters surrounding land use from explanations in public meetings (according to 98.4%) and through media (for 1.6%), before the land registration and consolidation exercises. According to the Mayors who were interviewed, the local leaders provided information on the land reform during *umuganda* (community work taking place in all administrative cells on Saturday of the last week of each month throughout the country). This was corroborated by executive secretaries of all the administrative sectors and different people that were interviewed. In addition, the social media, including public and private radios and television, as well as NGOs have communicated the content of the Land Policy and Law to rural and urban dwellers, as all the civil society members interviewed confirmed.

From the above could be inferred that those meetings with ordinary people could not be called consultative or participatory meetings; it rather were informative or sensitising campaigns, when taken into account how respondents assessed the extent to which their ideas and suggestions were considered. This assessment is presented in Table 6.11 below.

Table 6-11: Assessment of the extent to which their ideas were considered by policy makers

The extent to which farmers' ideas and suggestions were taken into consideration	Frequency	Valid percentage
High	2	.6
Moderate	41	11.8
Low	97	28.0
Very little	131	37.9
Not at all	75	21.7
Total	346	100.0

n = 346

Results in Table 6.11 indicate that during the consultative meetings organised by local leaders, attendees were given the opportunities to air their ideas and views on the land reform programme. Nevertheless, these ideas were not taken into account as the majority of respondents (37.9%) confirmed that their ideas/suggestions were taken into account at a very low level; 28% rated it at a low level and 21.7% rated it at no level.

The data on consultative meetings with civil society combined with the percentages presented in the Table above reveal a continuation of a top-down system of policy development in Rwanda. The results again support the statement of the report that was written by Robin Palmer that "Rwanda also has a centuries-old highly top-down tradition of governance, regardless of who is in power" (Palmer, 2000:2). Several researchers such as Sikor & Muller (2009) and Deininger (2003) pointed out that, whether projects of development were land reform or not, they were conceived in the top-down fashion mostly with bureaucratic modalities and usually ended by failing. The fact that the implementers ignored the views of stakeholders such as civil society organisations and farmers led to varying outcomes of success and failure in the land reform process within in the Southern Province of post-genocide Rwanda. In addition, the low level of consultation and the fact the needs and priorities of people were not considered before the land reform implementation rejects the statement of the second statement (hypothesis) of the present study that *Land reform advances equality*, particularly its sub-hypothesis 2a stating that *Land reform promotes participation practices between government and landowners*.

Nevertheless, during the implementation of land reform, local authorities did attempt to redress the situation by organising meetings to sensitise stakeholders on the land reform programme and inform them about the key provisions of the national land policy and law. During the field work survey done for the present study, respondents were asked to estimate to what level they received explanations on the land reform policy and law. Table 6.12 below presents the assessment of the respondents on this matter.

Table 6-12: Respondents' assessment of explanations about the land reform policy and law

Level of explanation	Frequency	Valid percentage
Very High	22	6.4
High	101	29.2
Moderate	106	30.6
Low	40	11.6
Very little	41	11.8
Not at all	36	10.4
Total	346	100.0

n = 346

Despite the fact that respondents' views were not taken into consideration, results show that the majority of respondents were briefed on land reform before its implementation although they assessed it differently. The majority of respondents (30.6%) rate the level of explanation moderate, low (11.6%), very little (11.8%), not at all (10.4%) whereas some respondents did rate it high (29.2%) and very high (6.4%). This means that the explanations received were in general not sufficient. To ascertain the causes of such a difference in assessment, the researcher interviewed different authorities and civil society members on the matter. Interviews with agronomists and Mayors of the districts of the Southern Province revealed that some local leaders often sensitised the people and provided explanations on the programmes while others were in arrears to do it. It was also mentioned that people in the Southern Province in any case did not benefit from the pilot phase of the land reform implementation that involved some administrative sectors of other provinces such as Gasabo (of Kigali city), Musanze (in the north), Karongi (the west) and Kirehe (the east).

A previous study was conducted by the Rwanda Initiative for Sustainable Development (RISD) to compare the level of awareness and understanding of land-related legal provisions acquired by people in the pilot area of Rwaza sector with those in the non-pilot area of Kinyinya sector. That study revealed a gap between people's awareness in the Kinyinya sector (of the Gasabo District) and the Rwaza sector (of the Gakenke District). This was because the Rwaza sector

had been a pilot area and people benefited *ipso facto* by knowledge from the pilot activities. This particularly applied to the explanation of the main land-related laws, namely the Organic Land Law (OLL), the inheritance law of 1999, the land registration provision contained in the national Land Policy of 2005, and the Expropriation Law, to mention a few. In contrast, the people of Kinyinya did not indicate the same experience (Kairaba & Simons, 2011:12). The land reform programme should be explained fully so that people may understand the key provisions and expectations in terms of gains and losses if they engage in the process.

The present study hypothesised that *land reform increases the knowledge of people about land use*. Thus respondents were asked to recall what they knew from the explanations given by local leaders whether in public meetings or through the media. Table 6.13 below provide the results.

Table 6-13: What people learned related to land registration and consolidation

What people learned Valid total=310	Frequency	Valid percentage
Use of fertilisers in modern agriculture	172	55.5
Practicing commercial agriculture	168	54.1
Usefulness of farming collectively especially in cooperatives	161	51.9
The use of land even in the small plot	135	43.5
Presenting land title to the bank as a collateral for a loan	76	24.5
Knowledge on succession law and my land rights	29	9.4
Farming selected crops that fit with the region	5	1.6
Order in farming, maintenance and effective use of land	8	2.6
Ways of fighting erosion	6	1.9
Following up crops from sowing to reaping period	4	1.3
Importance of mono-cropping and land use consolidation	5	1.6
Importance of growing maize	4	1.3
Mixing the manure	1	0.3
The value of my land	1	0.3
Nothing	18	5.8

n = 310

The results as presented in the Table above show a level of consensus among respondents on the aspects on land reform of which they were informed. As many as 55.5% of the respondent learned the importance of the use of fertilisers in modern agriculture, 54.1% spoke of practicing commercial agriculture, 51.9% emphasised the usefulness of farming collectively especially in cooperatives. Other subjects that were cited by a few respondents included, among other matters: efficient use of a small size land (43.5%); presenting a land title-deed document to the

bank and obtaining loans; provisions of succession law and people's land rights (9.4%). From Table 6.13 above it is evident that, in the Southern Province, a deliberate process was launched to raise awareness amongst the local populace and thereby to increase their understanding and participation. All the subjects covered in the interviews prove the subsequent qualitative effects. In other words, basic knowledge were conveyed on the key provisions of land reform, particularly land registration and land use consolidation, even though the information was limited, as the Table 6.14 below shows.

The work done by local leaders was commendable as people recounted pertinent subjects. However, the results of Table 6.14 below indicate that the explanations were not sufficient to build local capacity at the lower levels for better land usage. It could also not encourage massive participation in land use consolidation. In other words, people still lacked important skills necessary to participate successfully in the implementation of the land reform policy, as is shown by Table 6.14.

Table 6-14: Assessment of the extent of explanations about the current land policy and law

Appreciation of level of explanations received	Frequency	Valid percentage
Very sufficient	15	4.8
Sufficient	21	6.8
Moderate	99	31.9
Insufficient	98	31.6
Very insufficient	59	19.0
Not at all	18	5.8
Total	310	100.0
Subjects not covered	Frequency	Valid percentage
How to prevent problems caused by drought/climate change	298	96.1
Importance of mono-cropping	287	92.6
Why my land is hold through a long lease	271	87.4
Why do we pay land-related taxes	258	83.2
Why do women get land on both sides	33	10.6
Why do we not get title-deeds for our lands in marshlands	32	10.3
The reason behind land registration	28	9.0
Much on crop diseases and how they should be cured	11	3.5
Nothing	8	2.6
How to get loans from the bank,	6	1.9
The reason behind land use consolidation	5	1.6

n = 310

The results of Table 6.14 indicate that the majority of respondents' views did not highly appreciate the extent to which explanations were given; rather 31.9% rated it moderate, 31.6% rated it insufficient and for 19% it was very insufficient. A limited number of respondents could rate it sufficient (6.8%) and very sufficient (4.8%).

Overall, people still lack important skills to participate successfully in land reform, particularly in land use consolidation. The most prominent subjects that were covered were: how to prevent problems caused by drought/climate change, (for 96.1%), the importance of mono-cropping/reasons behind mono-cropping (for 92.6%), why land is held through a long lease and the limited time for a lease (for 87.4%) while 83.2% indicated that they do not understand why they were paying land-related taxes.

Furthermore, a number of people (approx. 10%) need clarity on why they do not get title-deeds for their lands in marshlands and why women get lands from the sides of both biological parents and in-laws; 9% do not know the reason behind land registration; 3.2% need to know more about crop diseases and how it should be cured, while 3% indicated that they do not understand some provisions of the succession law, for example the matter of land transfer.

Rwanda would learn from the experience of Latin American countries where there was no such challenge of the lack of knowledge or information related to the programme of land reform. Klaus Deininger who analysed the experiences of land reform in Brasil noted that this was not a challenge in Brazil because the government established the Central Institute for Agrarian Studies that had a mission of encouraging discussion between all sectors of civil society, academics and politicians on land reform issues. In addition, other duties included the thorough and careful monitoring and evaluation of the land reform process, and to make data collected in this process available to national and international researchers (Deininger, 1999:22).

In short, based on the analysis of the tables in this sub-section above, it can be concluded that the level of consultation with and sensitisation of the beneficiaries before the implementation of land reform was generally low but it was done sufficiently in a few districts. This further implies that the level of people's participation in many districts cannot be expected to be high because, as the populist approach states, for a participatory and successful land reform, people including landowners and investors need to be consulted and enlightened about their rights and obligations in order to participate efficiently through registering, selling or purchasing land. In addition, according to the benefits theory, raising people's awareness and taking into account their priorities and needs (which were part of consultation) is a way to upgrade people's benefits and to promote equality. This underscores the need to develop ownership of land reform projects among the beneficiaries at grassroots level.

Furthermore, the interventions by local authorities to explain the key provisions of the land policy and law were incomplete. It did not succeed in informing farmers on all the subjects concerning land reform because it was done at a low level. However, some farmers were able to understand a number of the subjects related to land reform (cf. Table 6.14). Thus, the second statement (hypothesis) postulating that land reform advances equality is confirmed to some extent, particularly the sub-hypothesis 2b stating that *Land reform increases the knowledge of people about land use*.

6.3.2 Participation of the population in the implementation of land reform

A community's level of involvement or participation and the ability to realise an opportunity for poverty reduction based on land and agrarian reform depends on the level of sensitisation and awareness or knowledge about the opportunity (Kamusiime *et al.* 2005:28). In addition, the success of land reforms requires the collective and active participation of rural landowners who are mainly affected both by land registration and land use consolidation. In light of the above-mentioned information about consultative meetings and the level of people's awareness of the land policy and law, it was appropriate to investigate whether the population of the Southern Province participated actively and *en masse* in the implementation process. It is acknowledged that the success of programmes such as land reform aiming to transform the customary land system requires the active participation of the population who are beneficiaries of both land tenure security and land use consolidation. Table 6.15 clarifies the extent to which the population participated in land registration.

Table 6-15: Participation of respondents in land registration

Have registered their land	Frequency	Valid percentage
Yes	378	98.4
No	6	1.6
Total	384	100.0

n = 384

The results of Table 6.15 show that the majority of respondents (98.4%) attested that their land was registered, while a small number of respondents (1.6%) responded in the negative. This means that the land registration programme was successful in the Southern Province. In this regard, article 20 of the Land Law No 43/2013 of 16/06/2013 governing land in Rwanda stipulates that land registration is an obligation to all landowners. This means that people had no choice but participate in the process.

The officials in charge of land survey in the Nyamagabe district that were interviewed mentioned that certain sections of land were not registered, for a number of reasons such as that the land was subjected to conflict, or landowners had no identity cards or did not meet the required age. In addition, an official of the Rwanda National Resources Authority (RNRA) at the national level interviewed on this matter stated:

“All the lands were registered and each parcel’s (plot’s) size was recorded and a number was given to it including those parcels subjected to land disputes even though no land title-deed document is issued to the land subjected to disputes. When the land problems are handled by the courts, the owners come here to the Rwanda National Resources Authority office to get the land title-deed documents as proof of ownership” (Official of RNRA 1, January 2014).

The land registration process was carried out by means of land surveying together with the registering of all the land rights owners’ names. When comparing the level of the population’s participation in the land registering with land use consolidation, the level of participation in the latter process is lower as Table 6.16 shows.

Table 6-16: Participation of the population in the land use consolidation programme

Participated in the land use consolidation	Frequency	Valid percentage
Yes	263	68.5
No	121	31.5
Total	384	100.0

n = 384

Results in the Table above show that the majority of respondents (68.5%) attested to have participated in land use consolidation although the number of those who did not participate is significant (31.5%). Comparatively to the land registration programme, it is clear that the level of participation is higher than in land use consolidation. Reasons for not participating should be linked to the low level of education among the majority of respondents (19.5% are illiterate while 58.1 have primary school level, cf. Table 6.4) and to the low level of consultation and sensitisation/explanation. Table 6.17 reports more other reasons given by respondents themselves.

Table 6-17: Reasons for not participating in land use consolidation

Reasons for not participating in land use consolidation	Frequency	Valid percentage
Practice multi-culture because have small land which is not sufficient for mono-cropping	55	45.4
Dropped it as my first experience caused me hunger	17	13.9
Do not see any interest in mono-cropping	10	8.2
I do not know nor understand anything about it	10	8.2
I still practice multi-cropping because it helps fight hunger	10	8.2
My land is not registered	6	4.9
We live in urban area	2	1.6
Total	121	100.0

n = 121

Various reasons were provided in the Table above for not participating in the land use consolidation. The most prominent reason was the refusal to abandon multi-culture (growing multiple crops), which is better when the household land is small and insufficient for mono-cropping. This was indicated by 55 respondents (45.5%). Other significant reasons were the following: the failure of the first experience since it caused hunger; lack of sufficient knowledge about land use consolidation and the low level of sensitisation by local leaders. Similarly the results of the research on the land consolidation implementation in Europe conducted by Van Dijk (2004), Vitikainen (2004) and Schulze & Daale (2000) revealed a number of shortcomings of land consolidation including that land consolidation has not been accepted by some landowners, that the land market alone couldnot guarantee a business-optimal distribution of farm sizes, that even in well-developed economies land markets were not fully transparent, and that transaction costs were high. The findings in Table 6.17 above confirm the arguments on which the social exchange theory is founded, namely that continuing an activity or a programme depends on the success the actor achieved in the similar activity or programme previously. George Homans who developed this theory postulates what he calls “success proposition”, which implies that “the more often a particular action of a person is rewarded, the more likely the person is to perform that action” (Homans 1974:16). Applied to the present research findings this means: farmers would have continued to grow a single, similar crop (mono-cropping) if the system was rewarding or cost-effective. This is in the agreement with the statement of Ritzer that individuals’ behaviour in the present should be predicted by its past consequences because rewards or reinforcers and costs or punishments are incentives to adopt or abandon a certain type of behaviour (Ritzer, 2008:281). In other words, if the results appear punishing then individuals do not repeat the action.

Thus, it can be concluded: the resistance to the active participation by the population should be linked to the low level of popularisation of land use consolidation and the mono-cropping programme. It is evident: if people were sensitised and given explanations the programme would have gained more collective and active participation of rural farmers. Furthermore, when there is insufficient consultation, the policy objectives would most likely neither reflect the needs of people, nor meet their real needs or only meet it provisionally. In such cases, effective results cannot be expected, for instance the full participation of people in the phase of implementation. Stating it more clearly: before implementing land use consolidation the local government should have convinced the people and gained their views and priorities and thereby involve them in the development of programmes to implement the policy. This argument is in agreement with the observation made by scholars such as Marsden (1991) and Chambers (1991), who point out that when developmental projects are initiated without considering the beneficiaries' needs, priorities and concerns, these projects mostly encounter difficulties with uninvolved stakeholders, and often fail.

The beginning of land use consolidation in the researched area was marked by tensions, opposition on the side of rural people due to the lack of a common understanding of the reforms. An agronomist who was interviewed explained:

“At the beginning people did not massively participate because they thought that the programme aimed to grab their lands whereas today the lack of massive participation is due to small lands and not expecting to grow all the crops they need” (Agronomist 5, December 2014).

The testimony above shows that it was not an easy task for local government officials to change people's mind-sets over such a short period. There is evidence that public force was used to coerce people who were resistant to participate in the land use consolidation

According to respondents who participated in the FGDs, in the beginning the participation in land use consolidation was forced on those who were resistant or totally refused to participate. Cases were even mentioned where local authorities uprooted traditionally farmed crops. One of the participants in the Gikonkwo sector of the Gisagara District declared:

“They came to me without informing me and started to uproot banana trees and told me to replace it with maize” (Respondent 14, January 2014).

The government officials at the provincial level that were interviewed recognised that forced participation took place in some areas of the provinces, for example in the sector of Gikonkwo of the Gisagara District and the sector of Shyogwe of the Muhanga District. These incidents were also reported by journalists (Umuhoza, in *Igihe*, 21 February, 2013) and by several researchers (Huggins, 2012; Milz, 2011). However, it was not a decision of the central government to coerce

people and uproot their traditional crops and replace it with the regional selected crops. This was rather the result of a misinterpretation by local leaders as an official of the government at the provincial level elucidated:

“No specific meeting took place in which it was decided to uproot people’s crops like banana trees rather local leaders were told to mobilise people and help them to renew banana trees by planting new/modern ones for instance ‘FHIA-17’ (type of dessert banana developed)” (Provincial official 1, December 2014).

Instead of requesting of people to plant new crops which are effective and productive, local leaders ordered them: “We want that you grow maize only, instead of explaining to them why they had to grow maize ... so they uprooted people’s crops while they had to wait until they could be reaped” according to a government official at the provincial level (Provincial official 1, December 2014). The plan rather was to apply “crops rotation” and then to sensitise and mobilise people towards accepting this. The idea was also to hear the people’s needs and ideas but local leaders did not make time for this exercise.

Previous studies in other provinces, including the Northern and Eastern Provinces, reported similar cases of the uprooting of people’s crops and replacing it with regional crops. For example, Pritchard (2010) reported that many households in the east and north were told to uproot their crops and were forced to develop new terraced soil. This led to growing anger among rural households. Similar cases of uprooting crops took place in the District of Musanze when people waited a long time for the maize-seeds approved by the government. Hence they decided to plant other crops, which were then forcibly uprooted after the approved seeds arrived (Huggins, 2012).

Certain influential leaders and civil society members who were interviewed reported that people were told to participate in mono-cropping and most of them accepted simply because of apprehension to oppose the government’s programme. A few rural dwellers that resisted were forced to grow the same selected crop for their region while those who were reluctant were punished with a brief imprisonment. The same informants added that local government authorities forcibly involved people in the implementation, in order to achieve positive assessments from central government officials. They intended to prove and demonstrate to central government authorities that the land use consolidation was possible, that they were working on it and it was doable.

In the critical analyses of Palmer (2003:3) and Huggins (2012:12) of the land reform policy in Rwanda they scrutinised the shortcomings of the policy, including the low level of people’s participation and of being informed. The authors attributed these impediments to the fact that

most planners in the Ministry of Lands who developed the Land Reform Policy are Kigali-based “outsiders” who were not familiar with the Rwandan rural realities. As a result, they developed a policy that does not reflect the people’s views. This is evidenced by the persisting top-down process of policy development and the phenomenon of “political neglect of rural regions” by central government authorities in Africa (Windfuhr, 2012).

The problem of political neglect of rural regions is not unique to Rwanda, but has been observed in several developing countries. For example, the Ministers of Agriculture of the African Union (AU), in their 2003 conference in Maputo agreed to allocate at least 10% of their national budgetary resources to agriculture and rural development but only 10 countries honoured this commitment (Windfuhr 2012:84). During interviews members of the civil society gave a number of views regarding the consultations, for example that people’s needs and priorities should have been considered while developing the policy. However these views related to sensitisation and popularisation of the policy were not noted and considered by government officials who were in charge of developing the new land policy.

In short, from the analysis of the Tables above, it can be deduced that the level of people’s participation in land registration was higher than their involvement in land use consolidation since the land reform implementation begun in the Southern Province of Rwanda. This is mainly due to different benefits that people expected or acquired from the land registration and titling which, entail more than those acquired in land use consolidation. In reality the land registration and titling provided people with ownership rights, tenure security and enabled them to use land as capital for productive purposes, whereas they did not understand land use consolidation, nor was it cost-effective in individual households that engaged in it. This concurs with the statements of the social exchange theory according to which rewards or reinforcers and costs or punishments are incentives to adopt or abandon a certain type of behaviour; also the more often a particular action of a person is rewarded, the more likely the person is to perform this action (Ritzer, 2008:281; Homans 1974:16).

Further reasons for the failure of the land use consolidation was the low level of consultation, as well as the lack of sufficient knowledge on the programmes of land reform. This should be linked to the low level of people’s involvement in land use consolidation as confirmed in the previous sub-sections. This is in agreement with the statements of the benefits theory that the success and achievement of land reform programmes depend on the level of understanding, benefiting, acceptance and involvement of different stakeholders, which include the beneficiaries, civil society and governors.

6.3.3 Legalisation of land ownership through land registration

One of the questions in the survey enquired about the ways in which the household's land was acquired. The question was posed to all 384 respondents and they indicated four ways of land acquisition, as is shown by Table 6.18 below.

Table 6-18: Ways in which the household land was acquired

Ways of land acquisition	Frequency	Valid percentage
Inherited from parents	314	81.8
Acquired through purchase	138	35.9
Received as a gift	24	6.3
Received from the state	10	2.6

n = 384

It should be noted: Some participants acquired their land in different ways or more than one way, which influenced the findings. The findings of Table 6.18 above confirm the predominance of land acquisition through inheritance whereby a child inherits land from his/her father. The majority of respondents (81.8%) declared that they acquired their land through inheritance. Besides land acquisition through inheritance, the second way of land acquisition found in the Southern Province is land purchased as mentioned by 35.9%. The third way is land as a gift (6.3%) and the last way is land acquisition from the state. The latter way of acquiring land concerns the distribution of the state's reserves to the landless group, especially to former refugees who have returned to find their land occupied by those who remained in the country.

Several previous research findings similarly mentioned land acquisition through inheritance as the main mode of land acquisition in different parts of Rwanda (Guichoua, 1995; Prunier, 1997; Pottier, 1997) and elsewhere. The same sources also reported that the customary land tenure system was predominant throughout Rwanda with regard to the inheritance patterns. In Africa, the most prominent and dominant land tenure system over time throughout has been the customary tenure. Place (2009:1329) also argued that the chief mode of acquiring land in all parts of Africa was by inheritance while the customary land tenure system was dominant. Apart from inheritance, which is accompanied by strong long-lasting private rights, other modes of acquiring land include purchase and receiving it as a gift in all the parts of Africa (Alden, 2012).

In other continents including Australia, specifically in PNG, the the system governing land has always been "customary tenure" but with a small difference from the customary system of Rwanda. In fact, while land is owned individually in Rwanda, the majority of land (about 97%) was owned by groups, families and communities instead of individuals in PNG. It was

administered by clan leaders under customary law which is a form of a collective and inalienable title deed dominant in PNG; this is not written in a government register or database, but it is recognised by law, recorded in local knowledge and tradition (Chand & Yala, 2009)

There is significant empirical evidence on the negative impacts of the customary land tenure system to the social and economic livelihoods of landowners on this continent (Toulmin & Quan, 2000; Suca, 2001; Walker, 2002; Troutt, 1993; Adams, 2000, Pottier, 2006; Van der Zwan, 2010). In the same vein, several researchers such as Huggins (2012), Van Dijk (2007), Windfuhr (2012) and Kamusiime *et al.* (2005), link poor agricultural productivity with land fragmentation, land scarcity and the traditional farming system. According to Kamusiime (2005:27) many governments in sub-Saharan Africa and international donors have attributed to the problems of rural poverty, poor agricultural output and low levels of economic development due to the persistence of utilising farming systems based on customary tenure.

Regarding land purchase, most well-off people such as political leaders, army officers and businessmen used to buy the land from the poor during the post-independent regimes. In the post-genocide period the same scenario continued, and purchasing increased since the start of the land reform implementation when the lands' value increased. Currently citizens attempt to buy land where it is available to extend property for farming or selling it in the future. With regard to the land acquisition as a gift, the present study found that this practice was not common in the whole of the Southern Province. Very few respondents (6.4%) declared to have acquired land as a gift from somebody else. In the past, when land did not have such a high value as currently, and when many people still had large stretches of land, it was normal and habitual to receive land as a donation. However, due to the current problem of land scarcity and the increasing land value as well as the uses of land, the culture of gifting or donating land has been phased out. The present study investigated the type of land ownership document that was given to people. In this regard only 378 who have registered their lands answered the related question. The majority of respondents declared to have received the title-deed document, as is shown in Table 6.19 below.

Table 6-19: Type of document received as legal proof of ownership

Document received	Frequency	Valid percentage
Title deed document	312	82.5
Provisional title document	34	9.0
None of them	32	8.5
Total	378	100.0

n = 378

With regard to the legal document of ownership, the majority of respondents (82.5%), including those whose land was registered, reported that they were given the “final ownership proof document” known as *icyangombwa cya burundu*. As little as 34 respondents (9%) received a provisional land title document. Researchers who advocate the neoliberal land reform theory such as Borras Saturnino, Klaus Deininger and Hans Binswanger, support the issuing of titles to land as a proof of ownership and consider ownership of land titles an incentive to the land users (Borras, 2003:369).

In Rwanda, currently the only legally recognised documents that confirm an individual’s claim of land ownership are the registration certificate and the land title-deed document, even though all the land is owned by the state. The land policy of 2004 and of 2013 states that land will be owned by the state but people who have “registered their lands will be given leases of between 3 and 99 years of duration as a guarantee of tenure security” (Article 17 of the Law N0 43/2013 of 16/06/2013 governing land in Rwanda). This means that the land belongs to the state and its former owners hold it under a long lease of 99 years. This practice is in line with the mentioned article 3 governing land in Rwanda which states that only the state has the supreme power of management of all land situated on the national territory and has to ensure that this land is well used for general interest.

Most of respondents interviewed on the matter of “lease” stated that they are confused on this aspect. They did not understand why they should rent the land that belonged to them, seeing that they inherited this land from their fathers and their forbearers. The interviewed officials of the Rwanda National Resources Authority explained that the purpose of stating that all the land belongs to the state is that the state took the responsibility of ensuring better land use. In any cases, people were not refused their lands but the way in which they utilise the land is managed and controlled for development purposes. The interviewed government official of the Rwanda National Resources Authority (RNRA) at the provincial level in charge of land survey attested that thus far 80% of the land title-deeds were distributed and only 20% were still under distribution. The main issue is that the land title-document is extremely important as people are unable to cultivate the land without the final land title document, and inhabitants of the Southern Province are aware of this fact. On this matter an interviewed Mayor from a district where people were sufficiently mobilised and sensitised about land reform programmes stated:

“Prior to sensitisation and mobilisation of the population to the active participation in land registration, they were not aware of the importance of the land registration and titling programme, but since they have been told the benefits of registering one’s plot, they were interested and have been waiting anxiously for the registration process and they were massively involved during the implementation process” (Mayor 1, July 2014).

The results of Table 6.19 above also indicate that 32 respondents (8.5%) did not receive any document as a proof of ownership. As is shown in Table 6.20 below, there were various causes for non-holding titles to lands.

Table 6-20: Causes of non-holding land-title documents

Causes of non-holding title-deed	Frequency	Valid percentage
Our land is subject to disputes	32	48.5
I could not present my husband's ID because he fled	5	7.5
Do not know what is the problem	2	3.0
Am not able to pay taxes	8	12.1
I found mistakes on the document	10	15.1
I did not pay the contribution to build schools	3	4.5
Did not find my name on the list	6	9.0
Total	66	100.0

n = 66

Table 6.20 above shows that a number of people were not provided with land title-deeds as legal proof of ownership. This was due to various reasons with the most prominent one that land is still the object of disputes (48.5%). Other prominent reasons include the following: mistakes found on the land title document (15.1%); inability to pay taxes for landowners (12.1%); missing his/her name on the list (9%); absence of the husband to testify that the land is co-owned by both the wife and husband (7.5%) and neglected paying fees to build schools in the local areas (4.5%). The interviewed government officials at district level pointed out that some of landowners did not withdraw the title-deed documents for their lands from the administrative cell offices due to various reasons. These include: ignorance of the importance of land title documents, lack of finances to pay for the documents and having lost the receipts that justified payment for the land registration.

To sum up, in light of the analysis in this sub-section, the following interference can be made: Despite some irregularities in the registering and providing of land titles to some landowners, the land registration programme was successful. A similar argument was made by several previous researchers such as Ali *et al.* (2011) and Huggins (2012). In this regard, Ali *et al.* (2011:15) judged the land registration programme to be successful and beneficial to landowners. However, various solutions are necessary to release land titles to all landowners, enabling them to utilise the land for production and development. For example, those who are unable to pay taxes can be assisted to get loans, which they could repay after receiving and using the land title. Furthermore, those whose spouses fled cannot be refused the title as they are innocent and cannot be held accountable.

The factual situation is that the distribution of land titles to all the citizens without discrimination whatsoever is one of the purposes of the land reform programme in Rwanda. This aim corresponds with the statements of the Neoliberal approach to land reform. Proponents of the research argues that when people receive titles to their lands, the land is officially owned and it becomes an important capital/asset for the owners as they depend on it for their social and economic development.

6.3.4 Agricultural reforms through land use consolidation activities

The government in Rwanda views land reform as a central policy to promote commercial agriculture as well as the transformation of Rwanda into a globally competitive export economy. For this purpose, the government decided to build a sustainable agriculture sector by changing the subsistence agriculture into a business activity. By increasing productivity per-hectare and developing national markets, the aim is that it can generate income from food exports and solve the problem of food insecurity and malnutrition in Rwanda (MINAGRI, 2009:8).

Land consolidation was particularly sought out to play a key role in this reform through various forms of economies on a large scale and by mechanisation. The National Land Policy of 2004 stipulated that land consolidation should be carried out by regrouping plots, and growing similar and improved seeds approved by MINAGRI. The implementation of some of these mechanisms was possible but others failed.

In the present research study, all the local government officials and members of civil society who were interviewed reported that when the implementation of the land consolidation programme in the Southern Province commenced, some people resisted and others refused to participate in regrouping of plots. This has been also revealed by previous investigations in the same province, especially in the Muhanga District (Milz, 2011) and in other provinces such as in the north (Huggins, 2012) and in the east (Milz, 2011). The government officials decided to change the procedures into land use consolidation, which consists of farming similar crops (mono-cropping) in the individual households while individual land property sizes remain intact (MINAGRI, 2012).

The present study investigated different ways that were used to improve agricultural productivity and enhance commercial agriculture in the researched area.

6.3.4.1 Changes in the modalities of farming in land use consolidation

One of the mechanisms that were adopted by the government was to change modalities of farming by introducing mono-cropping with “regional crop specialisation” to replace the inter-cultural system, which was a traditional way of growing multiple crops in the same field. Seven crops were selected by the government since 2006. These included maize, soya beans, rice, wheat, cassava, beans and Irish potatoes for the whole country (MINAGRI, 2012).

In the Southern Province the following crops were selected: maize, cassava, soybeans, tea, wheat, coffee, rice, beans and vegetables. Each administrative sector had to specialise in three of these crops, and households in each sector had to dedicate a proportion of their land (often all of it) to these crops. For this purpose, the government adopted a supportive programme “Crop Intensification Programme” (CIP) with the aim of increasing agricultural productivity on a per-hectare-basis (MINAGRI, 2011).

As was observed throughout the whole Southern Province during the fieldwork research, people generally practiced land use consolidation through mono-cropping in their households’ lands but combined it with the former inter-cultural traditional system. Some farmers divided their households’ lands into two sections: one small section reserved for mono-cropping and the other larger section used for the traditional system of multi-cropping. Other farmers cultivated the regionally selected crops but combined it with other crops in the entire households’ lands as it used to be in the multi-cropping system.

In households that cultivated the same crops (mono-cropping), farmers did it in such a way that clearly indicated that they consolidated their crops not their lands. Only in the marshlands and on a few selected sites of plain hills the people regrouped in farmers’ cooperatives that practiced mono-cropping through land consolidation. For example, in the District of Kamonyi, IMPABARUTA Cooperative grows maize in the marshlands of Nkoto while COCOF grow soya beans and maize in the marshlands of Kayumbu. In the District of Gisagara the Union des Cooperatives Rizicoles de Butare (UCORIBU), COPRORIZ Cyiri and COPRORIZ Gatere grow rice in the marshlands of Nyabuyogera and Gikonkwo, to mention a few. Regarding the lands of selected sites the following can be pointed out: Kinazi in the Ntongwe sector of the Kamonyi District where people grow cassava and maize, as well as the Katarara, Kagunga, Bugari and Cyotamakara of the Ntyazo sector of the Nyanza District where farmers cultivate beans, cassava and maize. The government made the lands situated in the marshlands freely available to cooperatives but people still pay annual taxes. In addition, the lands situated on the plain hills are rented from private individual landowners or the government when it is unused land that is part of public reserves.

Table 6.21 below provides details on the modalities of mono-cropping the farmers adopted with the aim of improving agricultural productivity.

Table 6-21: Modalities of farming adopted by farmers

Ways of practicing mono-cropping	Frequency	Valid percentage
I farm individually	99	37.6
I farm with others in the cooperative	96	36.5
I farm in both ways (cooperative and individually)	68	25.9
Total	263	100.0

n = 263

Results in Table 6.21 above indicate that respondents who adopted mono-crop farming did it in different ways. Only 96 respondents (36.5%) practice mono-cropping in cooperatives; 99 respondents (37.6%) practice it individually on their farmlands without consolidating lands while 68 respondents (25.9%) practice mono-cropping in both their households' land and in the common land belonging to the cooperative. In other words, the majority of farmers (167 of 263) practice mono-cropping in their households or grow similar crops as their neighbours without consolidating land, while 164 of 263 respondents cultivate in cooperatives of farmers. This includes 36.5% of those who only farm in cooperatives together with the 25.9% who farm in both ways. The mechanism of regrouping farmers in cooperatives was adopted in order to increase productivity as the cooperative is more organised and sets up measures to manage the produce efficiently.

In the Districts of Nyanza, Huye and Gisagara, cooperatives are founded by *amatsinda* (farmers' groups) made up of 20 households practicing mono-cropping. Members of such an *amatsinda* jointly elect a person called *umufashamyumvire* (facilitator) who participates in different training programmes of the agricultural sector organised by MINAGRI. In return, this facilitator trains the farmers of the 20 households. These groups intention is to acquire a social status as cooperative.

In the present study, it was observed that mono-cropping through land use consolidation is practiced more in sectors which are less inhabited such as the Mayaga area (in Mugina and Ntongwe sectors), as one of the interviewed district agronomists pointed out:

"It is not yet possible to practice mono-cropping on hills because of high demographic density, for instance in the sector of Rukoma you cannot find even a hectare which is not densely populated" (Agronomist 3, June 2014).

The Land Policy and Law stated that people would be encouraged to live in agglomeration/villages in order to make available large tracts of land for mono-cropping and land consolidation but in many areas people have yet not moved to the villages. There are various reasons for this situation, including the fact that the rural poor were only given plots in the village sites but not shelter while they had no financial capacity to build a house. Most of the people did not approve of the agglomerations due to their limited knowledge of what the villagisation policy entail. Some were under the impression that the policy of villagisation aimed to disposes the poor of their land and give it to the rich, while others were concerned about surviving without living near the fields where they could protect their property such as crops in the fields. In addition, the lack of basic infrastructure such as water, schools, electricity, hospitals and churches, demotivated people to join the agglomeration sites.

6.3.4.2 The role of regrouping farmers in cooperatives in the implementation of land use consolidation

Farmers' cooperatives played a crucial role in the implementation of land use consolidation. Respondents engaged in cooperatives were asked to elaborate on the role of farmers' cooperatives that were engaged in land use consolidation to improve agricultural productivity. Their responses are presented in Table 6.22 below.

Table 6-22: Number of household-cooperatives members and total area under land use consolidation

Number of household-cooperatives members	Frequency	Valid percentage
Between 10-100	103	62.8
101-300	38	21.3
301-700	13	7.9
701-2 000	10	6.1
Total	164	100.0

n = 164

The results from Table 6.22 indicate that the number of members from farmers' cooperatives who were involved in land use consolidation varies between 10 and 2 000 members. The largest number was between 701 and 2 000 members while the smallest was between 10 and 100 members. Table 6.23 below reports the area farmed under land use consolidation.

Table 6-23: Surface of land cultivated by people regrouped in cooperatives

Total area farmed under land use consolidation (Ares)	Frequency	Valid percentage
Ares 10-100	35	21.3
101-1 000	78	47.6
1001-5 000	42	25.6
5 000-8 000	9	5.5
Total	164	100.0

n = 164

Regarding the total area farmed under land use consolidation, Table 6.23 clearly indicates that the largest farmed land measures between 5 000 and 8 000 *ares*, while the smallest farmed land measures between 10 and 100 *ares*. Considering the number of farmers, the majority of cooperative members' farm lands were between 101 and 1 000 *ares*, while the minority's farm lands were between 5 000 and 8 000 *ares*.

All of the 164 respondents regrouped in farmers' cooperatives were also asked to indicate the ways in which the harvested agricultural produce is managed. They indicated diverse ways as it is shown by Table 6.24 below.

Table 6-24: Management of the harvest in the farmers' cooperatives

Ways of managing the harvest	Frequency	Valid percentage
All the products belong to the cooperative and members share interests	69	42.1
1/2 belongs to the cooperatives and another 1/2 to members	66	40.2
Each member takes the harvest of his/her land	29	17.7
Total	164	100.0

n = 164

Table 6.24 lists the different modalities of managing the agricultural produce depending on the organisation of the cooperative. According to these modalities most cooperatives own (hold) the produce and members share the profit after selling the harvest; others own half of the produce and give the other half to members; in a few cooperatives each member reaps the harvest of his/her land and manage it on his/her own.

6.3.4.3 Regional crop specialisation in land use consolidation

The aim of the “regionalisation of crops” was to produce improved selected seeds and distribute these to farmers. The priority crops that were prescribed for the Southern Province were chosen from the list of seven crops meant for the whole country. In the present study, respondents were asked to name the priority crops they grew as presented in Table 6.25 below.

Table 6-25: Priority crops grown by farmers engaged in land use consolidation

Crops grown	Frequency	Valid percentage
Maize	218	82.9
Beans	154	58.5
Cassava	113	43.0
Rice	102	38.8
Soya beans	43	16.3
VegeTables	85	32.3
Banana trees	7	2.6
Coffee	22	8.4
Irish potatoes	51	19.3
Sorghum	3	1.1
Tea	12	4.5
Wheat	15	5.7
VegeTables	2	0.7
Peanuts	6	2.2
Peas	5	1.9
Fruits	2	0.7
Sweet potatoes	18	6.8

n=263

The results from Table 6.25 above indicates that crops that are grown mostly in the Southern Province include maize (82.9%), beans (58.5%), soya beans (43%), coffee (38.8%), vegeTable (32.8%) Irish potatoes (19.3%) and cassava (16.3%). Apart from the seven crops selected by the government, people in the Southern Province on the same farmlands jointly grew more crops as were cultivated in the traditional agricultural system. The cultivated crops included: sweet potatoes, sorghum, squash, peas, banana trees, while these staple crops from the traditional system were banned as a mechanism of “restricting the ability of households to maintain practices of economic reproduction or production for consumption and encouraging commodification of production” in the words of Huggins (2012:22).

However, some researchers such as Ali *et al.* (2011) and Ansoms (2012) have criticised the policy that forbid cultivation of those crops whereas some of these such as sorghum and sweet potatoes are customary drought-resistant crops. This is a striking sign of certain people from the Southern Province in resistance to mono-cropping or regionally prescribed special crops. This is the current situation although they had been sufficiently consulted and informed about mono-cropping before implementation started – as Table 6.26 below reports. The government focused on land use consolidation through cooperatives, particularly in marshlands and plains; in the households people kept on combining traditional and regional selected crops.

Table 6-26: Respondents' views on any consultation before implementing mono-cropping

Consulted before the selection of priority crops	Frequency	Valid percentage
Yes	211	80.8
No	52	19.8
Total	263	100.0

n = 263

Results from Table 6.26 above show clearly that, although people refused to become fully involved in mono-cropping, they were indeed consulted on the priority crops that should be grown, as the majority of respondents (80.2%) acknowledged. From this can be inferred that consultation alone is not sufficient to gain people's participation. Other matters should also be kept in mind such as taking into consideration people's priorities and needs, as well as proper project management. This argument concurs with the statement on which the social exchange theory is founded: if the rewards are considered valuable; the actors are more likely to repeat their previous activities. George Homans the founder of this theory refers to this propensity as "value proposition" and argues that "... the more valuable to a person the result of his action is; the more likely he is to perform the action" (Homans, 1974:25).

In the same context, all the interviewees who participated in the FGDs and interviews declared that, although they were consulted, the crops that Government selected and prescribed for their region were advanced by local authorities and the crops, which the farmers suggested, were ignored as the following testimony shows:

"You see, government authorities used to come to the public meetings with a list of already selected crops and read them to us. They did not take into consideration our suggestions with regard to those crops" (Respondent 12, February 2014).

This means that when local authorities negate people's suggestions, the programme lacks people's participation. The executive secretary of the Rusatira sector in the Huye District pointed out that, in the beginning, as the land consolidation programme was launched; people were not opposed to the land use consolidation or to the order by local authorities. However, when local authorities visited these farmers they were surprised to observe that these farmers in practice did not grow a single selected crop for their region but rather combined it with other crops that were formerly grown.

The present study brought to the fore various other reasons for the resistance. Some of the participants stated that their choice to combine regional selected crops with these traditional/additional seeds was motivated by the fact that the government-selected seeds were not responding to their needs, seeing that they were not able to solve the problem of food security.

During the consulting meetings, farmers made the suggestion to grow crops that respond to their needs of improving food security and handle famine in the region. These crops include: beans, Irish potatoes, and sorghum and banana trees. However, the government selected crops such as maize, coffee and cassava or rice. Government prescribed these crops to the local farmers but such crops are grown for the market and not for food security.

These results support Chris Huggins' argument (2012:22) that, instead of choosing regional crops based on their nutritional characteristics, the government selected crops that were significant and marketable at the national and regional outlets. As a result, the tendency is to increase agricultural exports, and improve the macro-economic situation rather than improving food security.

The Director of Planning at the RAB who was interviewed on this matter explained that the root cause for the low level of participation and the combining of mono-cropping with multicultural systems should be found in the process of selecting crops (Official-MINAGRI 1, February 2015). Maize and cassava, crops that MINAGRI mostly recommended to people of the Southern Province, were not selected to solve the problem of food security, but rather for the purpose of gaining subsidies. The fact is that usually the most important crops for Rwandans in general and inhabitants of the Southern Province in particular, included sweet potatoes, beans, sorghum, bananas, Irish potatoes and cassava (not paste), but were not planted to gain subsidies. An interviewed member of Ingabo, a civil society organisation supporting farmers, declared that he could not understand (if the government really wanted to improve food security): "why local government officials forbade people to grow those crops while they are the most hunger-resistant?" he said (Member of Civil society 5, February 2015).

With regard to the objective of addressing food shortage, the government relied on market mechanisms through which the national-level aggregate productivity of the selected varieties would result in improved food security (MINAGRI, 2012: 11:5). However, this process will not easily take off because people do not regularly buy food at the market; their custom is to reap it from the fields around their houses.

The experience of the Southern Province differs from that of the other provinces as indicated by previous research findings in other parts of Rwanda, particularly in the Northern and Eastern Provinces that did respect the programme of growing only the government-selected crops (Huggins, 2012; Hahirwa, 2012; Ansoms, 2012). However, in the Northern Province the land use consolidation gained more participation from the population because the government's selected seeds of Irish potatoes and maize were usually grown especially in that region. Moreover, the northern region consists of wide open flat lands that are easy to cultivate and makes it useful for land use consolidation (through mono-cropping). As a result, people got enthusiastically involved in the programme as they received special support from MINAGRI in the form of fertilisers and selected seeds. This is because these farmers were not used to assistance by, for example, organising themselves in cooperatives (Huggins, 2012:23).

The dilemma in the Southern Province calls for further action on the side of government in to ensure more participation from the people of this province. In practical terms, the government should consider mechanisms to solve the problem of food shortage and drought or allow people to grow crops that enable them to overcome hunger. The farmers should be allowed to cultivate crops that are drought resistant instead of *cash crops* in order to solve the problem of severe and widespread food insecurity that historically characterised some areas of the Southern Province including the Districts of Nyamagabe, Muhanga, Nyanza, Huye and Gisagara (Musahara, 2001; MINECOFIN, 2011).

It has been observed that people participate *en masse* when they are convinced that the crops to cultivate is cost-effective, based on the experiences of the past as those who participated through farmers cooperatives continued to practice mono-cropping. In light of this situation the theory of social exchange argues that individuals' behaviour in the present should be predicted by its past consequences (Ritzer, 2008:281). For example one of the interviewed members from civil society declared:

“When the land consolidation started in 2008, people of the Ndiza sector (Muhanga District) were told by the local government officials to grow maize seeds and they refused but when they were told to grow Irish potatoes, 90% of the population cultivated Irish potatoes because they have been growing that crop for a long time and they have experienced positive results” (Member of Civilsociety 5, February 2015).

Another reason for not getting fully involved in mono-cropping is that farmers invest vast sums of money to buy seeds and fertilisers but do not enjoy a profit at harvest time:

“We invest a lot of money for buying seeds and fertilisers but we do not regain that money so that we even fail to purchase the processed food at the market”
(Respondent 19, February 2014).

The situation is as follows: RAB sells improved seeds approved by MINAGRI to them and at the harvest period; thereafter the same RAB collects all the produce (maize, beans, rice, etc.) at a low price (e.g. 150 FRWs/kg of maize = 0.2 U\$; MINAGRI, 2012:23) and distribute these to different stores in various areas of the country such as in the Districts of Nyanza, Rwamagana, Nyagatare and Musanze. Or RAB sells it to different factories that process the raw crops. The produce that are not sold to RAB (mostly rice, cassava and rarely maize), are purchased from farmers by different private traders or factories processing maize or cassava at the same low price throughout (ibid). This produce returns to the farmers later on whether processed (mostly maize flour, fruits, cassava flour, soya beans and rice) or in the same state (beans).

According to farmer participants, when they purchase processed maize flour at the shop they pay 500 FRWs/Kg (0.6 US\$/Kg), which is a high price to pay for a rural farmer (Respondent 14, February 2014). All the respondents who participated in the FGDs or interviews confirmed that the seeds provided by RAB are sold at a high price but the same RAB buy the harvest at a low price and the finally processed produce (cassava flour) is very expensive. A previous investigation had found that locally grown maize flour costs more to produce than maize produced elsewhere. For instance maize from East African countries such as Uganda is cheaper than the maize flour produced in Rwanda (Huggins, 2012:28).

Participants also criticised the land use consolidation programme with its prescribed mono-cropping. According to them the programme does not enable them to save some of the harvest as they are used to cultivate and save a portion of the crops for traditional stores and subsistence, and to keep seeds for the following agricultural season. Currently, all the produce is collected by RAB. The tiny portion of produce that is left is consumed quickly so that people remain without food at home or seeds for the coming season. They are obliged to buy all the produce from the market while they were used to fetch it from the household's traditional stores.

The farmers find this way of life problematic as they are not used to banks. Therefore, most of them spend all the money earned from selling the produce and then are unable to purchase fertilisers, seeds from RAB and food (processed) at the local market as one of the interviewed rural farmers stressed:

“It is difficult for us to buy agricultural inputs at the beginning of another season because all the money is consumed some days after selling the harvested produce” (Respondent 18, February 2014).

6.3.4.4 Improving the quality of seeds and value of crops

The government of Rwanda aims to increase agricultural productivity, turn the agricultural sector into a commercial one and compete in the open-regional and international markets. Therefore, the high-value crops and quality seeds are among other mechanisms that the government adopted to reach these goals (MINAGRI, 2012:8). Different tasks of improving and providing seeds are shared by the various stakeholders. The Ministry of Agriculture (MINAGRI) in Rwanda, in collaboration with research institutes of Rwanda have developed new varieties of crops (Huggins, 2012). The specifying of seed varieties is undertaken by the government's network of agronomists and local administrators. Para-statal institutions such as the Rwanda Agricultural Board (RAB), Rwanda Horticulture Development Authority (RHODA) and Rwanda Agricultural Development Authority (RADA) are in charge of providing seeds to farmers. In the present study, respondents clarified the types of seeds they grow and their source, as is explained in Tables 6.27 and 6.28 below.

Table 6-27: Seeds grown by farmers partaking in land use consolidation

Type of seeds grown	Frequency	Valid percentage
Improved seeds approved by MINAGRI	168	63.9
Traditional seeds	95	36.1
Total	263	100.0

n = 263

Results from Table 6.27 confirm that from the 263 respondents who participated in the consolidation of land use, the majority (63.9%) use improved seeds approved by MINAGRI, while 36.1% grow traditional seeds.

Table 6-28: Respondents' views on the source of seeds

Sources of seeds provision	Frequency	Valid percentage
We buy them at the market	193	73.4
We receive them freely from the state	137	52.1
We buy them from the state	62	23.6
NGOs distribute them to us freely	12	4.6
We buy them from NGOs	6	2.3
From our stores in our households	4	1.5

n = 263

From Table 6.28 above it is evident that there are various sources for the seed. The main source is the market (73.4%); followed by the state through free distribution (52.1%); the state through buying (23.6%); from NGOs freely (4.6%) and by sale (2.3%) while a small number of respondents use their households stores (1.5%). According to the participants to the interviews and the FGDs, the government provides seeds and fertilisers through RAB and by NGOs such as World Vision, DAI, Ingabo, Ugama and the Kitabi Tea Factory. However, only maize seed are provided freely by the government. Others seeds are bought from different traders as one of the farmer member of an agricultural cooperative in Muhanga District declared:

“Except maize seeds that we are freely given by the government, other seeds are bought elsewhere which is the source of many diseases and the quality of crops is less” (Respondent 11, February 2014).

Overall, the majority of respondents use improved selected seeds but buy these at the market while they are supposed to be provided seeds by the appointed para-statal institutions. This is the reason why some people use traditional seeds. An investigation in other parts of the country revealed that “government and para-statal institutions have not always been able to supply adequate amounts of selected seeds and farmers often buy the seeds from commercial suppliers” (Huggins, 2012:20).

The lack of improved selected seeds should be a potential barrier to the goal of improving agricultural produce. Some of the farmers interviewed on this matter asserted that the government and para-statal institutions in charge of providing seeds do not provide it on time. In some areas people use the seeds stored in their households because improved seeds are not available.

In order to deal with this issue, currently there are cooperatives that stockpile seeds while in the past the seeds were imported from abroad. In other words, cooperatives stockpile seeds, which the RAB purchase and sell to the farmers at a low price.

6.3.4.5 Use of modern tools of agriculture production

In addition to changes in modalities of farming and in the use of regional priority and improved selected seeds, the government adopted the use of various modernised tools to improve agricultural productivity. These tools include inorganic fertilisers, as is shown in Table 6.29 below.

Table 6-29: Tools used by farmer participants in their agricultural activities

Tools used in agricultural activities	Frequency	Valid percentage
Hoes	249	94.7
Traditional manure	244	92.8
Fertilisers	227	86.3
Tractors	6	2.3
Post-harvest technology	4	1.6
Wheelbarrows	3	1.0
Machines transforming maize	2	0.5

n = 263

The results above demonstrates a limited use of mechanisation as only eight out of 263 respondents (2.3%) use tractors; six respondents (2.3%) use post-harvest technology such as a machine processing maize; and three respondents (1%) use wheelbarrows. This means that there is a problem regarding traditional harvest processing while the government decided to put in place modernised mechanisation systems with the aim of exporting high-valued produce.

With regard to the tools farmers mostly utilised, results show that the main choices are: hoes used by 94.7%; traditional manure used by 92.8%; and inorganic fertilisers used by 86.3%. Participants indicated that they mix both fertilisers and traditional manure or use one of the two forms. Traditional manure is used especially when the provision of fertilisers are delayed even though farmers are forbidden to used other fertilisers than those approved by the government. It is easier to find traditional manure as farmers can make it through building what they call *ibikumba* (compost heap). Inorganic fertilisers were overwhelmingly used by farmers since the land reform started. Before this process farmers in Rwanda did not use these fertilisers because it was unknown or too expensive. Traditional manure was commonly used by many people throughout the country because of its easy access. Those who were knowledgeable of inorganic fertilisers and became used to them, tended to be members of the agricultural cooperatives and a number of private professional farmers who used to import these materials or buy them from the known suppliers.

Currently, the fertilisers provided to farmers of the Southern Province involved in land use consolidation are: IRE, DAP and NPK 17 17 17. The government of Rwanda set up mechanisms to provide easier access to inorganic fertilisers in order to increase the amount of these fertilisers used by farmers from less than 5 000 Metric Tons (MT) in 2005 to 56 000 MT by 2012 (MINAGRI, 2011). For this purpose, farmers pay 50% of the cost for acquiring fertilisers and the government pays the other 50% through what is called *Nkunganire Vaucher* (Ticket) (MINAGRI, 2012:11).

In addition, farmers were offered fertilisers on credit and had to reimburse the cost at the time of harvest. However, they were forbidden to sell the fertilisers. Nevertheless, respondents revealed some irregularities in the provision of fertilisers. These impediments include: the delay in supply, the high cost, coercive measures by the government forcing them to buy fertilisers and corruption on the side of fertiliser dealers. One of the interviewed individual farmers reported:

“We are forced to buy fertilisers while we are provided with them very late and at high price so that some of us fail to pay for them especially when the produce has been low” (Respondent 23, January 2014).

The complaint that the local leaders force people to buy fertilisers on credit or through paying cash, is not unique. Another prior study revealed that in some parts of Rwanda, such as the Kirehe and Musanze Districts, local officials compel farmers to purchase fertilisers whether they want to or not and forbid them to sell the fertilisers (Huggins, 2012:21). When farmers did sell, there were retaliatory measures including the arresting of those who sold fertilisers, as were reported in Kirehe and Musanze (ibid).

In short, the analysis of the Tables in this sub-section indicated that the process aimed at improving commercial agriculture and transforming Rwanda into a globally competitive export economy. This aim was to be achieved through land use consolidation by growing regional priority crops in individual households and by cooperating farmers. However, only the land use consolidation with mono-cropping was more successful through cooperatives of farmers working mostly in the marshlands, while in individual households this process failed. Therefore, the cooperative approach should be expanded because it proved to be successful in the Southern Province of Rwanda. This strategy of the farmers' cooperatives concurs with proponents of the populist approach to land reform. The approach focuses on the development of agriculture on the basis of cooperation among peasant households. This implies a peasantry that is organised cooperatively as an independent class and technically superior to all other forms of agricultural organisations.

To conclude section 6.2, it can be deduced from the analysis of all the sub-sections that the land reform through land registration and land use consolidation was implemented in The Southern Province of Rwanda. In this process the land registration drew more participation than the land use consolidation, depending on the interest that each process brought the people. This confirms the social exchange theory's premise that people continue to participate in a programme when they have benefited from its first experience.

6.4 Outcomes of land reform

The main objective of the present study was to evaluate the implementation of land reform through different activities of land registration and consolidation of land use achieved in the Southern Province. The investigation focused on the way in which land reform improves the security of land tenure and agricultural productivity and thereby enhances people's socio-economic living conditions. This section assesses the effects on the socio-economic livelihoods of people who were affected by land registration and land use consolidation in the Southern Province.

6.4.1 Increasing agricultural productivity through land use consolidation

One of the reasons for the adoption of land use consolidation and its mechanisms was to increase productivity and develop a commercial agriculture. The motivation was that the former inter-cultural system failed to improve agricultural productivity. The present study investigated the outcomes of the land use consolidation. Various items were investigated, which include the following: the extent to which agricultural produce increased; how land use consolidation contributed to increasing varieties of crops/food at the market; the role of cooperatives in increasing agricultural productivity; and the effect of mono-cropping in comparison with the inter-culture system. Table 6.30 below reports how the respondents assessed the produce obtained due to land use consolidation. This is done by comparing mono-cropping to multi-cropping as indicated in the Table below.

Table 6-30: Comparison of the produce under multi-cropping to mono-cropping system

Respondents' views	Frequency	Valid percentage
The agricultural production increased under mono-cropping	137	52.0
The produce increased or decreased depending on the climate	72	27.3
The agricultural production decreased under mono-cropping	34	12.9
Nothing changed	20	7.6
Total	263	100.0

n =263

Results of the Table above show that, despite different shortcomings, mono-cropping or land use consolidation did increase the productivity in the Southern Province. The majority of respondents (137 of 263 or 52%) attested to the fact that the agricultural productivity showed more increase under mono-cropping than before (under inter- or multi-culture). Table 6.31 below shows at what level respondents assessed the advancement of agriculture productivity under mono-cropping.

Table 6-31: Assessment of the level that agricultural produce advanced

Extent to which agricultural produce increased	Frequency	Valid percentage
Very High	14	10.2
High	68	49.6
Moderate	55	40.1
Low	0	0.0
Very low	0	0.0
Total	137	100.0

n =137

Results from Table 6.31 indicate that the majority of respondents (49.6%) asserted that the agricultural productivity increased highly; 10.2% described the productivity as very high while 40.1% reported it as moderate. These results show that land use consolidation increased agricultural production, although at this stage there is a need for more evidence before accepting the first statement (hypothesis) of this the present study which postulates: *Land reform improves commercial agriculture* and particularly the sub-hypothesis 1a stating: *Land reform increases agricultural production*.

Likewise, primary data obtained from different cooperatives in their respective administrative sectors and the report of MINAGRI (2012) showed that the harvest increased, although it tended to be, sometimes high and sometimes low. This is also supported by the findings of studies conducted by GIEWS/FAO (2010), IFDC (2010) and the report of MINAGRI (2012).

The above-mentioned studies confirm that, despite several challenges facing land consolidation, the process did achieve positive results by increasing productivity due to the use of agriculture inputs such as fertilisers and pesticides and by implementing land consolidation. For example, the maize production increased from approximately 320 000 MT to more than 600 000 MT in 2009/2010. In addition, cassava production tripled, Irish potatoes, and soybeans and beans yielded almost double the crops (GIEWS/FAO, 2010). Table 6.32 below explicates the evolution of agricultural produce in the best organised cooperatives.

Table 6-32: Evolution of the harvest in season A and B, 2012 in cooperatives

Name of cooperative and District	Legal personality (Yes/No)	Crop grown	Season A	Produce (Kgs/T)	Increase (Yes/No)	Reasons
Abakundumurimo/ Nyaruguru District	Yes	Soya	A/2013	10 T	No	Shortage of rainfall
		Maize	A/2013	2,5T/3Ha	No	Late arrival of seeds
Abishyizehamwe Nyaruguru District	No	Maize	B/2013	Between 45kg-55kg/ Are	Yes	Inputs were given on time (seeds, fertiliser Assistance by agronomists
Koprosenya/Nyamagabe District	Yes	Irish potatoes	B/2012-2013	150kg--200kg/Are	Yes	Watering Irrigation to overcome drought
		Maize	A/2013	1,97 T/ Ares 86	No	Much sun Lack of fertilisers Late cultivation
Kopagi/Nyamagabe District	Yes	Soya beans	A/2012-3	15 T/are	Yes	Inputs were given on time (seeds, fertiliser Assistance by agronomists
		Maize	B/2013	1.65	No	Terracing against erosion Not farming on time
Kotwihegi/Gisagara District		Beans	B/2012	17 T/are	Yes	Inputs were given on time (seeds, fertiliser Assistance by agronomists Terracing against erosion
		Maize	A/2013	15 T/Are		Not cultivating on time

Name of cooperative and District	Legal personality (Yes/No)	Crop grown	Season A	Produce (Kgs/T)	Increase (Yes/No)	Reasons
						Much sun
Impabaruta/ Kamonyi District	Yes	Maize	B/2012	80 T/A	Yes	Inputs were given on time (seeds, fertiliser Assistance by agronomists Terracing against erosion
		Soya	A/2013	40 T/A	Yes	Inputs were given on time (seeds, fertiliser Good weather
Kokari/Muhanga District	Yes	Maize	A	65 T/Are	Yes	Inputs were given on time (seeds, fertiliser Assistance by agronomists Terracing against erosion

Source: Compiled by the researcher from annual reports by respective cooperatives, February 2014.

Statistics according to Table 6.32 above show that the produce increases depended on the weather. During times when production decreased, various factors caused this decrease. A number of 54 respondents pointed out how the produce decreased under mono-cropping, as indicated by Table 6.33 below.

Table 6-33: Respondents' views on causes of decreasing productivity

Causes of decreased productivity	Frequency	Valid percentage
Delays in delivery of improved seeds and fertilisers	54	100.0
Drought, irregular rainfall	53	98.1
Infertile soil	4	1.0
Unavailability of fertilisers	1	1.9
High rainfall	1	1.9

n = 54

Results from Table 6.33 show various causes for the decrease in harvest. The most prominent cause is the delays in delivery of fertilisers (according to 100% of respondents) and the irregular of rainfall pattern as well as too much sun (according to 98.1%). Few respondents (1.9%) mentioned that some causes were too much sun and the unavailability of fertilisers. In short, various fluctuations caused of the decrease of productivity over time. On the other side of the scale, various factors contributed to the increase of productivity, as indicated by Table 6.34 below.

Table 6-34: Respondents' views on factors of increasing productivity

Factors of increased productivity	Frequency	Valid percentage
Use of fertilisers	128	93.4
Use of improved seeds	108	78.8
Financial cost of fertilisers lowered by the government	93	67.9
Availability of farmers promoters/agronomists	80	58.4
Availability of donors	78	56.9
Use of mechanisation	4	2.9
Consolidating land and physical energy	3	2.1

n = 384

Focusing on factors that increase the harvest, the most prominent were: the use of fertilisers (93.4%); the use of improved seeds (78.8%); the financial cost of fertilisers lowered by the government (67.9%); the availability of farmer's promoters/agronomists (58.4%) and the availability of donors (56.9%).

The use of mechanisation that increases productivity was mentioned by only 4 respondents (2.9%), while the Land Policy intended mechanisation as a possible way of bringing about significant improvements in the agricultural sector (MINITERE, 2004). In contrast, the farmers still use traditional tools such as hoes, seeing that there are few tractors available.

In short, most of the respondents and key informants who were interviewed confirmed the following situation: Before the implementation of land use consolidation in households and especially in the marshlands, the agricultural produce extremely low. However, currently the produce increased due to the use of fertilisers, improved seeds, subsidised fertilisers and the availability of farming consultants.

The increase in food varieties at local markets due to mono-cropping was also investigated. Most of the respondents rated this increase as high, as Table 6.35 below indicates.

Table 6-35: Assessment of the extent to which land use consolidation increased food varieties at the local market

Level in increasing varieties of food (crops)	Frequency	Valid percentage
Very high	13	4.9
High	120	45.6
Moderate	68	25.9
Low	27	10.3
Very low	17	6.5
Not at all	18	6.8
Total	263	100.0

n=263

Results from Table 6.35 indicate that 120 out of 263 respondents (45.6%) who practice land use consolidation were of the opinion that land use consolidation through mono-cropping resulted in increasing varieties of food at the local market at a high level; 25.9% rated it moderate; and 4.9% rated it very high. Few respondents (62 out of 263) rated the contribution respectively at a low level (10.3%), very low (6.5%) and not at all (6.8%). If the high percentage of respondents is considered it could be inferred that people saw various crops (types of food stuff) increasing at the local markets. However, the addition of the percentage of respondents who did not rate it high totals 130 out of 263, which is a significant number.

When asked to identify the causes of the low contribution of mono-cropping in increasing varieties of food at the local markets, respondents who have rated it low, very low and not at all, gave multiple reasons. The most prominent reasons were that most of the produce is consumed at home in the households and that the produce is purchased by the Rwanda Agricultural Board (RAB). In particular, the respondents of the Kinazi sector of the Ruhango District mentioned the case of kabore (disease unique to cassava plants) which considerably affected the cassava produce. The rural farmers interviewed in the Kinazi sector revealed that they had not experienced such a disease during the five years they have been growing cassava crops.

However, a member of the civil society organisation Ingabo (the organisation that stockpiled and distributed cassava seeds for approx. five years) reported that during the last five years Ingabo did stockpile cassava seeds without negative effects. The same informant maintained that kabore disease could have been dealt with if farmers had taken care of the crops.

In short, by analysing the data in the Tables of this sub-section, it can be deduced that the land use consolidation generally increased agricultural productivity despite climatic fluctuations that undermined the harvest and caused low productivity at times. Most of factors that contributed to increasing agricultural produce were pointed out as: the use of fertilisers, improved selected seeds and other modern agricultural tools as well as the use of agricultural cooperatives. This finding concurs with the agrarian populist ideology that views agrarian reforms as a particular model of agricultural development, a small farmer path that both modernises agriculture and reproduces an egalitarian agricultural structure. In addition, the analysis of the results of land use consolidation gives credit to agrarian reforms supported by the populist approach. The premise is that the structuring of small farms generally lead to efficiency and growth.

6.4.2 Benefits of gathering cooperatives of farmers

The main aim of grouping farmers into cooperatives was to safeguard farmers by assuring good prices for their produce (MINAGRI, 2012:21). In addition other benefits were revealed by participants of a FGD in the Gikonkwo sector of the Gisagara District. These benefits included that cooperatives are an easy channel by which farmers are provided with agricultural inputs by the state and NGOs, as well as for finding loans and trainings, reducing land fragmentation and gaining profits from agricultural activities.

As was argued previously, most of the people did not abandon the inter-cultural/traditional system. The farmers continue to cultivate multiple crops and reserve a small section of the land for mono-cropping. The main reason for retaining the former system is that the new system fails to solve the problem of food shortage or improve food security, whereas cooperatives enable farmers to increase productivity. One of the participants who combined mono-cropping and multi-cropping stated:

“I cannot grow one crop to the whole of my farmland because I cannot survive with the produce of one crop and my farmland is small” (Respondent 15, January 2014).

In short, agricultural cooperatives have been successful due to the multiple benefits they hold for members (e.g. the working and planning together). The members in a cooperative share the same objectives, and are organised so that no member can reap before the time, while individuals who practice mono-cropping can freely reap at any time during the year. This proves

the effectiveness of agricultural cooperatives advocated for and considered by the populist approach of land reform as the basis of agricultural development.

6.4.3 Changes to the market use of the land due to land reform

Among the objectives of the present study, was the investigation of the impact of land registration on the increasing land value and the extension of the land market. Tables 6.36 to 6.39 below present the views of respondents regarding changes to the land market as a result of the land registration programme – attested to by 346 farmer-respondents that received proofs of land ownership.

Table 6-36: Changes brought about by land registration to the land market

Level of increasing land price	Frequency	Valid percentage
Very high	59	17.1
High	190	54.9
Moderate	59	17.1
Low	12	3.5
Very low	7	2.0
Not at all	19	5.5
Total	346	100.0

n = 346

From Table 6.36 above it is evident that the most important change brought about by land registration concerned the land price. Since land registration and issuing of land titles, the land price increased considerably, as a majority of the respondents (54.9%) rate it at a very high level; 17.1% at a high level; and 17.1% at a moderate level. In addition, the land registration and issuing of land titles increased the land value, as Table 6.37 below shows.

Table 6-37: Respondents' appreciation of the level of increasing land value

Level of increasing land value	Frequency	Valid percentage
Very high	58	16.8
High	141	40.8
Moderate	91	26.3
Low	19	5.5
Very low	15	4.3
Not at all	22	6.4
Total	346	100.0

n = 346

According to Table 6.37 above, results show that 16.3% rated the level of increasing land value very high; 40.8% rated it high while 26.3% rated it moderate. In short, the land value increased and a large number of participants from both the public and civil society confirmed this fact. The extent to which land registration increases the trading in land is detailed in Table 6.38 below.

Table 6-38: Respondents' appreciation of the level of increasing trading in land

Level of increasing business in land	Frequency	Valid percentage
Very high	15	4.3
High	90	26.0
Moderate	93	26.9
Low	69	19.9
Very low	43	12.4
Not at all	36	10.4
Total	346	100.0

n = 346

Concerning the matter of trading in land, the majority of respondents reported that such trading increased moderately and highly (26.9% and 26%). Likewise, respondents attested that the number of land buyers as well as sellers increased, as Table 6.39 below indicates.

Table 6-39: Appreciation of the role of land reform in increasing land buyers and sellers

Level of increasing land buyers	Frequency	Valid percentage
Very high	17	4.9
High	111	32.1
Moderate	125	36.1
Low	55	15.9
Very low	13	3.8
Not at all	25	7.2
Total	346	100.0
Level of increasing land sellers	Frequency	Valid percentage
Very high	14	4.0
High	63	18.2
Moderate	120	34.7
Low	80	23.1
Very low	42	12.1
Not at all	27	7.8
Total	346	100.0

n = 346

The results from Table 6.39 above show that the level of increasing land buyers has become higher than that of land sellers, even though the majority of respondents on both matters point out that both categories increased at a moderate level (36.1% for land buyers and 34.7% for land sellers). These findings show that land purchase has been increasing since land reform commenced in Rwanda. This fact does not only apply to Rwanda because the International Land Coalition (20012) cited by Windfuhr (2012) reported that by the end of 2010, land transfers amounting to more than 200 million hectares had been registered in countries of the Global South of which 60% were in Africa. In the same context, Anseeuw *et al.* (2011:23) add that almost 5% of agricultural land has been purchased or leased by investors since 2000 in Africa.

For an understanding of the current situation of land sales in the Southern Province of Rwanda, Table 6.40 below presents the number of respondents who purchased or sold land.

Table 6-40: Situation of land sales since the land registration process commenced

Have sold or bought land	Frequency	Valid percentage
I sold land	34	9.8
I bought land	62	17.9
I did both	4	1.2
I did none of them	246	71.1
Total	346	100.0

n = 346

Considering Table 6.39 and Table 6.40 above, it is observable that the level of business in land selling and buying is still moderate; the majority of respondents neither purchased nor sold land (71.1%). However, the results from Table 6.40 show that the number of respondents who bought land is larger than those who sold it: 62 (17.9%) versus 34 (9.8%). To supplement survey data, interviews with local authorities in the Kamonyi District revealed that when land title-deeds documents were issued, the increasing number of land buyers mostly came from the city of Kigali to buy land, particularly in the sectors of Runda and Gacurabwenge, which are situated close to the city of Kigali.

As the price of land was still low in comparison to the land price in Kigali, most of the people willingly chose to sell their plots and houses in Kigali and move to Kamonyi where they could purchase land at a lower price. According to the Mayor of the District of Kamonyi, activities of expanding the city of Kigali caused large numbers of Kigali inhabitants to be expropriated from their land on behalf of public interest. These cases of expropriation took place mostly in specific zones of the city of Kigali such as Muhima, Kiyovu, Gacuriro. Those who lost land under the expropriation went to buy lower-priced land on the opposite side of the Nyabarongo River, in the

administrative sectors of Runda, Gacurabwenge and Musambira of the Kamonyi District. The District of Muhanga also experienced similar cases of land purchase but at a lower level than was experienced in Kamonyi, seeing that Muhanga is situated a further distance from Kigali.

Despite the fact that the number of land sellers is viewed at a low level, there are many rural people who were aware that the price and value of land increased. Therefore, they forthwith sold their farm holdings as they were acquiring vast sums they have never encountered in their lives as one participant who sold land testified:

“I sold land for one million and five hundred Rwanda francs. I was happy to get that amount because I have never owned that amount since I was born”
(Respondent 22, December 2013).

Presently, some of the respondents admitted that they regret having sold off their land because while the price kept on increasing over time, they had spent their earnings and without saving any of it. Therefore, they are currently unable to buy land since the land price has increased above their reach. Experiences in other parts of Rwanda, and other countries such as South Africa show that many rural landowners remain landless after losing their lands through sales or expropriation. The reason is that they are not trained, nor guided to use the considerable amount of money wisely and efficiently. For instance, they should use their earnings by purchasing other land, saving the money, or invest in non-agricultural income-generating projects (Levin & Weiner, 1997).

Regarding the practice of buying land, all the respondents (100%) revealed that bargaining on the price was a common occurrence. Some respondents pointed out that the price given by the ministerial order No 002/16.01 of 26/04/2010 determining the reference land price outside the Kigali city, is very low and does not reflect the true value of the land. For that reason they prefer to bargain with buyers and obtain a higher and more satisfying price. For example, the land price is 122 FRWS per m² in all the remote rural administrative sectors of all the districts of the Southern Province, namely the following sectors: Gikonko (Gisagara District), Kitabi (Nyamagabe District), and Ntyazo (Nyanza District). The highest price is paid to the lands within urban areas in the districts of the Southern Province, which entail: 582 FRWs per m² in the Gahogo cell, Gitarama sector (Muhanga District); 689 FRWs per m² in the Nyaza cell of the Busasamana sector (Nyanza District) and 628 FRWs per m² in all the cells of Ngoma sector (Huye District) (MINIRENA, 2010).

The reasons for selling and buying land were also investigated, as Table 6.41 below reports.

Table 6-41: Reasons behind selling and buying land

Reasons for selling land	Frequency	Valid percentage
To sell unfertile and buy fertile land	17	44.7
To buy a plot in agglomeration	1	2.6
To invest in non-agricultural projects	20	52.6
Total	38	100.0
Reasons for buying land	Frequency	Valid percentage
Extend developmental actions	44	72.1
Keep land for future sale	5	8.2
I wanted a large area for grazing	2	3.2
No particular reason	11	18.0
Total	62	100.0

n = 62

Results from Table 6.41 report that the main reason for selling land is to invest in non-agricultural projects (52.6%) and to sell and buy fertile land (44.7%). On the other hand, the most prominent reasons for buying land tend to be keeping land for future sale (82%) and the extension of the land for developmental reasons (72.1%).

The current situation in the Southern Province of buying and selling differs from the past as “... today all categories of people seek land” (Respondent 55, August 2014). Prior to land reform in Rwanda, the sale of land often profited the well-off people, including central and local government officials, officers in the national army and business men. Most of the lands were bought by rich people from poor families in distress. The poor families attempted thereby to solve different problems such as paying school fees, medical care services and buying food (Musahara and Huggins, 2004:3).

The current reasons for trading of lands are the following: selling and buying fertile land, investing in non-agricultural projects and purchasing a plot in village sites. On the other hand, the reasons for buying land also differ because people currently wish to keep land in order to sell it in the future as the land price and value increase continuously, while others aim to extend their land for developmental actions. This state of affairs supports the argument of Palmer (2011) on the effects of Market-Led Agrarian Reform MLAR. Palmer argues that if the land reform's MLAR approach is well implemented, the expected outcomes will be achieved. For example, securing land rights will allow people to invest productively and do it on the long term. Landowners will be able to offer their land titles to the bank as collateral and obtain loans.

“The provision of titles to land documents will ensure land tenure security and this will allow people to invest productively and long term; in addition the functioning of rural land markets, credits and agricultural inputs will be promoted” (Palmer 2011:22).

The interviews with the Mayors of the districts and the executive secretaries of the administrative sectors in the Southern Province revealed that since the land value increased as well as the land price, land has become a potential source of income. As a result, every person including the poor who acquires money buys a piece of land for future sale or investment. Similar data were collected from the interviews with people who sold lands in the Gacurabwenge and Mugina sectors of the Kamonyi District as they testified that they sold their lands to both rich and poor land seekers. In addition interviews and FGDs were held with participants who sold land, and those who bought land in the same district and other districts of the Southern Province. The qualitative data confirmed that currently both the poor and rich buy land. The reason is that some poor people living in and/or near the cities chose to sell their properties and move to remote areas where they are able to purchase new properties, including land, at a more or less lower price.

Results of the present study show that the original purpose of land registration was to guarantee tenure security and to enable people to practice efficient land transactions, instead of enabling the rich or foreign investors to buy the land off the poor. In other words, the experience of Rwanda is different to that of other countries such as Papua New Guinea, Kenya and Ethiopia. In these countries land titling smoothed the process of acquiring land from poor natives by foreign investors. These investors include mining companies, the forest industry and cash crop farming industries. However, they find it difficult to negotiate consent to exploit the land as the customary land laws does not provide foreign investors official ownership and control of land (Simo, 2010; Fairhead *et al.* 2010).

In actual fact the process of increasing the market use of land through selling and buying has been successful in the Southern Province of Rwanda. The only problem land sellers face is the cost of transaction process as a whole and the long distance they have to travel to the banks to pay fees for land transfers and to the district where the finalising of the process take place.

Moreover, any person who wishes to buy land that is already registered and free of title disputes must pay a total amount of 27 000 RWF (approx. 35 US\$). This amount include 20 000 RWF transfer fees and notary fees: 2 000 FRW+ fees to obtain a new registration certificate; 5 000 FRW, as stipulated by Presidential Order No 25/01 of 09/07/2012, establishing the list of fees and other charges levied by decentralised entities and determining their thresholds according to articles 16 and 17 (MINIRENA, 2012:67-70). This cost of the transaction is paid by the buyers

and is added to the fees paid for the systematic registration of their habitual lands and additional fees paid for the issuing of the certificate of land registration.

In this regard article 4 of the Ministerial instructions No 007/2010 MINELA of 20/20/08/2010 states that fees paid for systematic land registration outside Kigali city are 1 000 RWF per plot. This amount is paid after adjudication and demarcation of the land in all rural areas, trading centres and other areas designated as urban. However, there are additional fees paid when the issuing the certificate of registration, namely the *empheteutic* lease. Article 5 of the same ministerial instructions states that, for a plot of less than one hectare, no fees are charged. Above this area measurement, fees apply as follows: 1ha-4ha: 1 000 FRW, 5ha-9ha: 5 000 FRW, 10ha-24ha: 10 000 FRW and above 25ha: 25 000 FRW.

For the land of other urban areas and trading centres outside Kigali, article 5 of the same ministerial instructions states that for a plot of less than one hectare 5 000 FRW are charged. Above this area measurement the following apply: 1ha-4ha: 10 000 FRW, 5ha-9ha: 25 000 FRW, 10ha-24ha: 50 000 FRW and above 25ha: 100 000 FRW (MINIRENA, 2010). The total amount for land transfer depends on the size and the number of plots of land purchased.

The results in the above tables reveal that, in Rwanda, the land reform through land registration profit the local people while in other countries like PNG the land reform benefited more foreign companies than local stakeholders and the country in general (Anderson, 2010)

To conclude, despite these mentioned shortcoming, the results from the Tables above and the interviews strengthen the finding of the increasing level of business in land, and *ipso facto* confirm the first statement (hypothesis) of the present study: *Land reform improves commercial agriculture*, and particularly Sub-hypothesis 1b: *Land reform increases market use of the land*.

In short, the land registration and titling caused upheavals in the marked use of land at a high level by making the process of land ownership transfer easier. As a result the value and price of the land increased; people who could not cultivate their land sold it, while others bought land to make it more productive for agricultural and other economical purposes. This scenario fits in with the neoliberal perspectives, which deem the market as the optimal mechanism used to allocate properties from unproductive individuals to productive ones. The link between land registration and the market is also highlighted by the neoliberal perspective, as well as the standpoint of the benefits theory, particularly regarding the keeping of land records, which improve the transferability of property, reduce transaction costs, and increase the liquidity of the land market.

6.4.4 Role of land reform in encouraging agricultural market participation

Throughout time land has been a source of income and a very important asset for the majority of Rwandans, mainly those who live in rural areas. The agricultural produce has typically been divided into two parts, one being consumed the other sold and exchanged with money enabling consumers to buy different products needed at home. The land registration and the issue of land titles were followed by land transactions through land purchases and sales as well as multiple activities generating income invested in purchased land. Table 6.42 below reports how land registration increased landowners' ability to access the market. The question was posed to 346 respondents who have registered their lands and were given land title-deeds or provisional ones.

Table 6-42: Linking land registration to ability to access the market

Level of access to the market	Frequency	Valid percentage
Very high	23	6.6
High	81	23.4
Moderate	125	36.1
Low	62	17.9
Very low	11	3.2
Not at all	44	12.7
Total	346	100.0

n = 346

The results from Table 6.42 show that the majority of respondents (229 of 346) were positive about the level of accessing the market due to land registration. To be more precise, 36.1% rated the level of access to the market moderate; 23.4% rated it high; and 6.6% rated it very high. This means that land registration increased the power of purchase to many landowners. The interviews and FGDs with certain participants among those whose level of access to the market increased at a very high, high and moderate level, revealed that most of them either sold a piece of land or the whole land, while others obtained a loan from the bank and were able to buy other types of food, clothing and other household/domestic materials.

A significant number of respondents (117 of 346) did not report any improvement in access to the market despite having acquired title-deeds of their lands. Of these 17.9% rated their access low; 12.7% rated it very low; and 12.7% rated it none at all. Most of these land holders neither accessed loans, nor sold their lands, although the majority of people who were surveyed indicated that there were new opportunities to acquire loans since the land registration was carried out – as Table 6.43 below shows.

Table 6-43: Assessment of the level of increased opportunities to acquire loans by respondents

Level of increasing opportunities to acquire loans	Frequency	Valid percentage
Very high	26	7.5
High	139	40.2
Moderate	103	29.8
Low	31	9.0
Very low	32	9.2
Not at all	15	4.3
Total	346	100.0

n = 346

In the previous paragraphs it was evident that a major proportion of the respondents (26.9%) found that trading in land increased moderately, while 20.6% judged it at a high level. In effect, loans acquisition in exchange for land title-deeds documents was a key provision of the national land policy of 2004. In the same vein, a major proportion of respondents (40.2%) give a high rating to the level of available opportunities to acquire loans. The data support the argument of Levin and Weiner (1997) that possessing land gives safety, freedom and power to landowners as they have economic power, which help them access the market and obtain food and other commodities that can be exchanged for money. Likewise, the data confirm that the aim of land titling, as highlighted by the papers of ICARRD (2006) and FAO (2003), is to secure land tenure rights but also to reduce poverty.

Interviews with some participants and the local leaders as well as members of civil society revealed that mostly farmers near metropolitan areas and those who have a certain level of education (simply primary level) are aware of banking and the importance of saving. For the rest the people are poor rural dwellers who are mostly illiterate. They are still apprehensive to give their lands as collateral to the banks. They view this transaction as a risk because they have no guarantee that the loans acquired will be profitable or cost-effective. One of the farmer participants stated:

“I can apply for loan to the bank but I did not dare to do so because nothing guarantees me that I’ll be able to reimburse the money, in this region people get a loss after engaging in business and as you know the bank keeps your property when you don’t pay back the loan so you may even loose the small farm holding you have” (Respondent 15, July 2014).

This testimony shows that certain people could not get themselves to ask for loans at a bank. However, those who do apply are provided with loans by the banks. Some repay the loan while

others fail to do so. However, there are people who find it impossible to get a loan on a small section of land as a businessman interviewed in the Huye District remarked:

“The only problem is that some people have very small lands which are not viable forms for being considered as collateral, so the banks rejects the application of loan seekers of those owning a very small size of lands” (Opinion leader 3, June 2014).

Local authorities in the remote areas of the Gikonkwo sector (Gisagara District) and the Kitabi sector (Nyamagabe District) who were interviewed explained the situation. In their local areas few people have understood the importance of savings in a bank and do not fear credits (loans), while others (majority) have not adopted the culture of working with banks. They still stash away the money in their homes and fear loans. On the same matter, members of civil society in the Southern Province who were interviewed pointed out that most of the people in remote rural areas of this province have not acquired sufficient knowledge on how to work with the banks. One of these members of the civil society explained:

“You see, most people don’t feel free to give their land title-deeds documents to the bank because they don’t like them remaining in the hands of any person, they feel like they lose them to somebody else. Others are used to work with banks but we sensitise them little by little so that they can be aware of the role of the banks” (Member of civil society 3, July 2015).

Although the issue of titles to land ensured tenure security to landowners, those who sold their land were not able to keep the money they saved. This is due to the mentioned fact that most of the poor rural dwellers are not necessarily familiar with the principles of management and banking. The little money they possess is consumed forthwith and nothing saved. A proposed solution to the insufficient banking culture among rural people would be that the state should avoid paying individuals in cash but rather deposit the amount in the banks for them. This will enable the state to train them in the function of banking and the principles of management, while providing the necessary assistance. This would help counter the inefficiency in money management among the rural landowners. There is not difference from the experiences of Kenya where land registration resulted in no significant correlation between registered land titles and rural credit and had negative repercussions for vulnerable groups, and reinforcing class and wealth differentiation (Cotula, Toulmin and Hesse, 2004:3-4).

Therefore, except for the farmers regrouped in cooperatives the majority of farmers fear the bank loans and as a result they do not invest in modern agricultural cash crops such as maize, coffee, flowers, vegetables, due to the serious problem of “price volatility” if one may borrow the concept used by Windfuhr (2012:84). According to this description volatility means that producers cannot invest in growing more profitable crops as they have no financial reserves to

cushion them from phases in which prices may fluctuate dramatically. In some cases, price volatility is severe enough to cause poor households to lose their land. However, this is not the case for agricultural cooperatives where farmers share the profit and deficits. They invest in growing profitable crops because they have financial reserves to overcome the challenges of price volatility

According to an official of RNRA in the Southern Province, there are between 50 and 60 cases where land title-documents were confiscated by the banks as the landowners were not able to repay the loans (Official of RNRA 2, February 2014). Most of those farmers have borrowed capital to invest in agriculture but due to price volatility, they fell into debt and failed to reimburse the loans. Price volatility constitutes a vexing but important challenge to farmers who want to invest in land, due to their apprehension to apply for loans even when they own land title documents. According to Windfuhr (2012:84) price volatility has recently been the main cause for the rising number of suicides among Indian farmers. Consequently, some poor farmers ceased growing more profitable crops such as Basmati rice in order to avoid the high price volatility associated with these crops. They switched back to growing their usual crops and sell these on local markets where the volatility is not so extreme (ibid).

It is clear that land use consolidation also affects market use, mostly by increasing the purchasing power of farmers who have regrouped to a large extent in agricultural cooperatives. In this regard the majority of respondents (112 of 263) who were involved in land use consolidation mainly through agricultural cooperatives give credit to such consolidation. They point out that it moderately increased their purchasing power and their access to markets locally and outside their districts, as the Table 6.44 shows.

Table 6-44: Assessment the level of accessing the market due to land use consolidation

Level of access to the market due to land use consolidation	Frequency	Valid percentage
Very high	15	5.7
High	67	25.5
Moderate	112	42.6
Low	44	16.7
Very low	6	2.3
Not at all	19	7.2
Total	263	100.0

n = 263

Results from Table 6.44 indicate that the majority of respondents confirmed that the land use consolidation enabled them to access the market at a moderate level (42.6%) while 25.5% rated the access high; and 5.7% rated it very high; with a considerable percentage (16.7) of those who rated it low. Farmers practicing mono-cropping sell the harvested produce at the market and find financial means to purchase food from the same market. Farmers frequently participating in the markets tend to be those who are part of agricultural cooperatives as these units profit more from land use consolidation than individual farmers.

Different activities and needs motivate the many farmers as part of cooperatives involved in land use consolidation to go to the market. Their aim is mainly to buy food and sell agricultural produce. They trade in agriculture input and manage agricultural enterprises (however still at a low level) at the local markets and outside their region. However, respondents still ranked these operations at a moderate level, as is shown in Table 6.45 below.

Table 6-45: Various operations performed at the markets thanks to land use consolidation

Level of trading agricultural inputs	Frequency	Valid percentage
Very high	6	2.3
High	53	20.2
Moderate	60	22.8
Low	4	1.5
Very low	4	1.5
Not at all	136	51.7
Total	263	100.0
Level of selling agricultural produce	Frequency	Valid percentage
High	29	11.0
Moderate	194	73.8
Low	4	1.5
Very low	1	.4
Not at all	35	13.3
Total	263	100.0
Level of buying food at the markets	Frequency	Valid percentage
High	17	6.5
Moderate	165	62.7
Low	9	3.4
Not at all	72	27.4
Total	263	100.0

Level of doing agricultural business outside of the country	Frequency	Valid percentage
High	1	.4
Moderate	7	2.7
Low	1	.4
Not at all	254	96.6
Total	263	100.0

n = 263

The results from Table 6.45 above indicate that most of the respondents perform various operations at the markets such as trading agricultural inputs, selling produce, purchasing food and doing agricultural business outside the country. As reported in the Table above, most of the activities are performed at a moderate level by farmer participants at the markets. These activities include selling harvested produce and buying food. In addition, a small number of landowners do agricultural business outside the country and trade in agricultural inputs.

In short, respondents perform limited activities in the markets particularly in agricultural produce purchases and sales. However, the number of respondents purchasing food at the markets is lower than those who sell their produce. The reason is the high price of food crops over against their limited means of purchasing. In rural areas of the Southern Province, various factors cause the price of food to increase continuously. In this case the main reason is the lack of developed infrastructure to facilitate the transport of agricultural products as well as the provision of processed food or food crops from other regions.

Deficient infrastructure such as poor roads increases production costs for smallholder farmers, seeing that there is a price hike in agricultural inputs – improved seeds and fertilisers – due to the inadequate and expensive means of transport. Other reasons are: Markets for agricultural products are difficult to reach, rural farmers are uninformed about the latest agricultural research findings, the rural banking system is still weak and the process of acquiring credit is difficult, while there still is a high level of legal uncertainty about the land issue.

Revisiting the results of Table 6.30 above, that the produce increases or decreases depending on the climate change, it is evident that the problem of food security persists despite the increased agricultural productivity since implementing land reform. The reason is that people do not have constant access food due to the lack of purchase power on the side of farmers. This is in accordance with a statement by FAO (2002): “Food security exists when people at all times have access to sufficient safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life.”

Another reason why rural landowners are unable to afford food prices is that the prices of the agricultural produce they receive during harvest is lower than the prices of the crops/food (especially processed) at the market. Subsequently, most of farmers have no means to purchase food at these increasing higher prices, as a participant expressed the problem: “The government should find mechanisms of increasing farmers’ incomes through fixing the prices of the agricultural produce higher” (Respondent 21, December 2013).

Such suggested mechanisms would enable farmers to increase their income, afford food prices and invest in other projects, or save. This proposal is in agreement with the argument of Windfuhr (2012:83) that “if the food price is increased on the side of the producers, this can increase their income. In turn this will create opportunities for smallholders to boost their investment in their farms and thus improve the yields of produce and soil fertility as well as infrastructure over the long term”. In contrast, a large number of respondents ranked the level of agricultural enterprises through importing food crops from outside the country and trading in agricultural inputs such as seeds, fertilisers and hoes, as non-existent (respectively 96.6% and 51.7%).

In effect, farmers are more involved in growing crops than in agricultural trade or enterprises outside the country. The daily activity of the majority of respondents is farming and much of their time goes into ploughing, caring for the growing crops and harvesting. Nevertheless, some respondents indicated that they combine activities of trading agricultural inputs and farming, however, this is a small number. It include those respondents who gave a high ranking to increasing enterprises in agricultural produce outside the country (1 out of 263) and trade in agricultural inputs (6 out of 263).

Observations in certain local markets, as well as interviews and FGDs with a number of farmers revealed that the landowners who regrouped in cooperatives have more purchase power than those farming individual. The reason is that members of cooperatives share both the produce and interests in income. Therefore, these farmers are financially more empowered and frequently visit the markets. It is clear that agricultural produce is higher in cooperatives than in individual households, which means that cooperatives might be more profitable. In Table 6.45 above, respondents who ranked their level of accessing the market, higher and very high, are those who belong to agricultural cooperatives that are involved in land use consolidation. One of the cooperative members in the Mugina sector of the Kamonyi District remarked:

“We go to the market frequently! Either we go to the markets to sell produce from agricultural activities of our cooperative or to purchase food that we do not produce from others who grow them and we pay cash that we benefit in our cooperative” (Respondent 4, June 2014).

Increasing agricultural productivity is an important achievement but the availability of markets remains a challenge. In the present study, the question was posed on the existence of local, regional and international markets for agricultural produce. Table 6.46 below provide the results of the responses.

Table 6-46: Availability of permanent markets for agricultural produce

Existence of the local market	Frequency	Valid percentage
We have permanent markets	168	63.9
We have a market but it is not permanent	95	36.1
Total	263	100.0
Where markets are localised	Frequency	Valid percentage
In our local district	235	89.4
In other districts of our province	64	24.3
In other provinces	17	6.5
RAB buys the produce from us	127	48.3
Outside Rwanda	12	4.6

n=263

Results from Table 6.46 indicate that there is no problem with a market for produce in the Southern Province. The majority of respondents (63.9%) state that permanent markets exist in local areas, and 36.1% report markets, though not permanent. Regarding the place where the produce is sold, respondents mentioned various markets, with the main markets situated in their districts of origin (89.4%). These are the following: the Rwanda Agricultural Board (RAB) (48.3%); markets in other districts of their provinces (24.3%); markets in other provinces where they sell maize, beans and Irish potatoes (6.5%) and outside Rwanda (4.6%). Countries where farmers sell their agricultural produce include Burundi where they sell maize, Irish potatoes and beans, and the DRC where they sell cassava while tea and coffee are sold in the Western continents of Europe and the USA.

Crops grown mostly in cooperatives have permanent markets particularly RAB that has stores where the agricultural produce is collected and saved for exportation, processing and or future sales. According to the interviewed agronomists of the Kamonyi and Huye Districts, the number of small factories processing agricultural produce, such as those transforming fruits into juice and transforming maize, has increased since implementing land use consolidation.

There are also traders from neighbouring countries who purchase food stuff in the Southern Province, especially vegetables grown by different cooperatives that are exported to Uganda.

Traders also purchase selected seeds, which entail the following: cassava grown in the Kinazi sector of the Ruhango District and Ruyumba as well as the Mugina sectors of Kamonyi; maize, soya beans and rice grown in the same districts as well as in the sectors of Gacurabenge (Kamonyi District), Shyogwe (Muhanga District) and Gikonkwo (Gisagara District). Traders buy these seeds to sell in the markets of the city of Kigali. For example the produce of cassava is immediately collected from farmers as soon as it is harvested and is then transported to the Kinazi Cassava factory for processing. The only challenge for the factory is that the produce is not sufficient and the factory is thus undersupplied with cassava.

In short, the results in the Tables above as well as the findings obtained from the interviews and FGDs confirm Statement (Hypothesis) 1, *Land reform improves commercial agriculture*, and particularly Sub-hypothesis 1c, which postulates: *Land reform enhances agricultural market participation*, however with a qualification. It is clear that land reform through land registration helps bring the landowners to the markets, especially with the opportunities of acquiring loans and selling land to invest in other projects. Land use consolidation regroups more farmers in cooperatives for the cultivation of, for example, the marshlands than individual farmers practicing mono-cropping in household farmlands. The results from Table 6.46 and interviews show that the majority of respondents frequent the markets only to sell the produce, while a small number go there to buy and for trading or for agricultural trading on the outside (rated almost non-existent), due to their low purchase power.

It can be concluded from the arguments above that land reform has not yet solved the problem of high food prices by increasing produce traded at the market or setting up accompanying mechanisms to reduce prices of food crops. Instead prices have soared, especially those of processed food. In addition, land reform through land use consolidation has not yet increased the purchase power of individual land users in order to afford the higher food prices. This particularly applies to individual household farmers. Only certain farmers, who regrouped in cooperatives, were able to increase their purchase power, however, still at a low level. Therefore, individuals can be helped to make their properties more productive by regrouping them in agricultural cooperatives, which are more organisationally and financially more effective. On the other hand, in this sub-section, there is no evidence fully confirming the arguments by neoliberals that secure property rights would allow people to profit from their labour.

6.4.5 Role of land reform in rising agricultural profit

The expectations regarding land reform were that farmers would improve the land's fertility, agricultural produce, purchase power and create better living conditions (Land Policy 2004). Since the land-reform activities were launched, some of the mentioned expectations were achieved whilst others failed, as reported by 263 farmers who participated in land use consolidation. Their responses are detailed in Tables below. Table 6.47 provide details on the level of profit gained from land reform according to the 263 mentioned respondents.

Table 6-47: Profit through involvement in land use consolidation

The level of profit generated	Frequency	Valid percentage
Very high	5	1.9
High	57	21.7
Moderate	120	45.6
Low	39	14.8
Very low	14	5.3
Not at all	28	10.6
Total	263	100.0

n=263

Table 6.47 above reports that land reform is not very profitable for the majority of landowners who participated in land use consolidation. From the landowners 45.6% ranked the level of profit moderate; 14.8% ranked it low; 5.3% very low while 10.6% did not see any profit in land reform. However, there are a sizable number of respondents who ranked the profit in land reform high and very high (respectively 21.7% and 1.9% of respondents).

Nevertheless, respondents gave a positive evaluation of the role that land use consolidation played to increase agricultural produce, whereas the former agricultural system failed to do so. Table 6.48 below documents the role that land use consolidation played in generating income compared to the traditional inter-cultural system. The majority of respondents (63.1%) confirmed that the consolidation process did generate more income than the traditional agricultural system.

Table 6-48: Comparison between incomes generated before and after land use consolidation

Comparison	Frequency	Valid percentage
Land use consolidation generates more income than before	166	63.1
It is the same as before	73	27.8
Traditional agricultural system was generating more income before	16	6.1
No profit today	8	3.0
Total	263	100.0

n = 263

Results from Table 6.48 above show that the majority of respondents (166 of 263) were convinced that the consolidation generates more income than before. This was also confirmed by all the interviewed members of civil society organisations and the local opinion leaders. However, they emphasised that only cooperatives cultivating plots in the marshlands improved their agricultural production.

“The land use consolidation with mono-cropping does not work in individual households, the agricultural production does not increase, it rather decreases in the households” (Member of civil society 3, February 2014).

The problem was that certain forms of mono-cropping in the land use consolidation tended to fail within rural individual households. As a result, these households preferred to combine the selected seeds recommended for their region with traditional crops, which normally are drought resistant and effective for food security. Table 6.49 below provides the assessment of respondents who participated in the land use consolidation (263), when asked about the increased level of activities that generate income since they partook in the consolidation.

Table 6-49: Assessment of the level of increasing income-generating activities

Level of increasing income-generating activities	Frequency	Valid percentage
Very high	40	15.2
High	80	30.4
Moderate	54	20.5
Low	44	16.7
Very low	44	16.7
Not at all	1	.4
Total	263	100.0

n = 263

Results from Table 6.49 above indicate that a number of respondents (30.4% and 15.2 %) did rate the level of increase in activities generating income high and very high. In the same vein, MINAGRI (2012) and NISR-EICV (2012) reported that the improvement in agricultural activities and the effort in turning farming into business resulted in increasing income generation and job creation. It was emphasised that people moved from agriculture to other sectors of production. The result is that currently the number of people employed in agriculture is 72.6%, while the rest are employed in other sectors of production. This is because new sources of employment and the waged-off farm employment have increased by almost 7%.

Respondents were also asked to explain how they use the money (income) earned from the projects of the land use consolidation. Their responses are provided in Table 6.50 below.

Table 6-50: The use the money (income) earned from agricultural production

For what is the earned money used?	Frequency	Valid percentage
I invest in other income-generating activities	96	36.5
I use it to cover my needs and save little of it	167	63.5
Total	263	100.0

n = 263

Table 6.50 indicate: Most respondents (63.5%) reported that they use part of the income for covering their needs while they save the other part. Another group of respondents (36.5%) stated that they use their income to invest in various income-generating activities.

It should be noted that not only the land use consolidation played a crucial role in increasing the purchasing power of the farmers who participated, especially through the cooperatives. The expectation also was that their socio-economic living conditions would improve (MINAGRI, 2011:6). Table 6.51 below reports how respondents rated the level according to which their socio-economic living conditions were affected, respectively by paying education fees, finding shelter and improving health conditions.

Table 6-51: Assessment of the level of improvement in education, shelter and health conditions

Level of paying education fees	Frequency	Valid percentage
Very high	44	16.7
High	117	44.5
Moderate	55	20.9
Low	21	8.0
Very low	26	9.9
Total	263	100.0
Level of finding shelter	Frequency	Valid percentage
Very high	48	18.3
High	126	47.9
Moderate	45	17.1
Low	17	6.5
Very low	27	10.3
Total	263	100.0
Level of increasing better health conditions	Frequency	Valid percentage
Very high	66	25.1
High	111	42.2
Moderate	55	20.9
Low	17	6.5
Very low	14	5.3
Total	263	100.0

n = 263

Results from Table 6.51 above indicate the positive assessment of land reform with regard to improve the social living conditions of respondents. It is evident that the majority of respondents rated it at a high and very high level. Paying of education fees was rated high and very high, 44.5% and 16.7% respectively; finding shelter at 47.9% and 18.3% respectively; and improving health conditions 42.2% and 25.1% respectively.

With regard to the economic living conditions the majority of respondents rated their improvement at lower levels compared to the previous social and health conditions, as Table 6.52 below shows.

Table 6-52: Level of improvement in farmers' economic living conditions

Level of developing a saving culture	Frequency	Valid percentage
Very high	23	8.7
High	86	32.7
Moderate	64	24.3
Low	49	18.6
Very low	40	15.2
Not at all	1	.4
Total	263	100.0
The level of improvement in transport and communication	Frequency	Valid percentage
Very high	21	8.0
High	94	35.7
Moderate	70	26.6
Low	42	16.0
Very low	36	13.7
Total	263	100.0
The level of doing business	Frequency	Valid percentage
Very high	12	4.6
High	63	24.0
Moderate	45	17.1
Low	47	17.9
Very low	94	35.7
Not at all	2	.8
Total	263	100.0
Level of buying domestic materials	Frequency	Valid percentage
Very high	25	9.5
High	99	37.6
Moderate	61	23.2
Low	38	14.4
Very low	38	14.4
Not at all	2	.8
Total	263	100.0

n = 263

Table 6.52 above indicates that the majority of respondents (32.7% and 24.3%) reported that a saving culture developed at high and moderate levels. Likewise, acquisition of means of

transport and communication improved at high and moderate levels (35.7% and 26.6% respectively), as well as the level of buying domestic materials (37.6% and 23.2% respectively).

The element of “doing business” did not develop as strongly, seeing that a majority of respondents, 35.9% and 17.9% respectively, ranked it very low and low. However, a noticeable number of respondents (24%) confirmed that business enterprises increased at a high level. In the present study the security of land tenure guaranteed by the issuing of title deed documents was seen as a factor that affects psycho-social living conditions of respondents. In this context respondents were asked to rank the level land in which reform enabled them to build self-confidence and social ties as well as increase their participation in leisure activities. The results are presented in Table 6.53 below.

Table 6-53: Level of improvement in psycho-social living conditions of respondents

The level of involvement in leisure activities	Frequency	Valid percentage
Very High	23	8.7
High	54	20.5
Moderate	61	23.2
Low	54	20.5
Very low	68	25.9
Not at all	3	1.1
Total	263	100.0
Level of building self-confidence	Frequency	Valid percentage
Very High	66	25.1
High	102	38.8
Moderate	32	12.2
Low	27	10.3
Very low	35	13.3
Not at all	1	.4
Total	263	100.0
Level of building social ties	Frequency	Valid percentage
Very High	35	13.3
High	114	43.3
Moderate	46	17.5
Low	17	6.5
Very low	49	18.6
Not at all	2	.8
Total	263	100.0

n = 263

Results from Table 6.53 above show that the majority of respondents (38.8% and 43.3% respectively) testified that land reform enabled them to build their self-confidence and social ties, while 25.9% ranked the level of involvement in leisure activities as very low. The findings of the Table above indicate that, despite a limited number of shortcomings, most of the farmers – particularly those working in cooperatives – benefited from land reform. It was found that their social ties were strengthened by working together, they gained more confidence and were able to pay school fees, medical care, require transport and means of communication, to mention a few. The remaining group of farmers who practice mono-cropping in their household farmlands profited less from the land reform. Based on the results of the Table 6.53 above, it can be inferred that the psycho-social living conditions of rural farmers involved in the land use consolidation have not yet improved at a high level. Thus, the first Statement (hypothesis), especially Sub-hypothesis 1d, *Land reform rises agricultural profit*, has been verified and confirmed.

6.4.6 Integration of vulnerable categories in land reform

The National Land Policy of 2004 and the Land Law of 2005 stated that vulnerable categories including, economically poor people and women, should be assisted. In the present study 346 respondents were asked whether the statement really applied to the land reform process within the Southern Province.

6.4.6.1 Assistance to different categories of vulnerable people

All the respondents (100%) could confirm that the poor people are helped and were given special assistance in land registration programmes, as Table 6.54 below shows.

Table 6-54: Forms of assistance provided to poor people during land registration

Forms of assistance benefitting poor people	Frequency	Valid percentage
They are given special assistance to get title-deeds	327	94.5
They are assisted to get loans	19	5.5
Total	346	100.0

n=346

According to Table 6.54 above, assistance provided to the poor during the land reform consisted of giving them free title-deeds as the majority of respondents (94.5%) indicated. Some respondents (5.5%) also mentioned that poor people were assisted to get loans. To supplement the survey data, interviews and FGDs revealed that the poor whose names appear on the list of categories of vulnerable people were helped to pay land registration and titling fees. In 2001, the government of Rwanda has established a list of six categories of Rwandans with regard to

their economic conditions under the Ubudehe programme that aimed to assist these categories and improve their living conditions. Those categories entailed:

1. *abatindi nyakujya* (the poorest of the poor);
2. *abatindi* (the poorest);
3. *abakene* (the poor);
4. *abakene bifashije* (middle income people);
5. *abakungu-jumba* (the rich); and
6. *abakire* (the richest).

People who belong to the first and second categories of the poor include the following: widows, landless, sick, elderly, people living with disabilities, women and children-heading households, needy genocide survivors and historically marginalised people or *batwa* (MINALOC, 2011). The poor from these categories are exempted from paying one thousand Rwandan francs (1 000 Frws) charged for each plot of land. Article 6 of the Ministerial instructions No 007/2010 MINELA of 20/20/08/2010 on fees paid for systematic land registration, lists those landowners whose households are categorised as very poor or vulnerable, and who normally receive government assistance associated with their status. Article 6 goes on to state that those known by the cell, sector and District authorities as belonging to these categories, are exempted from paying any fees or additional fees as stipulated in article 5 of the same ministerial instructions. The people from the above-named categories complained that the names attributed to them were abusive. Therefore, in 2014, the Local Administrative Entities Development Agency created new Ubudehe categories, which were condensed to four:

1. families who do not own a house and can hardly afford basic needs;
2. those who have a dwelling of their own or are able to rent one but rarely get full time jobs;
3. those who have jobs as well as farmers who move beyond subsistence farming to produce a surplus, which can be sold; including the small and medium entrepreneurs who can employ people; and
4. those who own large-scale businesses, individuals working with international organisations and industries as well as public servants.

According to an interviewed government official, only people who belong to the first category would be assisted. These entailed those mentioned above who originally were classified under the first two categories: *abatindi nyakujiya* (the poorest of the poor) and *abatindi* (the poorest). These groups were classified in the first category and would be assisted to access land titles (Mayor 4, May 2015).

In addition, people from this category are assisted with free attorneys in case they are taken to court for land disputes. On this matter, an interviewed official of the Rwanda National Resources Authority at the provincial level affirmed:

“When there is a case of land dispute taken to court in which poor people are involved, we freely provide them with attorneys at law named ‘MAG’ who are paid by the government to stand for them because they are not able to pay them, so that their lands are not removed simply because they are poor” (Official of RNRA, 2, December 2014).

Previous investigation has suggested that financial assistance should be set up to help the poor access title-deeds, if not, the land registration and land titles fees should be made affordable to the poorest of the poor (Dushimimana, 2006). The land registration programme integrated the poor as identified in the mentioned categories. This resulted in reducing land-related conflicts, especially those raised by the poor against local leaders, even though there were a few cases where people in the middle-class categories did not withdraw their land title due to unaffordable prices. This finding is supported by the view of Polanyi, (2001) that conflicts are unavoidable when basic needs are commodified and when the poor are not provided with grants for assistance as a means of protection against harm by the market.

With regard to the place of the vulnerable people in land use consolidation, 164 respondents reported that these people have regrouped into cooperatives of farmers. They named different categories of vulnerable people, who were integrated into these cooperatives, as is presented in Table 6.55 below.

Table 6-55: Integration of vulnerable people in farmers’ cooperatives

Existence of historically marginalised people <i>batwa</i> in agricultural cooperatives	Frequency	Valid percentage
Yes	85	51.8
No	79	48.2
Total	164	100.0

Existence of other poor people in agricultural cooperatives	Frequency	Valid percentage
Yes	153	93.3
No	11	6.7
Total	164	100.0
Existence of genocide survivors in agricultural cooperatives	Frequency	Valid percentage
Yes	155	94.5
No	9	5.5
Total	164	100.0
Existence of released genocide convicts in agricultural cooperatives	Frequency	Valid percentage
Yes	139	85.3
No	25	14.7
Total	164	100.0

n= 164

The majority of respondents (51.8%, 94.5, 85.3% and 93.3% respectively) reported that different categories of vulnerable people, including historically marginalised people, genocide survivors, released genocide convicts and other economically poor people, were integrated in their agricultural famers' cooperatives. The results of Table 6.55 above show that the specified categories of the poor in Rwanda are given special assistance: in land registration in order to have security of land tenure; in land use consolidation to help improve their living conditions. This means that individuals from the designated poor categories also participate in the process of land reform as beneficiaries. The experience of Kelala (India) and Brazil, Japan and Taiwan (Evans, 1995; Heller, 1999) show that popular participation that includes the poor was a key instrument in the success of land reform. The poor in these countries were given documents of land ownership. They were informed about the advantages of the land and were involved in activities of agricultural production. At the end, as the poor were involved in land reform, this programme played a crucial role in the development of the above-mentioned countries.

In short, the analysis of the Tables in this sub-section shows that the land reforms in the Southern Province of Rwanda, particularly land registration and titling, did profit the poor landowners. They were assisted to acquire title-deeds and were integrated in agricultural cooperatives within programmes of the land use consolidation. This strategy is in agreement with the arguments on which the populist theory of land reform is founded. This implies that land reform should ensure the connection between land and poor rural communities solve the

problem of social justice and enable the poor to participate in balanced development (Walford, 2007).

Furthermore, the findings of this study as shown in the Tables above confirm the second statement (hypothesis) *Land reform advances equality*, particularly Sub-hypothesis 2c that *Land reform heightens the protection of the poor*. This is because there is evidence that the different designated categories of the poor, including the historically marginalised *batwa*, economically poor people, genocide survivors and convicts are integrated in the land use consolidation cooperatives. By partaking in these units they benefit from all the material (agricultural inputs) necessary for effective agriculture and social reintegration. In addition, the economically poor people benefit from special assistance to get land title documents and loans from the bank in order to get security of land ownership and improve their living conditions.

6.4.6.2 Promoting women's land rights

The history of Rwanda is marked by inequality between men and women and the discrimination against women. This is based on the Rwandan culture that considers the female child as inferior to the male child, physically, intellectually and socially (Polavarapu, 2011). The customary system and inheritance practices did not recognise wives and female children in the general inheritance rights, while women have been the major cultivators and managers of the agricultural produce. This gender-based discrimination affected women negatively since they were refused land rights while land is the main asset that affects Rwandans socially, economically and culturally (Jones *et al.*, 2014)

Before the genocide of 1994, female discrimination was legalised seeing that the statutory law limited women's rights. Particularly article 4 of Law No 02/08/1913/ on commerce stated that "women were not allowed to engage in commercial activities, or in paid labour, or enter into a contract without the express consent of their spouses or male relative (husband, father, brother, in-laws)".

During the war of 1990 – 1994, and especially the genocide of 1994, large numbers of women lost their husbands and became widows; young girls lost their parents and became orphans. Most women tried to fulfil activities that could help them maintain the multiple responsibilities they were obliged to take on due to the effects of the tragic events (Laurel, 2005). Some were heading households as widows or orphans and tried to work and assume the responsibility formerly carried by the men. However, they faced challenges as there was no legal provision allowing them to take such responsibility. In addition, they were legally excluded from land ownership and control (Ali *et al.* 2011; Polavarapu, 2011).

Left with no other alternative than to be part of social movements, educated women, mostly widows, created associations and local NGOs that promoted gender equality and women's rights in particular. Thus, through civil society organisations these women were able to plead and lobby for their concerns by the post-genocide government. In response to those lobbies, the government made various changes to the legal system in order to eliminate discrimination based on gender in terms of land rights (Kairaba & Simons, 2011).

In this regard certain laws discriminating against women were amended, and legal provisions were developed that promote equal land rights for both men and women. These provisions include the law No 22/99 of 12/11/1999 on Matrimonial Regimes, and the Liberalities and Succession known as the "Inheritance Law". For example, article 50 of this law states that all female and male children recognised by the civil law shall inherit property without any discrimination. The same law eliminated all the statutory limitations to women's rights and recognised their rights to own property including land, to open a bank account without their husbands' consent or to control financial resources.

Currently, the national and international legal instruments recognising women's property and inheritance rights are applied in Rwanda. These international legal documents include the MDG3 related to "gender equality" and the Beijing declaration of which Rwanda has been a signatory, and which provides for a 30% quota of women. At national level in Rwanda, there are the following legal instruments: the National Constitution of 2003 recognising equal rights of both men and women, especially articles 26, 27 and 28 providing for equal property rights; the National Land Policy of February 2004; and the Organic Land Law (OLL) No 08/2005 of 14/07/2005 amended and replaced by the Land Law determining land management and use in Rwanda with recognition of the equal land rights of men and women.

The present study investigated the level of gender equality that was experienced during the implementation of the land reform in the Southern Province. In the previous paragraphs, Table 6.20 reported that all the respondents, including 166 women respondents, had acquired and owned land and both men and women respondents acquired land mostly through inheritance from their parents as well as by purchase. Interviews and FGDs revealed that women own land from both their parents and in-law families as they are co-owners of the spouses' properties and heirs of their biological parents' properties. This means that women in Rwanda do not rely on only one channel to access and own land. This state of affairs differs from that of women in the Igang District in Uganda who rely only on the institution of marriage to access and own land, as well as the South African women of the Amajuba District who rely on various other ways such as renting stands, registering for an own place through the government housing programme or building informal shelters in squatter camps (ICRW, HSRC, AfD, 2008:vii).

It was observed that the names of the married women and that of their husbands were included on the provisional form for land registration as well as on the final document of ownership known as *icyangombwa cya burundu*. Respondents presented this document to the researcher during the field work research. The reasons for registering the names of both husband and wife varied. Some did it because their husbands were not around (available); others were told by the registrars to include both names. All the women respondents were aware that the household's land belongs to both spouses since their names are written on the final land title document. Interestingly, in all the cases the name of the wife is written in first followed by the husband's name. Furthermore, there are several gains by registering land in both spouses' names. For example, in case the husband dies, the wife remains with legal ownership and control of the land and can manage it legally. Moreover, the intra-familial land disputes are avoided or are easy to solve and in case of divorce the issue of shared of property is not difficult to deal with. This legal document with both signatures constrains the husband or wife to sell the land without the consent of the co-owner.

All the respondents, regardless of gender, rated the level of positive changes brought by women's access to inheritance as Table 6.56 below shows.

Table 6-56: Positive changes brought by women's access to their inheritance in terms of land

Occurrence of positive effects of women's inheritance	Frequency	Valid percentage
Yes	302	87.3
No	44	12.7
Total	346	100.0
Level of positive changes	Frequency	Valid percentage
Very high	45	15.0
High	169	56.0
Moderate	79	26.0
Low	9	3.0
Total	302	100.0

n = 346

Table 6.56 above shows that the women's access to inheritance in terms of land has delivered positive effects as 87.3% of the respondents reported. These positive changes were ranked at a high level by the majority of respondents (56%). To supplement the survey data, FGDs and interviews revealed that the control over land brought social and economic benefits not only to women themselves but also to their families, including the children, husbands and other

relatives, in their households and in the public arena. Concretely, women could use land and earn higher income to address their basic needs and priorities such as shelter, food, children's education and *mutuelle de santé* (medical aid). This also enables them to invest in other income-generating activities after selling their land. This shows that women in Rwanda enjoy full security of land tenure, which is not granted, for example, to women of Iganga in Uganda as they cannot sell land due to clan restrictions, which implies that they hold land in trust for their children (ICRW, HSRC, AfD, 2008:142).

In the households, access to property rights protects Rwandan women of the Southern Province against domestic violence, all sorts of abuse and being underestimated due to dependence on their husbands. Property rights also strengthen Rwandan women's position in terms of decision-making since they have gained the authority in the household to decide on the allocation and use of resources.

In the public arena, women's contributions in civic participation and demanding public services have gained more consideration. The co-signing of women's names on the registration documents has positively influenced their perceptions on their security of tenure. The results from the FGDs revealed that, irrespective of gender, all the communities changed their perceptions on the security of tenure for women. Interviews with members from local government level in the administrative sector revealed that none of the men is allowed to come to their office and declare he wants to sell his property including land, without bringing along his wife and children to establish whether they agree or whether the women's signature also is on the land title document. Furthermore, land transactions cannot be processed if the owners do not present the ownership document, which ensures that husband and wife have equal rights of ownership. This new authority of women in the household has definite gains. A previous study has revealed a correlation between women's access and control over assets and the increasing level of investment in education of children, satisfaction of basic needs and strong consideration in the household and the public arena (ICRW, HSCR, AfD, 2008:3).

All the women who participated in the FGDs and individual interviews affirmed that the recognition of their land access and ownership rights in particular enabled those living with HIV/AIDS to survive and live in improved socio-economic conditions than before. These results support the findings of the study conducted in the Districts of Amajuba (South Africa) and Iganga (Uganda). These studies found that, although the matter cannot directly be linked to women's ability to prevent HIV infection, property ownership including land can strengthen a woman's chance to leave a violent situation, and especially mitigate the impact of HIV/AIDS (ICRW, HSRC, AfD, 2008:vii). According to article 4 of Law No 43/2013 of 16/06/2013 governing land in Rwanda, no gender-based discrimination in terms of land ownership is

allowed. Women and men have the same equal rights regarding inheritance but married couples' land rights are determined by the matrimonial regime that both of them have chosen. Changes in favour of female children supports the findings of various previous studies that the land reform through land registration in Rwanda was successful by allowing women access to land rights (Ali *et al.*, 2011; Daley *et al.*, 2010:14; Kairaba and Simons, 2011:7; Huggins, 2012:4). For example, one of the key provisions of the registration was that legally married women are entitled to equal ownership rights over household plots with other benefits:

“Clarification and documentation of rights reduced uncertainty over who would inherit land, with substantial benefits for female children who might otherwise have been discriminated against. This programme also provides large additional gender benefits. Legally married women were significantly more likely to have their informal ownership rights documented and secured after registration” (Ali *et al.* 2011:14).

On the other hand, one of the earlier investigations revealed some cases where male children resist female land ownership, as well as instances of domestic violence where husbands force their wives to claim their inheritance from their parents (Kairaba and Simons, 2011). Likewise, several reporters in newspapers highlighted the opposition to women's claims of land rights by their brothers in some areas of the country (Ombudsman report, 2011).

The present study investigated whether women in the Southern Province have faced resistance from their brothers or any other man to their land rights, particularly with regard to inheritance rights. Some questions that were gender sensitive were answered by women respondents only, especially whether women faced resistance from their brothers. The women were asked to give their overall view of male resistance, and especially estimate the level of incidences of such resistance in the region. Table 6.57 below indicate how women respondents estimate the level of incidents of male resistance to women's land rights access.

Table 6-57: Extent of the level of resistance incidents in the local region

Level of resistance incidents in the local region	Frequency	Valid percentage
Very high	4	1.2
High	36	10.4
Moderate	97	28.0
Low	93	26.9
Very low	45	13.0
Not at all	71	20.5
Total	346	100.0

n = 166 (only women)

As the Table 6.57 above shows, the majority of respondents (28%) said that the incidents of men's resistance to their sisters' access to and ownership of land is moderate; followed by 26.9% who rated them at a low level; and 20.5% who mentioned that such incidents are non-existent. It is thus clear that cases of male resistance do occur in Southern Province but not at a high level, seeing that only a small number of respondents estimated the level of resistance to be high (10.4%) and very high (1.2%) in their region.

Furthermore, women respondents had to indicate whether they experienced such resistance from their brothers or not; and if this was the case they had to explain in which ways and indicate the outcome. Tables 6.58 and 6.59 below provide the results.

Table 6-58: Women facing resistance from their brothers (Only women answered)

Women who faced their brothers' resistance	Frequency	Valid percentage
Yes	35	21.0
No	131	79.0
Total	166	100.0

n = 166 (only women)

The survey indicated that, out of 166 women respondents in the whole Southern Province, 131 (79%) reported no resistance from their brothers, while only 35 (21%) attested to having face reluctance. Respondents who experienced resistance from both their fathers and brothers explained in which ways it occurred and what the outcomes were, as shown in Table 6.59.

Table 6-59: Respondents' views on the resistance and how the problem was dealt with

Ways of resistance and the outcome	Frequency	Valid percentage
My brothers became reluctant and I presented the case to local leaders and they helped me to get my inheritance.	15	42.0
My father married another wife who refused me to get my inheritance but so far local leaders solved the problem.	10	29.0
My brothers tried to grab my inheritance but local leaders intervened and gave me back my land.	5	14.0
My father refused me to get my inheritance and up to now this problem is not yet resolved.	5	14.0
Total	35	100.0

n = 35

Regarding the ways of resistance and its outcomes, 35 women indicated that they did experience resistance in the following ways with accompanying outcomes: the fathers refused

their daughters the inheritance and the problem was not yet resolved (14%); the brothers opposed their inheritance and the case was handled by local authorities in favour of the women (42%); the brothers tried to grab their lands (inheritance) but local authorities intervened and returned the land to the women (14%); others (29%) had the problem that their fathers married other wives who refused the female children of the main wife to get their inheritance, however the local authorities solved the problem in favour of the female children.

In most of these cases, women did encounter domestic violence where their husbands ordered them to sell the inheritance and bring them the money. A number of interviewed women respondents revealed that they were beaten. Others were chased out until they agreed to claim the property, which often include land from their biological parents, then sell it and bring the money to their husbands. This implies that property rights for women in the Southern Province protected women from domestic violence. An earlier investigation in Uganda and South Africa revealed that property rights for women is one of the factors that protect women or reduce the risk of domestic violence; also that the process of asserting their property rights invites greater violence against them (ICRW, HSRC, AfD, 2008:5).

It is evident that people were opposed to women having access to the inheritance of land. The resistance mainly came from the males in the family (brothers and fathers) but mostly from the old men, as one of the woman interviewees asserted:

“We are given land in terms of inheritance but most of the old men have not yet understood ... some of them were enlighten by the examples of other neighbouring administrative sectors and knew from radio that women inherit land throughout the country and finally they recognised it” (Respondent 8, June 2014).

As the findings show, old people (aged people) have been the most resistant to this type of change and it has not been only older male parents but also some older mothers who resisted the change, as one of *abunzi* “mediators” explained:

“The right to inheritance in terms of property to female children was not a habit and this is the reason why different people resist to recognise that inheritance is a woman’s rights...there are people who are opposed to women’s inheritance rights and mostly it’s their parents (both mother and father) as well as their brothers but we handle all those cases by applying the law” (Mediator 2, December 2014).

To sum up, the experience of the Southern Province reveal that the acquisition of land rights by women is not one-directional. On the one hand, it enabled them to improve their social and economic living conditions and to overcome domestic violence by positioning them into an empowered relationship with their husband. However, on the other hand resistance occurs

when brothers and the parents oppose the women's ownership rights. Thus, the findings above provide evidence that the land reform implemented in the Southern Province of Rwanda is that type of reform that could solve the problem of social justice and gender-based discrimination. It could also empower men and women alike to participate in development, as suggested and advocated for by populist perspective of land reform.

6.4.6.3 Involvement of women as employees in land reform structures

Prior to land reform mainly before the genocide, the patriarchal structure in the Rwandan society excluded women from decision-making at all levels and on all matters including decisions on land matters. As was mentioned previously, prior to the genocide, statutory laws impeded women to take part in commercial activities, for example the 1913 law on Commerce and the Customary Law that was dominant in Rwanda. These laws caused barriers that challenged women's participation in income-generating activities, in paid labour and decision-making in general. The Constitution of 2003, the National Land Policy (2004) and the Land Law of 2013 removed those obstacles. For example, the National Land Policy and Law states that the main objective of land reform is to promote an efficient management of resources including land and to ensure security of land tenure for all without discrimination based on gender. The same land policy stipulates that commissions in charge of implementing and following up land registration and consolidation should be made up of both men and women.

Nevertheless, a recent study found that in rural areas, where women's literacy level is extremely low, women do not exercise their rights of involvement in land and finance management due to certain cultural barriers. The present study investigated to which extent the land policy regulations were implemented, including the law about women's inclusion in the commissions in charge of implementation and follow up of land registration and consolidation. Respondents were asked whether they have seen women employed in land registration and consolidation activities, and Table 6.60 below details the results from their responses.

Table 6-60: Female employees in land reform structures

Presence of women employed in land registration	Frequency	Valid percentage
Yes	339	98.0
No	7	2.0
Total	346	100.0
Presence of women among agents of land-use-consolidation follow up	Frequency	Valid percentage
Yes	318	91.9
No	28	8.1

Total	346	100.0
Presence of women among members of cooperatives of land use consolidation	Frequency	Valid percentage
Yes	318	91.9
No	28	8.1
Total	346	100.0

n = 346

Table 6.60 above shows that out of 346 respondents, irrespective of gender, 339 (98%) mentioned the presence of women among employees of land registration, while 7 (2%) have not seen any women. In addition, 318 (91.9%) report to the presence of women among agents of the follow up on land use consolidation as well as women members of farmers' cooperatives in land use consolidation, while 28 (8.1%) could not report any presence.

It is evident that the problem of inequality based on gender in land access and ownership rights in Rwanda found a sustainable solution through land reform. However, there is still a need for additional mechanisms to assist landowners, particularly women, to use land effectively. Tulmin and Quan (2000) observed that land reform can be a tool to alleviate poverty only when it improves security for land users and possibly create high growth rates.

A number of women interviewees pointed out that most of the women were not given lands of the same size as their brothers. Nevertheless, it is important is that women are provided with land and have acquired their land access and ownership rights. According to Klaus Deininger, equality may be more useful than equity "because not each individual can find the same farm size" (Deininger, 1998:2). What is important is to give land whether small or large to all the people because it has been demonstrated that productivity does not depend on the farm size, rather it depends on the techniques and resources employed to work on the land.

To sum up, in light of the results from the Tables above and the interviews, the most interesting finding is that the implementation of land reform has brought about important changes in favour of female children. This entails the acquisition land rights and their socio-economic integration. The result was an increase in the level of women's access to land in the Southern Province . Most of the time where women encountered the problem of male's resistance it was solved in favour of female children thanks to the intervention of local authorities. This brings the land registration programme in line with the populist land reform theory regarding its statement that the state should intervene strongly to avoid the issues that the land market created in the past (Wolford, 2007).

First of all these findings show that communities in the Southern Province understand that recognising women's land rights of ownership and control of land is no longer a myth. Secondly, the recognition of women's land rights guarantees their ownership and control status and has a positive impact on their psycho-social and economic living conditions. Thus, the second statement (hypothesis) of the present study, *Land reform advances equality*, particularly Sub-hypothesis 2d, *Land reform promotes gender balance*, was verified and confirmed.

6.4.7 The role of land reform in stabilising social relationships

Prior to the Rwandan government's adoption of the land reform programme, several researchers have testified to numerous land disputes throughout Rwanda (Bledsoe, 2004). The government has also recognised the incidence of several land-related disputes which typically involved members of the same families, neighbouring households or agents of the state (MINITERE, 2004:24-25). In the same vein, the findings by Musahara and Huggins (2004) confirm intra and inter-households conflicts at local level, and the local leaders at the district level interviewed by the same researchers asserted that at least 80% of disputes reported to them were related to land. The current land reform aims to deal with land disputes by giving land title deeds to guarantee security of land ownership (MINITERRE, 2004:25).

6.4.7.1 The role of land reform in solving land conflicts and promoting social cohesion

The land reform programme intended not only to improve the livelihoods of the rural poor but also to curb conflicts including those related to land disputes. In the present study, respondents were asked if they experienced land-related conflicts before the land reform programme. Table 6.61 below provides the results on this issue.

Table 6-61: Land-related conflicts in the region before launching the land reform programme

Level of land-related conflicts before launching the land reform programme	Frequency	Valid percentage
Very high	68	19.7
High	226	65.3
Moderate	32	9.2
Low	18	5.2
Not at all	2	.6
Total	346	100.0

n=346

The results from Table 6.61 above show that the majority of respondents (65.3%) attested that land-related conflicts did occur in their local areas at a high level; and 19.7% rated the level of land-related conflict very high before land reform, while few respondents (9.2%) were of the opinion that such conflicts occurred at a moderate level in their local areas. These results show that the situation in the Southern Province was not different. Inhabitants experienced land-related conflicts just like the other provinces in Rwanda. The question on the categories of people, mostly in land conflicts, was posed to 294 respondents. They all reported an occurrence of such conflicts at high and very high levels. Table 6.62 below displays the results of this question.

Table 6-62: Views of respondents on categories of people mostly in land conflicts before land reform

Categories of people in land-related conflicts	Frequency	Valid percentage
Refugees turning from exile against occupiers of their properties	291	99.0
Family members	191	65.0
Buyers against their former sellers	108	36.7
Neighbouring families	103	35.0

n = 294

Results from Table 6.62 above indicated various categories of people who experienced land-related conflicts. The most prominent categories are: the conflicts between refugees who returned from exile and occupiers of their properties (for 99% of respondents); followed by conflicts between family members (according to 65%) and conflicts between opposing neighbouring families (for 35%). Various sources of land-related conflicts were mentioned as Table 6.63 below show.

Table 6-63: Sources of land-related conflicts before land reform

Sources of land-related conflicts	Frequency	Valid percentage
Land property occupation	291	99.0
Land boundaries	267	90.8
Payments and transfer refusal or lies or document forgery	108	36.7
Inequality in land ownership	77	26.2

n = 294

From Table 6.63 above it is evident that sources of land conflicts tended to be mainly land boundaries (90.8%); others occurred when land buyers refused to pay cash or land sellers refused to proceed with the transfer as well as in cases of fraud or forgery of documents

(36.7%) as well as inequality in land ownership. The majority of the respondents (64.7%) in the fieldwork survey also affirmed that land-related conflicts reduced considerably (high level) as Table 6.64 below indicates.

Table 6-64: Extent to which land-related conflicts reduced since land reform implementation

Level of reduction in land-related conflicts during land reform	Frequency	Valid percentage
Very high	43	12.4
High	224	64.7
Moderate	70	20.2
Low	5	1.4
Very low	1	.3
Not at all	3	.9
Total	346	100.0

n = 346

Since land reform through land registration was implemented, tangible changes occurred because people enjoyed tenure security and most land related-disputes were mediated. Interviews with people who registered their lands confirm that security of tenure is guaranteed thus far:

“So far I am not scared by anything because I acquired legal ownership documents for my land, I do not expect anybody to claim that it belongs to him even if I die nobody will grab it from my children, they will be protected by the law” (Respondent 18, February 2014).

Various reasons for the sharp reduction of land-related conflicts were offered by respondents who confirmed that conflicts reduced at high and very high levels, of which the most prominent reasons was clarification of land boundaries and the fact that records were kept of all the lands. The objectives of land registration include the ending of land disputes by clarifying individual and households' land boundaries and giving title-deed documents to land owners as legal proof of ownership. One of the interviewed members of Mediators' committee stated:

“The acquisition of land title-deeds played a very important role of eradicating disputes related to land boundaries among neighbouring households, intra-familial conflicts were also reduced as each one knows his own plot and its boundaries...While before land reform none could say that he knew the boundaries of his plot, besides no document proving ownership status which was resulting in conflict among brethren” (Mediator 3, July 2014).

It is clear that the issue of title-deeds had a positive impact on the eradication of land disputes in rural communities, which were reported frequently by various previous studies (Pottier, 1996; Musahara & Huggins, 2004; RISD, 2008; Haguruka, 2003). The findings of Table 6.64 above and the results of interviews as well as FGDs answer the question posed at the beginning of the present study on the impact of land reform in solving problems of land conflicts and poverty in the Southern Province of Rwanda. Therefore, it can be inferred that land registration and titling successfully solved the problems of land disputes in this province. This is different from what was observed in other countries where land registration was implemented. For example, while the land registration programme was expected to ensure security of ownership and equitable access and ownership to landowners in Papua new Guinea and all the Melanesia, it led to unintended and harmful consequences, such as land disputes that were related to the increasing value of a “priceless asset that was opened to the commercial world in a traditional environment where price has often little to do with the value” (Anderson, 2008:16).

Furthermore, the peaceful situation in families seems to build on sustainable development. One of the interviewed Mayors asserted that the acquisition of title-deeds is a sign to guarantee security of tenure among landowners. He linked this situation to sustainable development:

“Most of the issues that we used to face were based or related to land and consequently we could not embark on sustainable development. Although other issues newly arose many others mostly related to land boundaries were solved. Nowadays, people use the land title-deed documents that they acquired to achieve activities of sustainable development” (Mayor 3, July 2014).

In the Southern Province, the acquisition of land titles was followed by people’s involvement in various activities of development since the inhabitants and local leaders did not have to spend as much time on handling land-related disputes, which used to occupy most of their time.

Nevertheless, the fact that approximately 20% and 1.5% of the respondents mentioned that land-related conflicts reduced at a moderate and low level, means that in some areas land conflicts remained. Interviews with government officials at sector, district and provincial levels revealed that only conflicts around boundaries ceased but other types of conflicts known before land reform persisted. These included cases of conflicts around succession whereby children born from concubines claim their inheritance, as well as cases of land transaction/transfer.

According to the same informants, new forms of land-related conflicts emerge as a result of the implementation of land reform. These cases include: children (mostly female) who appeal against having dealt land with infertile soil while others received more fertile parts of the land, and cases of land surveyed or registered to the wrong owners. In the rural areas, some people

told land surveyors and registrars that they owned land individually while it was collectively owned by family members living in Kigali or outside the country. According to the interviewed official of RNRA at the provincial office, in most cases, the fraud became known when neighbours informed family members or when the banks came to auction their land. After being informed, the family members approached an office of RNRA in the Southern Province to request that the auction is cancelled and to declare that the land belongs to the family. Women mostly tended to be victims of cases where family land was registered to individuals:

“Most of the women experienced the problem of finding out that all their family land are registered in the names of their brothers” (Official of RNRA, 6, August 2014).

Consequently this was a source of conflict when brothers or sisters came to claim proof of land ownership. In addition, participants who have experienced land conflicts in the post-land reform period as well as FGDs in all the districts revealed other forms of conflict. These were related to weaknesses among land conflict dealers, poor knowledge of the land law on the sides of rural dweller and local authorities, and the phenomenon of polygamy (men with multiple wives). Three of the women interviewed who experienced land conflicts after land reform testified on this matter. The first woman declared:

“My husband married another woman, and then he has brought her and started to build her a house and giving her a parcel in my and the children’s land” (Respondent 5, August 2014).

The second woman reported:

“We struggled to acquire a land parcel together but I noticed that my husband registered it in the name of another woman” (Respondent 4, July 2014).

The third woman testified:

“The problem that we have in our family is that my husband has many children from other women and now he wants to bequeath them parcels in our family lands” (Respondent 9, August 2014).

On this matter, it should be noticed that the Rwandan civil law does not exclude any child born outside of a legal marriage from inheritance if the child’s father legally recognises him or her, as one of the lawyers explained during the interview:

“Yes, the child born outside a legal marriage is allowed to inherit his father’s property including land depending on the mode of marriage adopted by the parents” (Opinion leader 5, August 2014).

Polygamy mostly occurs in the remote rural areas of the Southern Province, particularly the administrative sectors adjoining the Nyungwe forest such as the sector of Kitabi (Nyamagabe

District) and the sectors of Gikonkwo and Ntyazo (Nyanza District) on the border of Burundi. This practice of multiple wives is contrary to urban areas where districts offices are built.

Concerning land conflicts related to land transaction/transfer, the present study has indicated previously that conflicts arise when land transactions with gifts or sales are processed without the knowledge of the local government officials. Normally in the case of land sale, the buyer should apply for transfer registration and becomes the legal owner after the transfer is registered (Article 21-22 of the Land Law No 43/2013 of 16/06/2013). On this matter, the local government officials at the district level who were interviewed asserted that when the land sale takes place in the presence of the local government authority at the administrative cell level, problems are reduced. However, when people sell their lands and delay to declare or register it, conflicts arise. The reason is clear. In such a long waiting period without the land registered to the purchaser, it happens that the land seller denies to have sold it. Furthermore, respondents who participated in the FGDs revealed a new factor that cause conflicts since land reform has been implemented: “late issue of title-deeds”. In short, the local population consider the land title as a document ensuring security of land tenure and people who are not in possession of such a document remain in conflict until they acquire one.

The experience of Rwanda is not unique because land registration led to unintended and harmful consequences such as land disputes due to the increasing value of a “priceless asset that was opened to the commercial world in a traditional environment where price has often little to do with the value” as is the case in other countries with a similar situation (Anderson, 2008:16).

6.4.7.2 Role of farmers’ cooperatives in solving conflicts and promoting social cohesion

The present study also investigated the contribution of programmes for land use consolidation in solving social conflicts including land-related ones. These programmes were intended to regroup farmers in cooperatives for joint agricultural activities and to strengthen cohesion among its members. One of the questions that were posed enquired about people who used to live in conflict and how the cooperatives helped solve those conflicts promoted cohesion among members. Table 6.65 below provides details on the role of farmers’ cooperatives in improving members’ cohesion as reported by 164 respondents as members of those cooperatives.

Table 6-65: Views of respondents on cooperative members who formerly lived in land conflicts

Occurrence of membership for people who formerly lived in land-related conflict	Frequency	Valid percentage
Yes	103	62.8
No	61	37.2
Total	164	100.0
Activities promoting social cohesion	Frequency	Valid percentage
Farming together	144	87.8
Mutual visits	149	90.9
Mutual help/assistance	158	96.3
Many meetings	128	78.0
Conviviality	156	95.1
Extent to which the above activities performed together in cooperatives strengthen members' cohesion	Frequency	Valid percentage
Very high	53	32.3
High	66	40.2
Moderate	38	23.2
Low	6	3.7
Very low	1	0.6
Total	164	100.0

n = 164

Results from Table 6.65 above indicate that the majority of the respondents (62.8%) are aware of members in the farmers' cooperatives who were formerly engaged in land-related conflicts while 37.2% claimed that they do not have such individuals in their cooperatives, as mentioned previously. Many households in Rwanda experienced land-related conflicts of which some is reported to local leaders but others kept secret and thus are officially unknown.

Members of farmers' cooperatives organise different activities to reinforce members' cohesion and solve possible conflicts whether existing or new. Various activities promoting social cohesion include: farming together rated at 87.8%; mutual visits 90.9%; mutual help/assistance 96.3%; regular meetings 78%; and conviviality at 95.1%. The extent to which the activities strengthen cooperatives members' cohesion was rated very high by 32.3%; high by 40.2%; moderate by 23.7% and very few respondents rated it low (3.7%) and very low (0.6%).

To sum up, the results regarding the effect of land registration and titling on land-related conflicts and as well as the activities performed in cooperatives were obtained from FGDs and interviews as well as through the fieldwork survey. These results prove that the land reform

through land registration and land use consolidation decreased land conflicts in the Southern Province of Rwanda despite of cases of unintended land-related disputes that occurred in some areas. This confirms the arguments of the benefits theory that one of the benefits of land registration and titling is that communities find solutions to the problem of land-related disputes.

The same results also confirm the third statement (hypothesis), *Land reform stabilises rural social relationships*, particularly Sub-hypothesis 3a stating that *Land reform lessens land conflict*, and Sub-hypothesis 3b postulating: *Land reform increases social cohesion*. Evidences for these statements are that the majority of respondents indicated that the level of land disputes reduced at a high and very high level (cf. Table 6.64) despite of some cases of conflict that arose after land registration. In addition, the cooperatives of land users involved in land use consolidation were highly effective in uniting people who used to live in land-related disputes and opposed each other. Through the cooperatives these landowners are led to perform activities of mutual help, visits, conviviality, group work/cultivation, et cetera which improved and promoted social cohesion.

6.4.7.3 The role of land reform in reducing land fragmentation

The problem of land fragmentation was reported in different government documents (MINECOFIN, 2000; MINITERRE, 2004; MINAGRI, 2008) and findings of researchers such as Prunier (1995); Catherine & Platteau (1997); Clay *et al.* (1998); Musahara (2001); Brarel (2001); Bigagaza, *et al.* (2003); Musahara & Huggins (2004) and Ansoms (2008). The main causes of land fragmentation include the increasing high demographic density that results in diminishing farm holdings and inequality in land ownership.

The culture of inheritance encourages land fragmentation as all the children inherit their parents' land which causes the land to be divided into individual plots. In other words, even though the land policy intended to address land fragmentation through land consolidation (MINAGRI, 2012; MINITERRE, 2004), it was unattainable because almost all the people did not accept the consolidation of their farm-holdings. In addition, various practices did encourage land fragmentation. These practices include: owning and farming the family land individually, the persistence of the culture of bequeathing land to children as a high occurrence, as Table 6.66 below shows in detail.

Table 6-66: Respondents' views on how the family land is farmed

Ways of farming the family lands	Frequency	Valid percentage
Individually	284	82.1
Collectively	62	17.9
Total	346	100.0
Persistence of the culture of bequeathing land through inheritance	Frequency	Valid percentage
Yes	336	97.1
No	10	2.9
Total	346	100.0
Level of the bequeathing culture	Frequency	Valid percentage
Very high	203	58.7
High	134	38.7
Moderate	7	2.0
Low	2	.6
Total	346	100.0

n = 346

Results from Table 6.66 above indicate that in the Southern Province the implementation programme for land reform has not yet addressed land fragmentation, seeing that the main mode of farming remains individual (according to 82.1% of the respondents). Where land is owned and farmed collectively, it is owned by a family of children who are still single but expect to get their inheritance as all of them attested that they will inherit their individual land plot.

Another factor that perpetuates land fragmentation is the persistence of the culture of bequeathing land through inheritance as almost all the respondents (97.1%) reported. In effect, the culture of bequeathing land to individual owners persists at a very high and high level as the majority of respondents rated it (58.7 and 38.7% respectively).

One of the participants who came from a family with a small size land of less than one hectare stated:

“The culture/tradition of distributing the family land to children persists but for the case of our family each one acquires a very small size farm-holding which serves as a plot for only building a house because our father's land size was less than one hectare” (Respondent 20, January 2014).

In the present study participants to the FGDs in all the districts attested that the integration of women and female children in general among family land heirs has been a source of increasing land fragmentation. The reason is that the heirs are given their own individual land plots while

the culture of collective land ownership for children of the same family has not yet been adopted. A Mayor of a district which is known for a long time for its high demographic density interviewed on this matter declared:

“It is very hard to resolve the problem of land fragmentation because since female children must also individually inherit land in accordance with the inheritance law ... we often explain to them the negative impact of land fragmentation but they retain the inheritance culture ... may be people will realise themselves that land distribution does not help them and adopt the collective land ownership” (Mayor 6, December 2014)

Kenya has got similar problems of persistence of land fragmentation despite of land registration and consolidation experiences because land registration brought negative repercussions for vulnerable groups and generally land registration reinforced class and wealth differentiation and consequently problems of poor agricultural productivity resulting from land fragmentation still exist and constitute a barrier to agricultural development (Cotula, Toulmin & Hesse, 2004:3-4).

To sum up, the land reform through land registration and consolidation has not yet reduced the land fragmentation, seeing that the rural land holders retain the culture of inheritance while female children are allowed to inherit their parents' properties including land. In effect, the situation has worsened than before the land reform because even the consolidation of neighbouring family lands has failed. These findings oppose and reject statement (Hypothesis) 3, *Land reform stabilises rural social relationships*, particularly Sub-hypothesis 3c stating that: *Land reform reduces land fragmentation*. Overall, the problems of inequality based on gender and social categories were solved by giving every Rwandan, including women and the poor, equal land rights and by regrouping all farmers in cooperatives. This proves that the objectives of addressing gender-based inequality and land conflicts that were on paper (land laws and policies) were taken into consideration during the implementation. The results of this section also show that the land registration and consolidation is implemented in a way corresponding with the statements of the benefits, neoliberal and populist of land reform linking land registration to addressing gender-based inequality and land disputes.

6.5 Assessment of the land reform programme by respondents

This section aims to answer one of the research questions for the present study on the views and experiences of implementers and beneficiaries of land reform in the Southern Province on possible weaknesses and strengths of land reform in post-genocide Rwanda. The findings on the assessment of both farmers and key informants of the land registration and land use consolidation helped the study to identify weaknesses and strengths of both programmes implanted in the researched area.

6.5.1 Assessment of the entire land reform policy

Respondents were asked to give their assessment of the land reform programme *in toto* including land registration and land use consolidation. Table 6.67 below provides details on the assessment.

Table 6-67: Respondents' views on whether the land registration is good or not

The land registration is good and relevant	Frequency	Valid percentage
Strongly agree	174	50.3
Agree	156	45.1
Disagree	16	4.6
Strongly disagree	0	0.0
Total	346	100.0

n = 346

Results from Table 6.67 above show that the majority of respondents (50.3%) strongly agree and 45.1% agree that the land registration programme is good and relevant. The reasons why respondents view land registration as a relevant and good programme are reported in Table 6.68 to follow.

Table 6-68: Reasons of declaring that the land registration programme is good

Motivation for those who agree	Frequency	Valid percentage
People got proof of full ownership and security of tenure	261	79.0
It increased the value of the land	213	65.0
Individual land boundaries and sizes are now known	185	56.1
Opportunity to get loans and reduced cases of land disputes	145	44.0
It offers ability to make land more productive	62	19.0
Land seizure reduced	52	16.0
It offered opportunity to utilise land better	24	7.0

n=330

According to Table 6.68 there are various reasons why respondents found that the land registration programme is good and relevant. The most prominent reasons were: people got proof of full ownership of their lands and the security of tenure (for 79%); it increased the land value (65%) and individual land boundaries and sizes were now known (56.1%). Currently there are various opportunities due to the land registration programme which enable people to use their lands more productively as they have security of tenure. One of the respondents interviewed on this matter asserted:

“The land owner who holds the land ownership document is protected by the law and therefore holds tenure security. Moreover, he/she can easily be given loans” (Respondent 22, February 2014).

The land registration has also been extremely useful to financial institutions such as banks and microfinance schemes because it has been easy to control the reimbursing of the loans, seeing that the land title-deed document is kept by the bank as collateral for the loan. As the interviewed official in the RNRA at provincial level emphasised, land registration and titling helped the banks to get reimbursement of loans:

“There are people who acquired loans from banks before land registration and titling and failed to reimburse the loans, so, the bankers come to our office and seize their land title-deed documents and released them after land owners paid the loans” (Official of RNRA 2, December 2014).

In addition, the land registration and titling has been effective to the survivors of the 1994 genocide. The genocide convicts who seized or damaged their properties were found guilty and ordered by the traditional tribunal *gacaca* to reimburse the damages. The office of RNRA keeps the documents until the damages are fully repaid.

A further gain is that the Rwanda Revenue Authority can easily follow up the payment of any type of tax as those who do not pay their taxes are refused by Rwanda Development Board (RDB) to use the land title-deed documents as proof of ownership. These documents are also required for registering and starting a business, as well as acquiring any type of loan or transaction. An official in RNRA at provincial level pointed out that when any institution presents the Identity Card of someone who is prosecuted for any malady or did not pay taxes, the RNRA officials can easily identify the individual and this person's land title-documents are seized. All the positive aspects of land reform alluded to by respondents in Table 6.68 above and the credits given by different interviewees constitute the strengths of land reform in the Southern Province of Rwanda.

In light of the above-mentioned benefits of the land registration, it is appreciated and welcomed by respondents – which were not the case in Papua New Guinea (PNG). Criticism of PNG's system is that particularly rural dwellers and civil society organisations were against land titling for customary land tenure system as it did not profit the poor, only rich foreign investors (Simo, 2010). In PNG it was found that land registration and titling enabled the foreign investors to buy land from the poor and officially own it (Davidson, 2009; Chand & Yala, 2009). This caused most of the poor landowners to become landless and they fell deeper into poverty while the foreign companies legally acquired large tracts of land (Larmour, 2002; Fairhead, *et al.*, 2010;

Fingleton, 2004). In Rwanda, land registration solved the problem of tenure insecurity and land-related conflicts, including those related to boundaries and unequal redistribution between family members (Issackson, 2011; Gasarasi & Musahara, 2004). As a result, Rwandans attest to viewing land registration and titling as positive.

Respondents who assessed land registration as not a good and relevant programme were also asked to provide reasons. The most common reason was that land registration generated other types of conflicts (for all 16 of the respondents who disagreed). Those conflicts arose in families whose members live outside of the country. When these members returned and found their family land registered to the name of only one member, disputes were unavoidable as the returned members claimed their portion. Another type of conflict revealed by respondents interviewed in the Nyanza District concerns the case of young men who killed their parents to inherit their properties including land because they could not wait until their parents were deceased. Thus the matter of land registration appears to be one of the weaknesses of the land reform in the Southern Province.

Respondents were asked for their particular assessment on weaknesses and strengths of the land use consolidation programme, as Table 6.69 below reports.

Table 6-69: Respondents' position on whether the land use consolidation programme is good and relevant

The land use consolidation is a good and relevant programme	Frequency	Valid percentage
Strongly agree	85	24.6
Agree	155	44.8
Disagree	106	30.6
Strongly disagree	0	0.0
Total	346	100.0

n=346

Results from the Table 6.69 above indicate that the majority of respondents (155/346 or 44.8%) agreed that the programme for land use consolidation is good and relevant even though there is a considerable number (106 of the 346 or 30.6%) of respondents who disagreed. The main reason given was that people who practice land use consolidation in cooperatives increase productivity as Table 6.70 below shows.

Table 6-70: Reasons of attesting that land use consolidation is a good and relevant programme

Motivation for those who agree that land use consolidation is good and relevant	Frequency	Valid percentage
People who practise land use consolidation in cooperatives increase productivity	162	67.5
People are assisted by the government to enter the market for the produce, technical and material support as well as training in agriculture for practicing and growing selected seeds	70	29
The programme cares more about what benefits people than anything else through motivating investors and business in agriculture sector, bringing regionalisation which allows increase of productivity and increases the availability of seeds to the local markets securing crops and the produce, increases ability to store the produce and solving conflicts	68	27.8
People unite their workforce and work together in cooperatives which reduces disorder in agriculture and gives orientation to farmers	43	17.8
Agronomists are available and fertilisers are made available as well	7	2.9

n=240

Table 6.70 above indicate various reasons given by respondents why they assess land use consolidation as good and relevant. The majority who declared that land use consolidation is good and relevant tended to be members of cooperatives, since they were the ones reporting that land use consolidation enables them to increase agricultural productivity and enhances and develops social cohesion (see Table 6.65) This highlights the most outstanding strength of land use consolidation in terms of meeting the objectives of land reform through land use consolidation. According to MINITERRE (2004), the main purpose of land reform is to increase agricultural productivity and develop a commercial agriculture. Although individual households did not participate in land use consolidation collectively and actively as was expected, land use consolidation succeeded in the marshlands and plains where members of agricultural cooperatives grew selected regional crops. The failure of programmes for land use consolidation in individual households was linked to badly selected regional crops to cultivate and inappropriate methods applied by certain local government officials to get people involved in land use consolidation.

A further benefit of the programmes for land use consolidation results from its approach to organise farmers into cooperatives which improves agricultural productivity as people work collectively (according to 67.5% and 14.5% of respondents). Cooperatives are more organised and effective to secure the produce and capital management and to find a market for the

produce as well as technical and financial support, as respondents maintained (14.5%, 20.8% and 4% respectively). On the other hand, 106 respondents who disagreed with the assumption that land use consolidation is relevant and good mentioned a number of reasons as detailed by Table 6.71 below.

Table 6-71: Reasons for disagreeing that land use consolidation is good and relevant

Motivation for those who disagree	Frequency	Valid percentage
People are struck by hunger because all the harvest is consumed and some crops disappeared	105	98.9
In case of rainfall shortage they all get damaged	26	24.5
When crops are damaged we do get any harvest	25	23.5
Prices raise continuously to the markets	23	21.6
The programme is not ours it comes from the state	14	13.2
People are pushed to grow crops they don't even need	11	10.3

n=106

Results from Table 6.71 above show that main reason why respondents considered land use consolidation as not good. This process caused hunger due to consumption of all the harvested produce and the disappearance of some crops (for 98.9%); low productivity when crops are damaged by the rain or drought (24.5 % and 23.5%) and prices raising continuously (21.6%). Understandably the majority of respondents and members of civil society who were interviewed mentioned that land use consolidation bears a number of shortcomings despite increasing productivity for agricultural cooperatives.

First of all the process does not enable farmers to save the produce as the custom was in the traditional agriculture. Effectively all the produce harvested is sold to RAB and the local food processing factories with no produce remaining at home. This undermines the culture of saving in household stores that existed under the traditional agricultural system. Secondly, land use consolidation appears inefficient (not cost-effective) because agents of the factories and RAB collect the majority of the produce at a low price. In addition the farmers have to pay back the fertiliser on which they were given on credit under the condition that they will reimburse it when they sell their produce regardless whether their yield was good or bad. There is no exoneration even when they face deficit due to climatic risks of limited rainfall or too much sun. Consequently, the farmers remain with limited income, to the point of being unable to afford the price of final products or food at the market in the future. The reason is that the farmers sell their produce at a low price and have to purchase food at the market at a higher price while their purchase power remains low.

In effect, the rural people are not cognisant of the cost factor for processing crops for extracting or transforming them into final food. For example, 1 kg of maize flour is extracted from 4 kg of unprocessed maize. Another large challenge mentioned is certain crops' diseases such as bacteriosis for Irish potatoes, insects for maize crops and *gikongoro* for coffee.

In short, the policy of RAB aiming to collect and keep the agricultural harvest of regional selected crops, particularly maize and beans, in government stores turned rural farmers involved in mono-cropping or participating in land use consolidation into net food buyers whereas they traditionally used to have food in the household stores. This has a negative price effect currently contrary to the traditional agricultural system that enabled them to sell part of the stored crops to purchase additional foods. Yet, increasing prices/fluctuations are determined by the increasing number of food buyers. Instead of collaborating with capitalists with no concern for the rural poor's interests, the government should deal with this problem of high prices for processed food by convincing factory owners to reduce the price. This should be the focus if the objective of changing the agriculture sector into a commercial one is maintained. Such a strategy would enable the rural people to afford food prices. In other words, the approach of collaborating with economic elites and factory owners will not achieve good outcomes particularly in promoting equality. This argument is in agreement with that of Heller (1999) and Evans (1995). They point out that when the government collaborates with elite capitalists, the elites eventually influence the decisions and policies made by the government to meet their interests, which do not favour the poor and destitute in the country.

Considering the key provisions of the Land Policy of 2004 and the Land Law of 2013 the land reform programme developed by the government of Rwanda did tend to be "pro-poor" with the goal of fighting poverty. However, the findings of the present study indicate that the land registration programme achieved the goal of supporting the poor but the land use consolidation did not reflect the real pro-poor land reform as interpreted by scholars like Adams (1995), Anderson (2010), Borras (2002) and Wolford (2007). For Adams (1995) a pro-poor land reform takes place with the state's intervention to benefit the poor. For Anderson (2010) land reform should be linked to poverty reduction when it aims to benefit the poor workers/landless peasants. This should take place through changes of tenure relations and shifts in power relationships in favour of the working class at the expenses of those who accumulate wealth from their control over rural land and labour.

The present study's research question focused on the views and experiences of implementers and beneficiaries of land reform in the Southern Province with regard to possible weaknesses of land reform. This question is answered by referring to the above-mentioned shortcomings of the land use consolidation programme. These weaknesses were attributed to this programme by

farmers and key informants who participated in this study. The mentioned shortcomings include the following: hunger due to food shortage caused by climate fluctuations, exclusion of certain drought resistant crops, inappropriate actions of officials managing the programme and replacing the culture of keeping crops in household' stores to collecting the harvested produce in the government stores.

6.5.2 Assessment of the implementation of the land reform policy

While the preceding subsection focused on assessing programme as a whole, in this section respondents assess in particular the implementation of the land reform policy. Table 6.72 below provides the details of the assessment of the registration programme.

Table 6-72: Assessment of the implementation of land registration programme by respondents

Assessment of the land registration implementation	Frequency	Valid percentage
Very well implemented	50	14.5
Well implemented	243	70.2
Moderately implemented	19	5.5
Badly implemented	34	9.8
Total	346	100.0

n=346

Table 6.72 above indicates that the majority of respondents, that is 243 of 346 (70.2%), confirmed that the land registration programme was well implemented and very well implemented (14.5%). The various motivations for the majority of respondents' assertion that land registration was well or very well implemented are reported on in Table 6.73 below.

Table 6-73: Reasons why the land registration was well implemented

Reasons provided	Frequency	Valid percentage
People were given the proof of ownership documents on time, each one received a picture of his land size and knew his plot	258	98
Surveyors and registrars reached all the zones and homes	256	97.3
The programme was done in transparency, concerned everyone and gave each one his full land rights, security of ownership and freedom, apart from those who were absent and those whose lands were problematic	265	90.9
The programme used modern technology and cadastre pictures and showed real land boundaries clearly	221	72.3

It was done in a modern way with cameras, it was quick and was done by experts	183	62.4
Land disputes were reduced and where problems occurred, they were quickly solved	182	62.0
The programme was known by people because authorities explained the programme and its benefits	65	22.1
The poor were assisted and each person continues to own and farm his own land	59	20

n=293

Table 6.73 above indicates various reasons why respondents asserted that the land registration programme was well implemented. The most prominent reasons was as follows: people could acquire land title documents as proof of ownership on time, each one received a picture of his/her land size and knew his/her plot (98%); surveyors reached all zones and homes (97.3%) and the programme was done in transparency, involved everyone and gave each one full land rights, security of ownership and freedom, apart from those who were absent and those whose lands rights were problematic (90.9%). Other reasons why land registration has been well implemented are the fact that the programme used modern technology and cadastre pictures and showed real land boundaries clearly (72.3%) and it reduced land disputes (62.2%).

With regard to modern technology that was used, the Deputy Director General in RNRA who was interviewed explained that the success is a result from the commitment of the implementers and the use of technology in improving and delivering services. For example, the same informant referred to the use of a system that communicates to the people through Short Messaging Service (SMS) indicating where their documents of land ownership are located – whether at the district or at the RNRA office and which person is holding it, which enables that the landowners to find the specific person at the venue.

These findings affirm that the land registration programme was successfully implemented and support the findings of various previous studies which reached a similar conclusion (Ali *et al.*, 2011; Daley *et al.*, 2010:14; Kairaba & Simons, 2011:7; Huggins, 2012:4). In addition, Rwanda's achievement in land registration was even recognised by the World Bank as the latter ranked this country in a top position in Africa and worldwide for the registering of properties including land. The World Bank Doing Business Report of 2014 reported on Rwanda as follows: Rwanda is at the 8st place worldwide in the registering of properties, after Georgia (1), New Zealand (2), Belarus (3), United Arab Emirates (4), Armenia (5), Lithuania (6) and Denmark (7). In Africa Rwanda is ranked number 1 (World Bank, 2014:9).

Positive effects and aspects of land titling in Rwanda justify the relevance of land registration and titling and disprove the negative statements of the populist/Marxists who oppose land

registration and titling as well as the provision of title-deed documents to the poor. The populists argue that giving title-deed documents to the poor re-introduces the dynamic of commodification, according to which the poor receives titles to land, only to forfeit it later to rich buyers (Walford, 2007). This argument is not supported by the results of the present study because the poor and rich people buy and sell lands alike. The populists/Marxists rejects land titling because the land market would continue to be the wealthy people's vehicle for the theft and exploitation as it has always been according to them (ibid).

With regard to the land use consolidation programme, respondents gave their views on the implementation process as indicated by Table 6.74 below.

Table 6-74: Assessment by respondents of the implementation of land use consolidation

Assessment of the land use consolidation implementation	Frequency	Valid percentage
Very well implemented	3	0.8
Well implemented	155	44.7
Moderately implemented	19	5.5
Badly implemented	160	46.4
Very badly implemented	9	2.6
Total	346	100.0

n=346

According to Table 6.74 above the majority of respondents (46.4%) confirmed that the land use consolidation programme was implemented badly though a considerable percentage of respondents (44.7%) were of the opinion that it was well implemented. This means that perceptions on land use consolidation were halved: the one half felt that it was well implemented and the other half felt that it was badly implemented. As was mentioned previously, on one hand, land use consolidation was well and successfully implemented in the marshlands and expansive plain lands where people regrouped in cooperatives of farmers practicing mono-cropping.

On the other hand, it failed in individual households where farmers could not survive with mono-cropping and decided to combine mono-cropping and multi-cropping. There is a need for change so that land reform can build the capacity of farmers and make them less dependent on food aid. This suggestion concurs with the statement on which the populist land reform theory is based. This theory argues that land reform, whether through land registration or consolidation,

should enable the poor to become independent from food aid and international food trade, and enable them to participate in balanced development (Wolford, 2007).

Table 6.75 below indicate various reasons why a large number of respondents asserted that the land use consolidation was well implemented.

Table 6-75: Reasons why land use consolidation was well and very well implemented

Motivations from those who say that it was well implemented	Frequency	Valid percentage
People were provided with selected and quality seeds and fertilisers	142	89.8
People kept their own land though they farm collectively the same crops	118	74.6
In cooperatives the produce increased	104	65.8
The crops grown are productive and commercial	98	62.0
There was no case of injustice and conflicts in the implementation process, robbers reduced and visits to learn from others were organised	82	45.4
Changes were made little by little in terms of regional crops and productive crops in our region	64	40.5

n=158

According to Table 6.75 as many as 89.8% of the respondents highlight the reasons that people who partook in the land use consolidation were provided with quality seeds and fertilisers; others mentioned farming collectively while keeping one's own land (74.6%); increasing productivity in agricultural cooperatives (65.8%) and growing productive and commercial crops (62%) as positive outcomes of the land use consolidation programme. These various reasons underline the strengths of the land use consolidation programme – focusing on its approach of regrouping people in cooperatives of farmers and providing them with agricultural inputs.

Those who criticised land use consolidation as being badly implemented (169 of 346) mentioned some of its shortcomings as Table 6.76 below reports.

Table 6-76: Reasons why the land use consolidation was badly and very badly implemented

Motivations from those who believe it is badly implemented	Frequency	Valid percentage
We couldn't collect any harvest as some of the crops we grew did not fit with our region and others were struck by a disease	159	94.0

Due to lack of mechanisms to overcome draught, we could not gain any produce	158	93.6
Land use consolidation brought hunger because some crops we want were forbidden while we need them	149	88.1
The implementation took place while the level of understanding was low and people's wishes and views were ignored	38	32.6
We forcibly participated without us and without sufficient knowledge of the program	49	28.9
Marshlands were taken from us while they were farmed during drought	36	21.3
Some crops disappeared while they were needed and people farmed what they do not need	30	17.7
The programme was the source of high prices at the markets	10	14.4

n=169

Table 6.76 above indicate the main shortcomings of the land use consolidation programme: not collecting any harvest as some of the crops cultivated did not fit with the region and others were struck by a disease (94.6%); the lack of mechanisms to overcome drought (93.6%) and hunger caused by land use consolidation because some crops people needed were forbidden while and they were obliged to grow crops that did not suit the region (88.1%).

However, there are other factors which were commonly mentioned by both surveyed and interviewed people. These include: the increase of unneeded crops such as maize on the local markets and the decrease of traditionally grown crops such as sorghum, bananas and sweet potatoes which large numbers of people needed for food security; implementing the land use consolidation policy while the people's level of understanding and knowledge was still low; and use of public force to coerce people's participation; and ignoring people's views on the matter.

These various shortcomings of the land use consolidation that emerged during the implementation process point out the weaknesses of the programme. Thus, the identification of these shortcomings and strengths of land reform in the Southern Province meets one of the objectives of the present study. The objective was to collect information from implementers and beneficiaries of land reform from the mentioned province on possible weaknesses and strengths of land reform in post-genocide Rwanda.

Furthermore, one of the research questions that guided the present study investigated how registration and processes to consolidate land use can be implemented in order to contribute to positive land reform in post-genocide Rwanda, particularly in the Southern Province. To answer this question, various mechanisms can be adopted to eliminate those weaknesses or shortcomings.

Regarding the shortcoming of high food prices at the market (especially processed food), the government should link land reform programmes to mechanisms that reduce prices mostly of food at the markets, and also teach each farmer how to invest in other non-agricultural projects that generating income so that the farmers could increase their purchase power. This argument concurs with the one of Windfuhr (2012:83) that poorer households of the rural areas in developing countries particularly, in Africa, suffer economic regression as they have to spend as much as 60-80% of their disposable income on food while the prices of food rise over time.

However, the results of this study are not in agreement with the statements advanced by the proponents of the populist approach to land reform that land registration would ensure the connection between land and poor rural communities, solve the problem of social justice and hunger and enable the poor to become independent from food aid and international food trade.

6.6 Challenges of land reform implementation

As is the case with any other public policy, the land reform has not been without challenges, some being related to the way the policy was developed and others linked to the modalities of implementation and the different stakeholders involved in the implementation process. Table 6.77 below reports various challenges of implementation as mentioned by respondents.

Table 6-77: Challenges faced by land users in the land use consolidation process

Challenges facing land users in land use consolidation implementation	Frequency	Valid percentage
Hunger mainly when waiting for the harvest due to mono-cropping, and high food prices	259	98.4
High price for seeds and fertilisers and not giving seeds if people do not buy fertilisers while they are expensive	241	91.5
Irregular availability, insufficiency and late provision of fertilisers	231	87.7
Low productivity related to much sun, drought, lack of treatment of some crops diseases and climate fluctuations	228	86.6
Lack of understanding of the programme by many people, discouraged due to uprooting their preferred crops and forcing them to grow seeds they did not choose themselves	210	79.8
No challenges	34	12.9

n=263

Table 6.77 above indicates that according to 98.4% of the respondents, the most prominent challenges of the consolidation programme are the following: problems of hunger mainly when waiting for the harvest due to mono-cropping (farming similar crops at the same time and harvesting at the same time); lack of varieties of food; high prices for other crops not grown in the region and for processed food while the produce is sold at a low price during harvest time. Other challenges that were pointed out: high price for seeds and fertilisers and not receiving seeds if people do not buy fertilisers, which are expensive (91.5%); irregular availability, insufficiency and late provision of fertilisers (87.7%); low productivity related to climate fluctuations (too much sun, lack of rainfalls) (86.6%); as well as lack of understanding of the programme among many people; people discouraged when their preferred crops are uprooted and they are forced to grow seeds they did not choose themselves (79.7%).

Climate fluctuation has often been a challenge as farmers were not equipped with materials to dealing with these fluctuations: rainfall shortages or flooding. It is also evident that certain policy practices undermined the collective land use consolidation process. These practices included: forcing people to grow crops that they do not choose themselves; hunger related to mono-cropping; and the low level of understanding for many people which led to resistance. As was stated previously, at the beginning of the implementation of land consolidation, many farmers resisted the change. They refused to uproot the crops that were grown in a traditional system as one of the respondent who resisted declared: “I refused to uproot some crops and I told them that I could not uproot my Irish potatoes” (Respondent 17, January 2014).

In effect, due to the fact that most of the rural farmers have very small plots, it is more profitable for them to grow various crops in their farm holdings than growing a single crop which cannot solve the hunger problem in their region.

Some interviewees stated said that at the beginning the implementation of the consolidation, they refused to grow the regional priority crop (basically maize and cassava) but local leaders arrived with the Local Defence Force and the police and forced them to uproot the most drought-resistant crops to be replaced with regional commercial or market oriented selected crops. On that matter, the government official interviewed at the provincial level explained:

“I think that implementers of land use consolidation did not understand before making people understand ... in my view people should have seated together and decide on the crops instead of using force” (Official of MINAGRI 2, June 2014).

This means that the main challenge was insufficient sensitising and explaining of the consolidation programme and its relevance to beneficiaries. Local leaders played a major role in having the programme accepted or rejected by beneficiaries. The leaders could have informed

the farmers that the crops they did not grow could be bought at the markets and in the areas where they were grown.

Those who were forced to practice mono-cropping ended up by selling all their produce at the market in order to buy various other types of crops needed for food security in their households. Subsequently they always had to request seeds from the government officials at the beginning of a new agricultural season. In order to deal with this issue, as interviewed government officials at provincial level explained, during 2007 and 2008 people were not allowed to reap in consolidated farm holdings. As they continuously complained not having access to the crops they were advised to reserve a small plot near the plots in which they practice mono-cropping for their own use.

Respondents also mentioned the problem of being unable to afford the prices of (processed) food and other modern tools necessary to cultivate and transform the agricultural produce. Some of the related problems include the following: farmers experienced high prices for seeds and fertiliser (63.1%); but a low price for their harvest (59.3%); late provision and insufficient agricultural inputs (51.7%) and high prices of other crops not grown in the region (47.5%).

Interviews and FGDs revealed that not only do the farmers find the processed food expensive but it is not preferred by local people. Rwandan people in general and rural people in particular are not keen on processed food produced in factories, whether canned, sold in boxes or packaged. For instance in the case of cassava flour, people are not used to eat processed cassava flour, they rather prefer the raw cassava bought from small traders at a very moderate price (i.e. affordable) and plough it themselves to extract flour in a traditional way. Then they eat it according to the original taste as they are used to natural food. On the issue of cassava flour one respondent mentioned:

“I like the cassava paste processed traditionally, it tastes and smells better and it is cheaper than that of the factory” (Respondent 9, January 2014).

This remark underscores the attitude that the processed maize and cassava flour are not preferred because maize is expensive and not tasty while the processed cassava flour is not only expensive but also not high in demand by local consumers.

Some opinion leaders interviewed in the local areas reported that the Cassava Factory of Kinazi demanded small shops to sell traditionally processed cassava flour because its products were not competitive at the local market but the government viewed this demand as inconvenient and realistic. Previously, the factory of Inyange Dairy producing milk had a similar experience of losing their clientele because of packaged milk. This problem was solved after they established

diary branches in different zones and sold pasteurised milk. The number of milk seekers/consumers increased with the result that they sold 80% of their milk while they were only selling 30% before. The cassava and maize factories could do the same to gain more clients.

During the annual meeting of the President of the Republic and high government authorities called *Inama y'umushyikirano*, officials of MINAGRI told the President that “there was no market for maize” as if the produce has been so abundant that there could be no market for all of the harvest. In the words of the official of MINAGRI:

“To tell the truth, the markets are there but buyers/consumers cannot afford the price ... they cannot buy the expensive processed maize or cassava while there is very cheap cassava flour traditionally produced close by in small shops and markets” (Official of MINAGRI 1, December 2014).

Reasons why farmers are unable to afford the prices of cassava flour and maize flour include the following: the income received – whether through property sale including land or from the harvest – is quickly consumed. This money should not be given directly as cash to the farmers even though it is theirs; rather there should be mechanisms assisting them to keep the money in the bank and use it for other income-generating activities. A similar observation has been made on the negative impact of allowing rural dwellers to manage the income obtained from land purchase. Roodt (2001:306), for example, mentions the case of land restitution in the post-apartheid South Africa. Where people were given money in terms of restitution the beneficiaries tended to fall deeper into poverty due to the misuse of the money.

In short, government officials in MINAGRI propagated and recommended to farmers that they should to grow maize crops while it is not the most liked or needed crop, nor habitually consumed by local people in the Southern Province. There would not have been this low level of participation and a no markets for processed food if people were told to cultivate the habitual grown crops such as beans, sweet-potatoes, banana trees which are drought resistant and much needed for food security. It should be noted that the problem of no markets for produce does not apply to bean crops as where they are cultivated through a mono-cropping system and has no problem to find a market.

With regard to the land registration programme, respondents stated a number of certain challenges that they faced in the process of land registration in general as reported in Table 6.78 below.

Table 6-78: Challenges experienced by respondents in the process of land registration

Challenges faced in land registration process	Frequency	Valid percentage
None	181	52.3
Lack of the amount of money required to pay land taxes (proof of registration)	114	32.9
Paying much money in terms of taxes for each plot when they are separated	65	18.7
Registering lands to wrong owners because they lied or robbed it	63	18.1
Many new cases of land disputes in courts blocked the registration for some properties	59	17.0
Confusion related to the concept of “long lease”	54	15.6

n=346

Table 6.78 above reports that the majority of respondents (52.3%) did not experience any challenges in the process of land registration. This means that the land registration was carried out in a successful way. Nevertheless, respondents mentioned a few challenges related to the problem of poverty. One of these challenges is the lack of money to pay land taxes and especially to acquire the proof of registration for some rural people (32.6%). Normally, the government through its local administration pays the fees for the land title documents for the poor whose names appear on the list drawn up by the local government administration. However, there are other people who are poor but whose names do not appear on this list and are thus unable to pay for title deed document.

Another challenge relates to people who own more than one plot and at different places. These people acquired those plots of land through purchase, inheritance, and donation or as gifts. Others mostly acquired their plots through land occupation or seizure when they were among authorities in the past. These persons are required to pay for each plot and as a result the total amount becomes unbearable which means that their land titles remain at the local administration office. A significant number of respondents did not experience any challenge during the distribution of land title-deeds as Table 6.79 below shows.

Table 6-79: Challenges faced by respondents in the process of land title-deeds distribution

Challenges faced in the process of distributing land title-deeds	Frequency	Valid percentage
To not receive a title due to lack of money to pay for it and the absence of the spouses, loss of proof of registration and not paying fees for building schools, land is subjected	111	32

to disputes and corruption		
Finding mistakes on documents especially names and delay of titles returned for correction, especially names	66	18.8
Missing my title document while I paid for it and hold a receipt	32	9.2
Paying tax, leasing while the land is mine and to not allowing us to pay via SACCO	6	1.6
Running after authorities to claim for titles when you don't find your name on the list and while doing transfer	5	1.4
None	214	61.8

n=346

As Table 6.79 above reports, as is the case with the whole land registration process, the process of land titles distribution did not encounter many challenges, seeing that the majority of respondents 214/346 (61.8%) confirmed that they did not experience any challenge. In addition, the most common problem for a number of respondents (32 %) tended to be the lack of finance to pay for the land title-deed document. This was due to various reasons including no money to pay for it; the absence of the spouses; loss of proof of registration and penalised for not paying fees to build schools; the land subjected to disputes and corruption. It is clear that this exercise becomes very expensive for people who own for instance five plots of land as the price is 1 000 FRWs per m² and the cost increases depend on the land size. One of the respondents stated:

“I did not go to get land title-deeds documents for my lands because I own eight parcels (plots) and all of them were registered. It has been very hard for me to get money and pay for the documents” (Respondent 16, January 2014).

For 100 respondents who were involved in the activities of selling and buying land, challenges faced were many and various as the Table 6.80 below shows.

Table 6-80: Challenges faced by respondents in the process of buying and selling land

Challenges faced in the process of buying and selling land	Frequency	Valid percentage
Long and expensive process of land sale and transfer	96	96.0
Going far to the district for transfer and delay of acquiring titles due to the process of transfer	61	61.0
A big amount of money charged by authorities if you buy or sell land	26	26.0
It is forbidden to sell your land if you have no proof of ownership	12	12.0
Buying land from non-owners and selling it without informing local leaders	5	5.0

n=100

Results from Table 6.80 above indicate that most of the challenges faced by respondents were related to the process of land sale and transfer. In effect, the majority of respondents (96%) mentioned the extended and expensive process of land sale and transfer; 61% pointed to the delay of acquiring land titles due to the extended process of transfer and the long distance to the district where the legal process of transfer takes place. The final and legal process of land transfer takes place at the district office and both the seller and buyer accompanied by witnesses must be present. This is time-consuming and implies high costs for transport. For the sellers of the land this is very expensive seeing that they have to pay transport fees for themselves and three witnesses added to the fees of the new land title document (27500 FRWS= 38US\$). The financial strain becomes higher on the side of the buyers as they must pay the cost for the transfer. One of the respondents who bought land gave a clear picture:

“The whole process of land transaction costs to the buyer is approximately two hundred thousand Rwandan francs which compels some people to not sell their lands or to increase the price for their lands so that is the reason why land is not mostly sold” (Respondent 21, February 2014).

This financial factor implies that the whole process of land transfer costs approximately 215875 FRWs (275 US\$), which is a huge challenge to the land buyers. This challenge discourages some people to buy land, and some landowners not sell their land. This means that they are unable to obtain money and invest in other non-agricultural projects.

According to 26% of the respondents, the large amount of money charged to land buyers and sellers was a huge challenge to them. This drove some of the poor to sell their lands in the absence of local leaders and land valuers (who normally calculate the value of land). Often this was because of a lack of knowledge or to avoid the money charged for transfer. Interviews and FGDs held in all the districts revealed that many economically poor people experience the problem that they sell their lands at a cheap/low price. In this regard, a Mayor that was interviewed elucidated:

“As economically most of the poor people sell their lands in the absence of a technician in charge of valuing the land they sometimes sell their lands at a very cheap price lower to the amount they should get, the price that their lands deserve due to ignorance” (Mayor 7, August 2014).

On the same matter, officials of the RNRA at provincial level pointed out that only the educated people sell their lands at a market-related and realistic price because they consult technicians to inform them of the true value of their lands. In contrast, the economically poor and illiterate people are not able to interpret what is written on the land title-documents as not everybody are able to interpret cartography. In case of mistakes on the cartography or land title-documents,

only learned persons can read and point it out and approach the RNRA for corrections, but the poor people remain with uncorrected documents.

6.7 Recommendations

In the present study, respondents were asked for suggestions to improve the land use consolidation programme in order for it to solve the problem of poverty more efficiently. Various suggestions were made as Table 6.81 below shows.

Table 6-81: Recommendations to improve the land use consolidation programme to solve the problem of poverty

Suggestions for the efficient land use consolidation for poverty reduction	Frequency	Valid percentage
Allowing the local people choose their preferred crop and to grow more than one crop and remain with a part of land where multi-cropping is used	340	98.2
Farming using technology to overcome climate fluctuation effects, storing water to use in the period of drought	328	94.7
Providing livestock to those with unfertile land agricultural much fertilisers free of charge and on time, train them on modern agriculture and assisting them in agricultural projects planning and management	302	87.2
Keeping agronomists or cadres near people and work hand in hand with them, multiplying mobilisation and sensitisation campaigns as well as trainings about the relevance of land consolidation, and visits where land use consolidation was successful	299	86.4
Rotating seeds over time in order to see which fit in the region and multiplying various seeds in one region and putting stores of food in each region in order to fight hunger	298	86.1

n=346

Table 6.81 above indicate the various suggestions by respondents. The prominent suggestions were as follows: let local people determine for themselves which crops are suited for their region and allow them to grow more than one crop and retain a part the of land where multi-cropping is used (98.2%); use agricultural technology to help cope with climate variation (94.7%); provide farmers with sufficient fertiliser for free and on time, and provide livestock to those with unfertile land, train them on modern agriculture and assist them in planning and management of agricultural projects (87.2%); keep agronomists and cadres close to farmers and work with them, multiplying mobilisation and sensitisation campaigns as well as training about the relevance of land consolidation, and visit homesteads where land use consolidation was successful (86.4%); rotate seeds over time to determine which seed suits the region and

multiplying various seeds in one region and place food stores in each region in order to fight hunger (86.1%).

In light of the above, an applicable strategy would be to change the type of crops and replace maize and cassava crops by crops that guarantee food security in the Southern Province . This should include beans, sweet-potatoes, sorghum and banana trees if the government wishes the land use consolidation to be participatory and pro-poor. There is no doubt that people will participate as they need those crops and have interest in farming them. By following this strategy it will help ensure land use consolidation programme that serves the rural people which it primarily aimed to help.

Land policy and law should not be seen as set in concrete; it should be adjusted/amended to meet the needs of beneficiaries. This argument concurs with Fingleton (2004) who maintains that implementation of land reform does change several times when the state judges it necessary and that states must adapt and regulate policies and institutions for land tenure over time to serve the public interest. It is clear that the experience of Rwanda is in line with the arguments above because the Organic Land Law of 2005 that governed land in Rwanda since 2005 was amended recently in 2013 and currently (2015) the land is governed by the Land Law No 43/2013 of 16/06/2013.

In addition, civil society should be involved in the land reform process as representatives of the voiceless and poor vulnerable people. This should be the case if the purpose of land reform, and particularly land use consolidation, is really to reduce poverty and to improve the living conditions of the destitute. This argument is in agreement with that of Palmer (2000:3) who emphasises that, if land reform strengthens the consultation processes within civil society organisations and make access to official policy and legislative process easier, it can lead to poverty reduction. This does not imply that civil society should replace the government or that their views should be primary in the land reform process. Instead, the state should play a crucial role in the process of land reform programmes of registration or consolidation, whereas civil society should play an auxiliary role. In other words, it is the state that primarily and necessarily initiates and implements land reform because this is a political process and land is the main resource for public interest (Sikor & Muller, 2009:1309). In short, the experience of the Southern Province proves that the initiator of land reform, namely the state, must take into consideration the needs and priorities of the beneficiaries including the rural people and the poor.

With regard to land registration, respondents also formulated a number of suggestions to help make land title-deeds more profitable to the poor landowners as Table 6.82 below shows.

Table 6-82: Suggestions to make land titles more profitable to the poor landowners

Suggestions	Frequency	Valid percentage
Banks and other micro-finance companies would give loans to title holders without any other conditions except titles	321	92.7
Providing advice and training to title holders on how to use them and get loans from the bank so as to make their land useful	314	90.4
Local government should explain the value and usefulness of titles and assist to end up the cases of land in courts	307	88.7
Poor title holders may be sensitised in order to change their mind-sets and go get their titles and use them, they may be also taught to how to operate effective agricultural projects and new agricultural techniques	234	67.6
People should dare to present them to banks and ask for loans and invest in modern agriculture or other non-agriculture IGA	198	57.2

n=346

Results from Table 6.82 above show that the most formulated suggestions tended to be about the acquisition of loans from financial institutions such as banks and micro-finances, whereby 92.8% of respondents wished to be given loans without other conditions apart from presenting the land title document; the state should provide advice and training to title holders on how to use their titles documents and get loans from the bank in order to make their land useful (90.4%) and local government should explain the value and usefulness of titles and help to solve land-related cases in the courts by training people how to apply for and utilise these loans (88.7%). It is also suggested that local leaders should sensitise title holders among the poor in order to change their mind-sets encouraging them to get their titles and use them, to teach them how to operated effective agricultural projects and apply new agricultural techniques, as 67.6% of the respondents suggested.

Respondents who participated in the FGDs formulated further suggestions including the following: abolish “leases”, decentralise up to the cell level; reduce the cost of the land transfer process and provide clearer explanations on why they must pay taxes for their own lands.

As land reform aims to help the poor to increase their income from their lands, respondents were asked for suggestions to achieve this aim. Table 6.83 below gives their suggestions in this regard.

Table 6-83: Suggestions how land reform should enable the poor landowners to make profit/benefit from their land, especially financially

Suggestions for helping the poor to earn more money from their lands	Frequency	Valid percentage
Helping the poor to overcome problems brought about by the climate fluctuations, availing competent agronomists and monitors nearby and permanently	332	95.2
Giving the poor seeds and fertilisers for a good price or for free	321	92.7
Advocating for loans by the banks in order to make land more productive	298	86.1
To train the poor to create projects and get loans from the bank and to lease their land and get money and invest in other projects	279	80.5
Sensitising the poor landowners to farm collectively in cooperatives and consolidate lands and give them cows	259	74.8
Training and advising the poor on the modern use of land	246	71.0
Assisting the poor in case of land conflicts, bringing them more support through advocacy to local and international NGOs	237	68.4

n=346

Table 6.83 above provides the main suggestions, which include: help the poor overcome problems brought about by the climate fluctuations, making available competent agronomists and monitors nearby and permanently (95.8 %); give the poor seeds and fertilisers at a low price or for free (92.7%); advocate for loans by the banks in order to make land more productive (86.1 %); train the poor to create projects and get loans from the bank and to lease their land for income to invest in other projects (80.6%). Considering these results, the majority of respondents emphasised the issue that it is difficult to obtaining money which means that a lack of financing is a serious problem in the Southern Province . The problem that people lacked the income to buy food at the local markets was raised by numerous respondents in the survey as well as the interviews and FGDs. These results are in the agreement with the argument made by Windfuhr (2012:83) that poorer households in developing countries have no purchasing power to cope with rising prices, especially that of food, instead they have to reduce their daily meals or eat poor quality food. This is a factor that causes malnutrition and chronic hunger in the region. In order to ensure land reform provides equality, the government should assist the poor rural farmers to cope with two serious problems namely “price volatility” and “price increase mainly of food”.

In addition, land use consolidation should not be considered as simple mono-cropping or an amalgamation of small farm-holdings to counter the consequences of land fragmentation.

Effective consolidation should rather be linked to other social and economic reforms such as improving the road and drainage network, basic infrastructure, landscaping, environmental management and conservation projects as was the case in Europe (Vitikainen, 2004:26). This would result in the reduction of the price of food transportation and thereby food prices as well.

In the present study, respondents were also asked to formulate suggestions how to solve all the land-related conflicts as Table 6.84 below shows.

Table 6-84: Suggestions how land registration should solve the land-related conflicts

Suggestions on how land registration could solve all - land-related conflicts	Frequency	Valid percentage
All lands should be registered and an evaluation of land survey done to make sure that all the lands were surveyed should be organised	317	91.5
Giving title deeds to everyone without other conditions	303	87.5
The government should ask people's views before implementing any programme and put in place structures of land-related conflicts, follow up and be the inheritance giver because of issues of corruption	268	77.4
Parents would treat children equally while giving them their inheritance	259	74.8
Judicial system to handle cases of land dispute quickly and transparently, government to implement the decisions of courts and people learn to speak the truth and help the justice to handle cases of land disputes	248	71.6
Bequeathing land to children before death of parents and each child receive title to his land before the death of parents, and children of the second wife to be given inheritance by their fathers	135	38.9
Setting up the strong land laws and making sure that they are applied and explained to people	110	31.7
Abolishing the culture of giving land to each child in terms of inheritance	36	10.4

n = 346

In order to solve the land-related conflicts, respondents formulated a number of suggestions to the government of Rwanda. The most significant suggestions read as follows: register all the land and make an evaluation of the land survey to make sure that all the lands were surveyed (91.5%) and give land title documents to everyone (87.5%). Other suggestions include: ask people's views before implementing any programme, and put in place structures to follow up land-related conflicts; also take responsibility for chairing the process of bequeathing land to children as inheritance in order to avoid corruption (77.8%); parents should treat both male and female children equally (74.8%); the judicial system should handle cases of land dispute quickly

and transparently; government must implement the decisions of courts and people must learn to speak the truth and help the justice system to handle cases of land disputes (71.6%).

The present study's research question was focused on determining how the registration and consolidation of land can solve the problems of land conflicts and poverty in post-genocide Rwanda, specifically in the Southern Province . This question has been answered by this study. The main issues that cause conflict are the lack of equality in the land reform process, as well as insufficient consultation and poor participation of people in rural areas. One of the mechanisms to eliminate those weaknesses or shortcomings is to involve people in the whole process from the beginning to the end of the programme. In other words, people should be consulted, and their views taken into consideration and their interests safeguarded throughout the process of preparation, development and implementation of the programmes of land reform.

The participation of the population in the land reform programmes will satisfy them and eventually provide a much needed remedy to the continuing land-related conflicts in Rwanda and in the Great Lakes Region in Africa in general. In effect, conflicts seem to be unavoidable during the policy implementation, if the population could not profit from the policy. This argument concurs with the theory of human needs which suggests that "Participation of the population in decision-making on programmes that concern their interests is among their needs. Hence the lack of popular participation in any development project is among causes of endless conflicts" (Simone *et al.*, 2000:7).

To sum up, the main challenges to successful land registration include the following: low participation of individual households in the implementation of land use consolidation, the failure to solve hunger and top-down driven policies. The low participation of the population in land use consolidation and rejection of the land use consolidation with mono-cropping by many rural dwellers brought an end to famine in the rural regions. This confirms the argument by the social exchange theory that behaviours of individuals, whether positive or negative towards the environment or any project do not only affect the environment or the project but also has implications for their lives. The remedy is clear: There is a need to change the way land reform policy was made by involving beneficiaries and taking into consideration their priorities and needs.

6.8 Conclusion

This chapter described and analysed the extent to which land reform through land registration and titling as well as land use consolidation addressed poverty. This aim was to be reached by

improving agricultural productivity, promoting equality and solving land-related conflicts in the Southern Province of post-genocide Rwanda.

The theoretical designs of the neoliberal and populism approaches to land reform, benefits theories and social exchanges theories played a crucial role in this study. These theories were used to explain and understand the land registration and consolidation processes and to make an in-depth evaluation of the implementation of the land registration and land use consolidation in the researched area. The following themes were assessed in reference to the indicated theories:

- the weaknesses and strengths of land registration and consolidation – the principles of land reform, according to the neoliberal approach;
- the views of beneficiaries and implementers on how land registration and consolidation should profit them – the benefits theory and the neoliberal and populist approaches;
- the level of participation of the population – the social and exchange theory.

Through a mixed-methods approach quantitative data were collected by using a survey, and qualitative data gathered by using interviews and focus group discussions (FDGs) with the aim to supplement the data from the survey. The overall findings of the study were based on evidence from the respondents that indicated that there are significant strengths and a number of weaknesses in the land reform in the Southern Province.

On the one hand, the programme of land registration and titling was implemented successfully as almost all the landowners including women acquired titles to their land. This provided for the households' lands as well as for the heirs of biological parents' properties including land. The names of husbands and wives as co-owners were written on the land-ownership document issued by the Rwanda National Resources Authority. The acquisition of land titles made it possible to acquire loans from the banks and thus solved the problems of land disputes related to boundaries and inequalities in land ownership and control. Nevertheless, the land registration programme presents a number of weaknesses, for example that some respondents did not acquire their land titles due to administrative errors such as *lapsus calami* ("slip of the pen") on their land title documents, or the absence of their partners' identity cards, et cetera.

On the other hand, land use consolidation, failed generally in individual households but succeeded in the marshlands and farmers' cooperates, either provided freely or rented from the state. Individual households chose to combine regionally selected crops with traditional crops since they experienced a significant drop in productivity through land use consolidation. Only

cooperatives of farmers were able to increase agricultural productivity through mono-cropping. The implementation of land use consolidation was characterised by a number of shortcomings such as coercion, non-participation, top-down driven, and not meeting the needs and priorities of individual households particularly regarding the priority regional crops that were not viable and could not address the food insecurity in the region.

The following chapter will conclude the study by providing a summary on how the chapters were outlined and the research objectives dealt with. Based on the findings of the empirical study presented in this chapter, the study will provide recommendations to the government of Rwanda, particularly, the Ministry of Agriculture (MINAGRI) and the Ministry of Natural Resources (MINIRENA) in order to improve land use consolidation and land registration in a way that addresses problems of poverty and land-related disputes.

CHAPTER 7: CONCLUSIONS AND RECOMMENDATIONS

This chapter concludes the study by summarising the main findings and makes recommendations to the government of Rwanda, particularly the Ministry of Natural Resources and the Ministry of Agriculture. The focus is on addressing the current challenges of land reform implementation and to identify what can be done (with regard to policy) to respond to the needs of the land reform beneficiaries. The chapter starts off by presenting the initial motivation why the research was undertaken and its objectives. It summarises the procedures that were used to operationalise the research objectives and questions as well as the findings of the literature review and empirical investigations. Finally, based on the findings, this chapter concludes the study by providing recommendations to improve land reform activities so that it may respond to the needs of its beneficiaries, improve agricultural productivity, provide better equality foods and solve land-related conflicts in the Southern Province of Rwanda.

7.1 Background and research questions

The main objective of the study was to evaluate the implementation of land reform in the Southern Province of Rwanda with the focus on land registration and land use consolidation and how these programmes addressed the problems of poverty and land-related conflicts.

Land reform has multiple definitions, depending on the context or the purpose assigned to it by the authorities of the country concerned. In the context of Rwanda, land reform is defined as a change of land tenure with the aim to solve land-related problems such as land disputes, low agricultural productivity due to poor land usage and insecurity of land tenure that the existing land laws are unable to address efficiently (MINITERRE, 2004).

Rwanda is a small country but the most highly populated one in Africa. The economy of Rwanda is agrarian which means that land makes up a crucial element of the socio-economic development of the people of Rwanda. During the pre-colonial period the customary land tenure system and the written law introduced by the Belgian colonial rule governed land. However, the customary system remained dominant and recognised land rights to owners who had acquired land through occupation, sale and donation. During the post-colonial period up to the genocide of 1994, these dual land tenure systems coexisted but were not able to provide solutions to the various land-related problems including insecurity of tenure, as well as inequality in land access, ownership and control. The customary tenure system that was dominant in the whole country excluded female children from property rights, especially inheritance rights, and did not issue land title deeds. This led to poverty because the people could not use land as collateral for loans from the bank, and conflicts among neighbouring families were unavoidable as the

boundaries of family land were not formally known. The growing demographic density increased land scarcity and resulted in imbalances between available land and the number of land seekers while agriculture – the main stay for almost all Rwandans – was not productive.

In the post-genocide period, the government of Rwanda developed a land reform programme to seek solutions to the above-mentioned problems. For this purpose, a national land registration and titling programme was launched in the whole country supported by legal documents that govern land ownership and use. The aim of this programme was to guarantee tenure security and land use consolidation and thereby improve agricultural productivity and promote commercial agriculture. The most prominent of these documents and related institutions are: the Land Law No 43/2013 of 16/06/2013 governing land in Rwanda, as well as institutions of implementation such as the Rwanda National Resources Authority (RNRA), the District Land Bureaux and Land Commissions, Rwanda Agricultural Board (RAB), and Crop Intensification Programme.

The implementation of land registration began in 2006, whereas land use consolidation was implemented from 2009 onwards. In Rwanda, land reform has various dimensions: sharing, redistribution, expropriation, registration and consolidation of land. However, several investigations and reports found that land consolidation and land registration were problematic in the implementation phase and that it delivered varied success (Umuhoza, in *Igihe*, 21 February, 2013; Huggins, 2012, MINAGRI, 2012; Ombudsman's Report, 2011; Milz, 2011).

The expectation was that if the land registration was implemented successfully, tenants would have secured land rights, the value of land in the market place would increase and land titles would enable people to get loans from the banks by using their land titles as collateral. With regard to land consolidation, if well implemented, it would manage the issue of land fragmentation and increase agricultural productivity. This could occur as people grow regional priority crops and benefit from the government's assistance in supplying them with fertilisers and providing agricultural engineers who can provide technical aid.

However, several reports such as the Ombudsman's report (2011) revealed increasing cases of land-related conflicts while the implementation of land use consolidation was carried out by coercing rural dwellers through military force and ordering farmers to uproot their crops and instead cultivate maize or cassava. This happened in Kirehe and Ngoma in the Eastern Province and in Muhanga in the south (Milz, 2011; Huggins, 2012). In addition, hunger due to food and harvest shortages was reported by Milz, (2011) and Huggins (2012). Furthermore, from the documented experiences of land reform implementation in the provinces of the east,

north and west, none reported the experiences of the south, including its strengths and weaknesses.

It is clear that no evaluation has been done of the land reform implementation process to identify strengths and weaknesses of the land registration and land use consolidation in the Southern Province of Rwanda. This underlined the necessity to undertake a specific research project on these matters. In view of this motivation firstly the main question emerged: *Why does land reform through land registration and land consolidation vary in success and failure in the Southern Province of post-genocide Rwanda?* This question was subdivided into secondary questions:

- What is the applicable academic literature contributing to the development of a theoretical framework to interpret land reform in post-genocide Rwanda, especially regarding the registration and consolidation of land?
- What is the relevant literature that provides findings of various previous studies on land reform in different countries of the world?
- What literature relates to land reform in Rwanda including the statutory and regulatory framework regulating reform in post-genocide Rwanda and governed it in Rwanda over time? What are applicable research approaches and methods of data collection and analysis for this study?
- What are the views and experiences of the implementers and beneficiaries of land registration and land use consolidation in the Southern Province?
 - How was the land reform implemented in the Southern Province of the post-genocide Rwanda? To what extent did the population of the Southern Province participate in the process of implementation of land reform?
 - What are the outcomes of land reform? How does land reform solve problems of land conflicts and poverty in the Southern Province of Rwanda? How can such problems of land conflicts and poverty be addressed and resolved in the future?
 - To what extent does land reform insure Integration of vulnerable categories in land reform including economically poor and particulary women?
 - What is the tole of land reform in reducing land fragmentation?

- What are their views on possible weaknesses and strengths of the land registration and land use consolidation in the area under research, namely the Southern Province of post-genocide Rwanda?
- What are the challenges of land reform in the Southern Province of post-genocide Rwanda?
- How can policies, laws or strategies be improved to ensure the effective implementation of land reform policies in post-genocide Rwanda?

In light of the main and secondary research questions the findings of the study can be discussed subsequently.

7.2 Major (main) findings of the study

As stated in the previous section, the main purpose of the study was to evaluate land reform implementation in the Southern Province of the post-genocide Rwanda. To address this objective, different instruments were used to collect written and oral data during the research project:

- The first instrument was designed to collect data on the land reform process and identify the weaknesses and strengths of land registration and land use consolidation. This was a questionnaire administered to beneficiaries of land reform in the Southern Province by means of a survey.
- The second instrument of data collection that was used is an interview schedule with semi-structured questions was developed to target the following respondents/participants as key informants including local authorities and central government authorities in charge of land reform implementation, the civil society organisations and local opinion leaders as well as a few beneficiaries of land reform in the Southern Province.
- The third instrument was focus-group discussions (FGDs) that targeted farmers of the Southern Province in order to supplement the data obtained by the questionnaire and interviews.

The following sub-section summarises the main findings as presented per category.

7.2.1 Major findings verifying the first statement (hypothesis)

The Land Policy states that land reform must achieve a rational use and management of the national land resources including land and it must increase agricultural productivity (MINITERRE, 2004:22). For this purpose, the policy intended to address land fragmentation by promoting land consolidation and to establish institutional land administration structures that would promote land value in the market economy (ibid). Likewise, the Land Law No 43/2013 of 16/06/2013 governing land in Rwanda and Law No 24/2012 of 15/06/2012 relating to the planning of land use and development in Rwanda stipulate the way land use consolidation should be implemented. It also prohibits subdivision of plots of land reserved for agriculture and animal resources and advocates that all the mechanisms should be set up to optimise agricultural productivity. In the same context, MINAGRI (2012) states that through the Crop Intensification Project (CIP), regionalisation of crops aided by the distribution of agricultural inputs such as fertilisers, would improve agricultural productivity. The expectations from the land reform were that farmers would improve the land's fertility, the agricultural produce, as well as their own purchase power and living conditions (Land Policy 2004).

7.2.1.1 Statement (Hypothesis) 1

The first hypothesis states that *Land reform improves commercial agriculture*. Four sub-hypotheses were formulated:

- Sub-statement (Sub-hypothesis) 1a: Land reform increases agricultural production.
- Sub-statement (Sub-hypothesis) 1b: Land reform increases market use of the land.
- Sub-statement (Sub-hypothesis) 1c: Land reform enhances agricultural market participation.
- Sub-statement (Sub-hypothesis) 1d: Land reform rises agricultural profit.

Sub-statement (Sub-hypothesis) 1a

Regarding Sub-hypothesis **1a** the study refers to the data obtained from beneficiaries of land reform (particularly 263 of 384 respondents who participated in land use consolidation by growing one regional crop). Sub-hypothesis **1a** postulates: *Land reform increases agricultural production*. In verifying this sub-hypothesis the empirical investigation revealed the following:

- Since implementing the land use consolidation, the agricultural production increased or decreased depending on the climatic conditions but it mostly increased over time at a high level in the marshlands and plains where farmers' cooperatives practice mono-cropping. This was done through the growing of regionally selected crops, mainly maize, cassava and

rice. However in individual households the consolidation failed because regional crops did not satisfy individual households' needs and priorities regarding food security. Subsequently, individual farmers combined the mono-crop seeds with traditional drought-resistant-crops such as sorghum, beans, or sweet potatoes.

- Factors leading to the increasing agricultural produce in farmers' cooperatives include the following: use of fertilisers, improved seeds, the financial cost of fertilisers lowered by the government, availability of farmers promoters/agronomists and availability of donors.
- Different reports from respondents as members of agricultural cooperatives showed that land use consolidation increased productivity although not in a stable way due to climate fluctuations.
- Land use consolidation increased the variety of food (crops) at the local market even though the people's purchase power was very low, especially regarding processed food that was expensive.

To sum up, sub-statement (sub-hypothesis) **1a** is therefore only partly supported by the empirical data. It is supported where conditions were met of increasing agricultural productivity mainly in marshlands and plains where farmers' cooperatives practice mono-cropping through growing the mentioned regionally selected crops; the increasing variety of food-crops at the local markets. However the sub-hypothesis were not supported where conditions of an increase in agricultural production in individual households were not met.

Sub-statement (Sub-hypothesis) 1b

Sub-hypothesis **1b** stated *Land reform increases market use of the land*. Data obtained from the same beneficiaries of land reform who registered their lands and participated in land use consolidation revealed the following:

- Land price increased at a high level.
- Land value increased at a high level.
- The land price stated in Ministerial Order No 002/16.01 of 26/04/2010 determining the prescribed land price outside of Kigali city is very low and does not afford true value to the land, according to the respondents. For that reason, to bargaining on the price is a common modality in the process of land sales.

- All the categories of people, including the well-off, government officials and ordinary poor, sell and buy land. This is contrary to the past when land buyers were mostly the rich (businessmen and government authorities) who used to purchase the land of the poor.
- Reasons for selling the land are mostly to invest in non-agricultural projects while others sell their infertile land and buy fertile land.
- For those who purchase lands the reasons are as follows: to keep land for future sale and to extend developmental actions.
- The level of trading in land was still found moderate; the level of increase in the number of land buyers and sellers was also moderate and the number of respondents who had bought or sold land was found very small: 9.8% of the respondents sold land, 17.9% bought land, 1.2 % did both while the majority (71.1%) did neither buy nor sell.
- Since land registration and titling was launched, activities of trading in land were found in the Kamonyi District, particularly in the administrative sectors of Runda and Gacurabwenge, which are situated close to the city of Kigali. Here in Kigali inhabitants traded in land after expropriation or sales of their land, in order to buy land in the above-mentioned sectors at a lower price.
- Land buyers and sellers had a problem with the high costs of the whole transaction process and the long distance they have to travel. They need to reach the banks where they pay the charges of land transfer and the district where the final processes takes place.

To sum up, sub-statement (sub-hypothesis) **1b** is therefore only partly supported by the empirical data. It is supported where conditions are met of *increasing market use of the land*. This include the following: increased land prices and land value; activities of trading in land such as in the mentioned Kamonyi Districts (Runda and Gacurabwenge) as well as the increasing number of land buyers and sellers from both the well-off and poor categories. The sub-hypothesis is however not supported by empirical data indicating a very limited number of land sellers and that the land buyers are reduced even more due to the high cost of the whole land transaction process and the long way to the banks.

Sub-statement (Sub-hypothesis) 1c

Sub-hypothesis **1c** postulated: *Land reform enhances agricultural market participation*. With regard to the verification of the sub-hypothesis, the data obtained from the same beneficiaries of land reform who registered their lands and participated in land use consolidation revealed that:

- Land registration increased people's ability to access the market for respondents at a moderate level.
- Land registration increased the level of opportunities to acquire loans at a high level. Interviews also revealed that most of the rural dwellers of the Southern Province have not adopted the culture of working with banks and stash the money in their homes while those who have bank accounts and money in the banks are apprehensive about loans.
- Agricultural produce through land use consolidation is higher in cooperatives than in individual households, which mean that cooperatives might be more profitable.
- Farmers who regrouped in cooperatives are financially more empowered and frequently visit the markets because they have more collective purchase power than those farming individually, seeing that members of cooperatives share both the produce and interests in terms of capital.
- Trading such as selling agricultural produce and buying food crops are mostly done at the market while trading in agricultural inputs and agricultural enterprises outside the country rarely take place.
- However, the number of respondents purchasing food at the markets is lower than those who sell the produce; and the reason is that the food crops prices are high while their purchasing means are limited.
- Causes why people are unable to afford food prices are the fact that the prices of the agricultural produce they receive in the period of the harvest is lower than the price of crops/food (especially processed foods) at the market. As a result, most of the farmers have no food purchasing means to afford the increasing food prices.
- Poor infrastructure such as roads increases production costs for smallholder farmers as agricultural inputs (improved seeds and fertilisers), became much more expensive due to the inadequate and expensive means of transport.
- The problem of food security persists despite increased agricultural productivity.
- Permanent markets for agricultural produce are available; only a few respondents experienced the opposite.
- Markets for the agricultural produce tended to be in the local districts and the Rwanda Agricultural Board (RAB). Other markets include the small factories processing agricultural

produce for example fruits (juice) as well as maize and cassava. In addition to the traders coming to purchase the food, traders from neighbouring countries come to buy food in the Southern Province, especially vegetables grown by different cooperatives that are also exported to Uganda.

Sub-statement (Sub-hypothesis) **1c** is therefore only partly supported by the empirical data. It is supported where conditions are met of increased ability to access the market and frequent farmers' movements to the markets to perform various activities, as well as the availability of permanent markets for the agricultural produce. The sub-hypothesis is not supported where the following occurs: individual households and members of cooperatives do not both frequent the markets; the cheap price of food-crops and inadequate means of transport continues, and a lack of sufficient infrastructure such as good roads to make food-crops prices attainable and thus increase the number of food-crops purchasers.

Sub-statement (Sub-hypothesis) 1d

Sub-hypothesis **1d** stated that *Land reform rises agricultural profit*. Findings for the verification of the sub-hypothesis revealed the following:

- Land use consolidation generated more income than before although this applies more to cooperatives of farmers cultivating in the marshlands than to individual households.
- The money earned from the activities accompanying land use consolidation was used mostly to cover farmers' basic needs and the little left was saved or invested in other income-generating ventures.
- Regarding improvement of socio-economic living conditions: with the income from land use consolidation farmers also pay school fees, medical care services and shelter. Other gains include: increased financial capacity to buy domestic materials, managing a business, paying transport and communication services, and developing a culture of saving.
- Regarding the level of improvement in psycho-social living conditions, most of the farmers working in cooperatives benefited more as their social ties were strengthened. Apart from the level of involvement in leisure activities that was rated very low (25.9%), low (20.5%) and moderate (23.2%); the level of building self-confidence was rated high (38.8%) and very high (25.1%) while the level of building social ties was rated high (43.3%) and moderate (17.3%).

In short, sub-statement (sub-hypothesis) **1d** is therefore only partly supported by the empirical data. It is supported where conditions are met of increased agricultural productivity and related income and improvement in psycho-social and economic living conditions; but not met where individual household farmers did not profit from the process.

Despite of the shortcomings of land reform revealed in the paragraphs above, the results of this study partly confirm the first statement (hypothesis) of this study: *Land reform improves commercial agriculture*. However, the activities of land use consolidation were found to be more successful in the marshlands and plains where farmers regrouped in cooperatives and cultivated the regionally prescribed crops. Land reform through land use consolidation profited the cooperating farmers more as it increased their financial capacity which helped them access the market. Land registration profited all the landowners because they acquired land titles and have an equal chance to get loans from the bank, although it was also found that people from the rural areas of the Southern Province are not as familiar with banking matters.

To sum up, the results of the verification of the first hypothesis are in agreement with the neoliberal approach to land reform which advances that if land registration with titling is successfully implemented, the expected outcomes should be as follows: equality and security of land rights to all the people, investing productively and long term, promoting the functioning of the rural land markets, credits and agricultural inputs, obtaining loans from the banks land titles as collateral, and improving the living conditions of official landowners. In addition, the positive achievements of agricultural cooperatives in improving agricultural productivity support the arguments of the neoliberals that land reform advances commercial agriculture, but also of the populists who advocate for agricultural development based on cooperating peasant households. However, on the point of increasing agricultural productivity, some findings modified the neoliberal and the benefits theories by adding that climate fluctuations can cause low agricultural productivity despite using modern agricultural inputs and tools. Furthermore, while the populists postulate that land reform help resolve the problem of hunger, the findings of the present study revealed that this solution depends on the affordability of prices at the market. The increasing variety of food crops at the local market does not solve the problem of food shortage unless people can afford the prices.

With regard to the role of land registration in enhancing market use of land and market participation, the findings of the present study do not contradict the benefits theory and the neoliberals. It was indeed found that there were increases in: the price and value of land, the number of buyers and sellers of land, and the trading in land. However, it should be noted that not all the landowners profited from the registration. It were rather the few people who went as far as applying for loans in banks (as many people are not familiar with banking) and the

farmers who regrouped in agricultural cooperatives that yield more produce. Therefore, the statement of the neoliberals and benefits theory that land registration profits all the official landowners is not supported.

7.2.2 Major findings regarding the verification of the second hypothesis

7.2.2.1 Statement (Hypothesis) 2

Statement (Hypothesis) 2 postulated: *Land reform advances equality* and the sub-hypotheses read as follows:

- Sub-statement (Sub-hypothesis) 2a: Land reform promotes participation practices between government and landowners.
- Sub-statement (Sub-hypothesis) 2b: Land reform increases the knowledge of people about land use.
- Sub-statement (Sub-hypothesis) 2c: Land reform heightens the protection of the poor.
- Sub-statement (Sub-hypothesis) 2d: Land reform promotes gender balance.

The Constitution of the Republic of Rwanda of 2003 states that all Rwandans should enjoy equal rights of access to land without any discrimination (MINITERRE, 2004:23). The land policy of 2004 and the new Land Law No 43/2013 of 16/06/2013 protect and advocate for the economical poor and particularly women. The same regulatory documents provides mechanisms to address discrimination towards the “vulnerable people” by setting up a legal and administrative framework which offers to all Rwandans including women the same rights of access and ownership of land. The former written law that governed urban land prior to the current land reform gave land title-deeds to business men and religious missions. However, article 5 of the Land Law No 43/2013 of 16/06/2013 states that “any person or association with legal personality who acquired land under the customary law or by the virtue of authorisation granted by competent authorities or by purchase are allowed to get title-deed documents as proof of ownership and those titles are in the form of a long term lease”. Likewise, the land policy stipulates that landowners who acquired land under the customary law should be given full rights of ownership (MINITERRE, 2004:27). This means that all Rwandans, whether poor or rich, men or women, are allowed to get a title-deed document for the land he/she owns.

The land policy of 2004 and of 2013 states that land will be owned by the state but people who have registered their lands will be given leases of between 3 and 99 years of duration as a guarantee of tenure security (Article 17 of the Law N0 43/2013 of 16/06/2013 governing land in Rwanda).

Article 4 of the Land Law No 43/2013 of 16/06/2013 guarantees to women lands rights that were refused by the customary system. It states that men and women enjoy equal rights to land and thus prohibits any discrimination based on gender and/or origin. This means that female and male children have equal rights to the inheritance of parents' property including land. In addition, the land rights enjoyed by lawfully married couples are determined by the matrimonial regime they opted for. Furthermore, any transaction of rights to family lands requires the consent of the registered right holders on the land title including women (Article 21).

The land policy of 2014 stipulates that women should be part of all land commissions at national and district levels, act as deputy registrars of Land Titles in Rwanda, and also partake in the technical field team for the implementation of land registration as para-surveyors and adjudication committee members (MINITERE, 2004).

Sub-statement (Sub-hypothesis) 2a

Sub-hypothesis **2a** postulates: *Land reform promotes participation practices between government and landowners.* With regard to the verification of the second statement (hypothesis) the empirical investigation revealed the following:

- Before the development and implementation of the national land policy and law, consultative meetings took place but targeted local authorities and civil society organisations, and not rural ordinary farmers. In addition, the meetings took place at the provincial and district offices and/or in the hotels instead of being held in cells or at village level. In return, only a few local leaders consulted people on that matter, others did not. Respondents who acknowledged having been consulted pointed out that their ideas were not taken into consideration. Thus respondents rated the level of consultation as very low.
- Some of the recommendations issued by civil society members and local people were not taken into consideration. Thus it was found that the land reform policy project was conceived in a top-down fashion.
- People participated more in land registration than in land use consolidation. Finding show that 378 of 384 respondents registered their lands while only 263 of 384 participated in land use consolidation;

- Some lands were registered but no titles were issued to owners for a number of reasons. These include: the land was subjected to conflicts; landowners had no Identity Cards or did not have the required age; landowners were issued their title-deed documents only after land disputes were dealt with.
- The reasons for not engaging in land use consolidation include the following: having a small size land that is not sufficient for mono-cropping; decreasing agricultural production and insufficient knowledge seeing that the local authorities did not sensitise rural farmers about the land use consolidation programme.

The beginning of land use consolidation was marked by tension and opposition from the side of rural people because they lacked a common understanding of the reforms. In some districts, the participation in land use consolidation was forced on those who resisted or totally refused to adhere, and in other districts cases were reported of local authorities uprooting traditionally farmed crops to replace it with regionally selected crops.

Sub-hypothesis **2a** has therefore limited support from the empirical data. It is only supported where conditions are met such as the following: consultative meetings with civil society organisations; considering some observations made by consulted parties and the collective participation of the whole population in the land registration process. However, the sub-hypothesis is not supported when substantial empirical data show the low level in raising people's awareness of the land use consolidation before its implementation; low level of collective and active participation of individual households in the implementation, and the lack of consideration for people's needs and priorities when selecting priority crops.

Sub-statement (Sub-hypothesis) 2b

Sub-hypothesis **2b** stated: *Land reform increases the knowledge of people about land use.* With regard to the verification of this sub-hypothesis, the empirical investigation found:

- Few meetings took place during land reform implantation that aimed to explain the key provisions of the land reform policy and law and increase people's awareness of the policy process but none were scheduled before implementing the land reform.
- For respondents sources of information related to land reform include mainly a few public meetings organised by local government authorities, not before but during the implementation process, *umuganda* (community work), and media.
- Respondents have acquired and increased their knowledge of the land reform policy and law and land use but the level of their awareness varies between districts and administrative

sectors, seeing that some local authorities sensitised people and explained the land reform policy and law while others failed to do so.

- Respondents still lack information on the following issues: women's equal land rights over against that of men; why their lands are held through long lease but they only receive limited time for a lease, why they pay taxes for their lands; how they should overcome the effects of climate fluctuation; the relevance of growing some regionally selected crops that do not suit their regions or do not solve the problem of food insecurity.

In short, sub-hypothesis **2b** is therefore only partly supported by the empirical data. Some data indicate the use of sources of information on land reform such as public meeting and media, acquisition of information and increasing knowledge among farmers of the land reform policy and law. However, other data show different levels in people's awareness about key provisions of the land reform policy and law.

Sub-statement (Sub-hypothesis) 2c

Regarding verification of the second hypothesis, Sub-hypothesis **2c**, *Land reform heightens the protection of the poor*, the empirical investigation had the following findings:

- All the people who registered their land received title-deeds without any discrimination related to gender, economic category, ethnicity or origin.
- The type of documents received as legal proof of ownership include title-deed documents for those who completed all the administrative formalities and provisional title-deed documents for those whose administrative formalities are under processing. The status of ownership of land entails leases of between 3 and 99 years as a guarantee of tenure security. However, many people are confused about the status of the leased land that they formerly owned under the customary land tenure system.
- The field data for this study was collected before the issuance of the new list of economically poor categories by MINALOC. According to the old classification the poor resorted into the category of vulnerable included (1) *abatindi nyakuja* (the poorest of the poor) and (2) *abatindi* (the poorest). These categories are assisted with free payment to get land titles, with loans from the banks and with free attorneys in case they are taken to courts for land disputes. The poor who classified according to these two categories above include: widows, landless, sick, elderly, people living with disabilities, women and children-heading households, needy genocide survivors and historically marginalised people or *Batwa*. Those poor people are exempted from paying any fees including registration fees (1000 FRWs) and additional fees such as insurance fees as provided by article 5 of the Land Law of 2013.

- The vulnerable people are integrated in farmers' cooperatives which are involved in land use consolidation mostly in marshlands.

Sub-hypothesis **2c** is therefore supported by the empirical data. In other words the conditions are met where vulnerable people are integrated in both land registration and land use consolidation programmes which grant title-deeds to all the people whose land was registered including the poor without discrimination. It is also met where vulnerable people are integrated in farmers' cooperatives and where they are assisted with free payment to get land titles, with loans from the banks and free attorneys for land disputes in court.

Sub-statement (Sub-hypothesis) 2d

To specify statement (Hypothesis) 2, Sub-hypothesis **2d** states: *Land reform promotes gender balance*. With regard to the verification of this sub-hypothesis the empirical investigation revealed the following:

- All the respondents, including 166 women, had acquired and owned land whether through inheritance, or as co-owners of their husband's land.
- Both men and women enjoy equal rights in land access, ownership and use.
- The names of the married women and their husbands are written on the official land ownership documents such as the provisional and the title-deeds.
- The fact of mentioning names of women on the registration documents has positively influenced their perceptions on their security of tenure.
- The women's access to their property rights and control over land brought about social and economic benefits, not only to women themselves but also to their whole families, including children, husbands and other relatives, in their households and in the public arena.
- Women have been able to use land and earn more money to address their basic needs and priorities such as shelter, food, children's education, *mutuelle de santé* (medical aid) and by investing in other income-generating activities after selling their land.
- Access to property rights protects women of the Southern Province against domestic violence, all sorts of abuse and being underestimated because they have to depend on their husbands.
- Land ownership rights enabled particularly women living with HIV/AIDS to survive and live improved in socio-economic conditions than before.

- Property rights also strengthen Rwandan women's position as decision-makers as they gained authority in the household to decide on the allocation and use of resources.
- In the public arena, their opinion in civic participation and their demand for public services has gained more consideration.
- No man is allowed to come to the local authority office and declare he wants to sell his property including land, without being accompanied by his wife and children to see if they agree or their names are written on the land title document.
- No land transactions can be processed if the owners do not present the ownership document, to ensure that husbands and wives have equal rights of ownership.
- Nevertheless, there are cases of men who refused to recognise their sisters' land rights in the Southern Province but it was not found at a high level because only a small number of respondents estimated the level of reluctance to be high (10.4%) and very high (1.2%) in their region.
- Where cases of resistance were reported, they were dealt with by local authorities and solved quickly in favour of the women.
- Women are employed in structures of land management and administration.

Sub-statement (Sub-hypothesis) **1d** is therefore supported by the empirical data. The data indicate that women have access to property rights, there is equality between male and female in land rights in terms of land access, ownership and control exist, names of both husband and wife appear on the land ownership documents, land transactions can only be processed if the women concerned agree, cases of male resistance to the recognition of women's property rights are handled in favour of women and more women are found to be employed in structures of land management and administration.

Despite of a number of the shortcomings of land reform stated in the paragraphs above, the results of the present study confirm to some extent the second statement (hypothesis) that: *Land reform advances equality*. The aspects of gender equality and protection of the poor are promoted but the participation of rural people in the process of land use consolidation is very low due to the low level of consultation and of raising people's awareness of the land reform before its implementation.

To sum up, there more results on the verification of the second statement (hypothesis) do support the neoliberal and populist approaches to land reform and the benefits and social exchange theories than results that reject these theories. For example, women and the poor from the peasantry class are given land titles, regrouped in cooperatives and benefit from land rights at the same level as the male children. This supports the argument advanced by the populist approach that women and poor categories or small farmers should be given land rights because they are the ones who need it most.

Furthermore, people's awareness of the provisions for land reform was raised in the Southern Province although not at a sufficient level. This finding is in agreement with the statements of the populist approach. In addition, people participated more in land registration than in land use consolidation, depending on the benefits or interests found in each programme. This confirms the arguments of the social and exchange theory that people participate in a project or adopt positive behaviours towards a project when it is rewarding to them. However, certain findings are not in line with the statements by the populist approach to land reform. This include the following: the top-down style of land policy process; the low level of consulting with farmers at grassroots before implementing land reform and the lack of consideration for people's needs and priorities regarding choices of crops. The populist approach advocates for people's participation at all levels of the policy process including the decision-making step, which is not the case in Rwanda.

7.2.3 Major findings regarding the verification of the third statement (hypothesis)

7.2.3.1 Statement (Hypothesis) 3

The third hypothesis postulates: *Land reform stabilises rural social relationships*. The sub-hypotheses elaborating on this hypothesis are the following:

- Sub-statement (Sub-hypothesis) 3a: Land reform lessens land conflict.
- Sub-statement (Sub-hypothesis) 3b: Land reform increases social cohesion.
- Sub-statement (Sub-hypothesis) 3c: Land reform reduces land fragmentation.

Sub-statement (Sub-hypothesis) 3a

With regard to the verification of the third statement (hypothesis), Sub-hypothesis **3a**, *Land reform lessens land conflict*, the empirical investigation had the following findings:

- Land-related conflicts existed before land reform in the Southern Province at a high level before launching the land reform programme and it changed after land reform implementation.
- Categories opposing one another tended to be family members, neighbouring families, refugees returning home and occupiers of their properties, land purchasers and former sellers of land. However, it was found that, due to land reform, most of the conflicts were reduced but some cases of land conflicts remain including those between family members as well as sellers and purchasers of land.
- Sources of land-related conflicts tended to be: land boundaries, payments and transfer refusals; fraud or document forgery; inequality in land ownership; occupation of properties before land reform. However, due to thanks to the implementation of land reform, particularly land registration and the issue of title-deed documents, land related conflicts were reduced at a high level, even though some cases remained of land conflicts related to inequalities in land access, transfer, and polygamy.
- During land reform, especially land registration implementation, new types of land- related conflicts arose, for example, the cases of children (mostly female) who appealed against being given land with infertile soil while others received fertile parts of the land, and also cases of land that was surveyed wrongly or registered to wrong owners.
- Other new cases emerging from the land registration process were related to fraud where people who told land surveyors and registrars that they individually owned land whilst it was collectively owned by family members living in Kigali or outside the country.
- Most of the current land related conflicts concern men's opposition to female land ownership and women falling victim to registering the family land under the names of their brothers.
- Other land-related conflicts currently emerge in polygamous families or when children, born outside of legal marriage (from a concubine), come to request their land inheritance.
- Regarding land transactions/transfers, conflicts arise when such transactions with gifts or sales are processed without the knowledge of the local government officials.
- Overall, even after land reform, households in the Southern Province of Rwanda still experience land related-conflicts, some reported to local leaders, others kept secret and are officially unknown.

Sub-statement (Sub-hypothesis) **3a** is therefore only partly supported by the empirical data. It is supported by data indicating a high level reduction of cases concerning land-related conflicts as a result of land registration and the issuance of title-deed documents. However the statement (hypothesis) is not supported by data proving the persistence of former cases and new emerging cases of land- related conflicts.

Sub-statement (Sub-hypothesis) 3b

The third statement (hypothesis) is elaborated on by Sub-hypothesis **3b**: *Land reform increases social cohesion*. With regard to the verification of the statement (hypothesis) the empirical investigation revealed the following:

- Members of farmers' cooperatives involved in land use consolidation organised different activities, which included: farming together, mutual help and visits and conviviality aiming to reinforce members' cohesion and solve conflicts whether old or new.
- The fact of achieving agricultural outputs and participating in other mutual activities strengthens cohesion among cooperative members at a high level; this included certain members who formerly engaged in land-related conflict.

To sum up, sub-statement (sub-hypothesis) **3b** is largely supported by all the related empirical data. The conditions are met in terms of the following: regrouping farmers in cooperatives under land use consolidation; performing activities that help strengthen social cohesion particularly by solving land-related conflicts among members that formerly lived in conflict.

Sub-statement (Sub-hypothesis) 3d

In elaborating on the third statement (hypothesis) Sub-hypothesis **3d** postulates: *Land reform reduces land fragmentation*. With regard to the verification of this statement (hypothesis) the empirical investigation had the following findings:

- As is the case with other provinces in Rwanda, the Southern Province experienced the problem of land fragmentation and related issues of land scarcity and low agricultural productivity before the implementation of land reform.
- The main causes of land fragmentation before and after land reform tend to be imbalances between increasingly high demographic density and the diminishing farm holdings as well as inequality in land ownership.
- The culture of inheritance also encouraged land fragmentation as all the children inherited their parents' land, and this culture remains.

- The objective of the land policy was to address land fragmentation through land consolidation but it turned out to be unattainable because almost all the people refused to consolidate their farm-holdings. In addition, the culture of bequeathing land to all the children as inheritance persists at a very high level. Furthermore, owning and farming the family land individually is a practice that encourages land fragmentation in the area of the study.
- The integration of female children in general among family land heirs has been a source of increasing land fragmentation as they are given their own individual lands while collective land ownership has not yet been adopted;
- The land fragmentation would increase in the future as young men who are still single expect to inherit their individual lands.

Sub-statement/Sub-hypothesis **3c** is therefore not supported by the empirical data because the following conditions are not: addressing land fragmentation through consolidating/combining households' farm holdings; end practices that encourage land fragmentation such as subdividing family land for bequeathing purposes, or the culture of inheritance. People refused to consolidate their lands and the culture of inheritance persists while the number of heirs increased after the recognition of women's property rights that included land rights. Projects of land use consolidation are implemented only on lands of marshlands and plains which were not fragmented even before the land use consolidation process.

Overall, the results summarised in the paragraphs above, on the way in which land reform through land registration and land use consolidation addresses land-related conflicts and promotes social cohesion, partially confirm the third statement (hypothesis): *Land reform stabilises rural social relationships*. Evidence for these statements is the majority of respondents who confirmed that the level of land conflicts reduced at a high and very high level (cf. Table 6.64) despite some cases of conflict that arose after land registration. In addition, the farmers' cooperatives involved in land use consolidation were effective in uniting people who formerly were part of land-related disputes and by organising activities that helped build and promote cohesion among members. However, the empirical data showed that land reform did not reduce land fragmentation and that some cases of land disputes did arise after land registration. Those cases were related to polygamy and to some family members who registered the family land under their own personal names. For that reason, the third statement (hypothesis) is not fully but partially confirmed.

To sum up, apart from the results that revealed the problem of land fragmentation related to the persistence of the inheritance culture and the increasing number of property heirs, various other results verify the third statement (hypothesis). This concurs with the view of the benefits and the social exchanges theories. For example, curbing land disputes among family members and between neighbouring families through land registration/titling and agricultural cooperatives support the basic argument of the benefits theory. This theory also advances that land registration and titling increases agricultural productivity and reduces any type of disputes. Furthermore, the findings of the present study show that people in cooperatives improved their social relationship regardless of their background or the past. This applies to the work done in the cooperatives as well as the positive effects of the acquisition of title-deeds. This supports the statements advanced by the social exchange theory that the environment in which individuals live impacts their future behaviour patterns.

7.2.4 Major findings on the strengths of land reform

One of the objectives of the present study was to collect views of implementers and beneficiaries alike on land reform and its strengths. The land registration's strengths were found to be the following aspects:

- The land survey used modern technology and surveyors reached all the zones.
- The land registration throughout the Southern Province and the issuance of land titles enabled people to get proof of full ownership of their lands and security of tenure.
- The number of cases of land disputes due to unclear land boundaries as well as land seizure was reduced as individual land sizes and boundaries are known.
- Opportunities to acquire loans from the banks increased.
- The value and price of land increased.
- Overall, the land registration programme was viewed as a good and successfully implemented and relevant programme that achieved the goal of supporting the poor.

With regard to the land use consolidation programme, its strengths were found as:

- The approach of uniting the people's workforce and coexistence in cooperatives of farmers to increase agricultural productivity.

- Farmers' cooperatives are more organised and effective in securing the produce and capital management and in finding markets for the produce as well as receiving technical and financial support.
- The agricultural productivity increased through cooperatives of farmers, especially working in the marshlands and plains.
- Providing selected and quality seeds and fertilisers to people.
- Enabling people to keep their own land even though they collectively cultivate the same crops.
- The support of institutions such as RAB, CIP that organise and implement land use consolidation by making agricultural input available and finding markets for the harvested produce.
- Overall, although individual households did not participate in land use consolidation *en masse* and actively as was expected, the consolidation succeeded in the marshlands and plains where members of agricultural cooperatives grew the prescribed regional crops.

In short, the strengths of land reform in the Southern Province of Rwanda lies in its land registration programme that succeeded to register almost all the land and issue title-deed documents to landowners including women. This programme managed to provide security of tenure, ease the process of investing in land and reduced land-related conflicts. In addition, the strengths of land reform also lie in its land-use consideration programme particularly the strategy of uniting rural farmers into cooperatives. Such agricultural units are more organised and effective in securing the produce and by capital management, finding the target markets and having access to technical and financial support. As a result, this approach succeeded in increasing agricultural productivity when there were no problems of climatic fluctuations.

7.2.5 Major findings on weaknesses of land reform

The present study also assessed weaknesses of land reform through the views of implementers and beneficiaries of land reform. The overall weaknesses of the land reform programme include:

- Being top-down driven rather than participatory projects. Before its implementation phase, land reform projects did not consider consultation with the local people. Rather, a few consultative meetings took place during the implementation phase but it did not take into account the beneficiaries' ideas and priorities.

- Poor planning and implementation of consolidation projects indicated raising people's awareness of the programme of land use consolidation at a low level. Projects were planned without the direct input or involvement of beneficiaries, some stakeholders were partly involved and their ideas were half considered but eventually projects were imposed on farmers for implementation. For example, the regional selected crop of maize was not the choice of farmers. This is the reason why farmers combined it with other crops although this practice was prohibited. Such projects of unsuitable mono-cropping are not sustainable, and it is virtually impossible for farmers to own them.
- Low level of collective, full-scale and active participation of individual households in land use consolidation – far less than expected. This was accompanied by resistance to mono-cropping and the combining of regionally selected and recommended seeds with traditionally grown seeds which currently are prohibited. This caused the failure of the land use consolidation programme in individual households. In addition to the inadequately selected regional crops which farmers had to grow there was also the inappropriate methods that certain local government officials used in coercing people to participate in the consolidation programmes.
- Lack of training and capacity-building programmes earmarked for the farmers so that they could gain the experience and expertise to develop and utilise the owned land in a profitable manner.
- Coping with a lack of mechanised materials and other infrastructure in the local areas, such as roads, water management or modernised markets in the remote administrative sectors of the districts of the Southern Province . The lack of these infrastructure-supports meant that farmers were unable to increase the food production and make a living out of farming. In addition there was the issue of inflated costs of transporting the produce to the markets because of the bad condition of the roads.
- Insufficient skills how to overcome problems of climate fluctuations and a lack of technical market information about quality and quantity standards of the produce which the markets demanded.
- Delays in providing for adequate resources such as agricultural inputs allocated by MINAGRI for the implementation of the agricultural projects.
- Conflicts between farmers in cooperatives and business men or generally in most of the areas. This is mainly caused by buying the harvest at a low price and selling it for a higher price. This causes misunderstanding between the two groups particularly regarding the

crops of cassava and maize. Such forms of underlying conflict discourage farmers and cause a lack of commitment for some as members of cooperatives.

- Lack of purchase power to afford the price of processed food after the produce is sold at a low price during the harvesting periods.
- Mismanagement of cooperatives; finances, due to a lack of capacity and mentorship programmes targeting all members. The consequence is that the cooperative personnel and members lack the knowledge which helps them adapt to change in technology and the business approach to agriculture. In addition, a few personnel who have mastered those technologies and skills in accounting and management, were found to misappropriate funds or mismanage it without being discovered in time.
- There is no mechanisms to overcome drought and certain prescribed crops are not suited to the region
- Hunger is rife due to the following factors: food shortages caused by climatic fluctuations; by replacing certain drought-resistant crops, inappropriate management of the programme; and collecting the harvested produce in the government stores, thus replacing the culture according to which food crops are kept in household' stores.
- Lack of mechanisms to deal with the problem of continuous price fluctuations.
- Benefitting the interest of capitalists more than that of the poor. The government through RAB collaborates with economic elite capitalist factory owners and it should intervene to protect the interests of the poor, by prohibiting the capitalists to increase the prices for the processed food.

Briefly put, the weaknesses of land reform in the Southern Province s can be summarised in terms of the following aspects: its top-down driven rather than participatory policies and projects, poor planning of land use consolidation projects with its regional priority crops that differ from the priority crops chosen or needed by rural people. As a result it was found that almost all the individual rural households did not participate in land use consolidation.

7.2.6 Major findings on how problems of conflicts can be addressed and solved through land registration and land use consolidation

A further objective of the present study was to determine how the registration and consolidation of land may solve the problems of land conflicts in post-genocide Rwanda, particularly in the Southern Province. Major findings on how this can be achieved indicated the following possibilities:

- Give title deeds to everyone without further conditions such as presenting the spouse's ID while he/she fled, paying land taxes and/or paying fees as contribution to build schools in certain local areas. For example, fleeing the local area to other areas inside or outside the country for economic, political and any other reasons, such as a transgression of sorts by the husband, should not be a reason to refuse the wife's property rights. The consequences strike the innocents including her and her children.
- Contributions to the extension or building of new schools should not be enforced; it should not be a condition for someone to enjoy his/her civil rights. Moreover, land taxes should be paid even after receiving the title-deed document which is deposited in the bank as collateral for loans or used for investing in the land.
- Parents should treat children equally regarding inheritance because in certain areas some parents give better (fertile) land to the male children and leave unfertile or smaller size lands to the female children. When local leaders supervise to ensure that parents bequeath land of equal size and quality to all children regardless of their gender or status this may be a mechanism to help end intra-familial conflicts.
- Judicial system should handle cases of land dispute swiftly and transparently. This should be done by solving the land disputes without delaying and communicate the decision of the judge to all the neighbouring households. This would also advantage the people whose cases are settled and justice will be rendered publicly, whereas keeping cases of land disputes pending or handling them anonymously lead to continuous conflicts.
- It is important to bequeath land to children so that each child receives title to his/her land before the death of the parents. The present study found that conflicts arise when parents die without clarifying what belongs to who or making sure that children have legal proofs of land ownership.
- Explain the land laws to the people, to increase awareness about the land policy and law. It was found that sources of conflict are: the lack of knowledge on the succession process,

gender equality, holding land on long lease and land taxes. Such information sessions would help solve conflicts in certain households where parents and male children are not yet informed that female children have rights to land access, ownership and use for both in-laws and biological families.

- It is also possible to encourage collective land ownership to replace the culture of inheritance that creates individual land ownership and thereby contribute to persisting land fragmentation. Collective land ownership and use would help maintain peace and unity in families and address land fragmentation in a sustainable way. This would also enable family members to cooperate in deciding on how the family land would be used productively.
- Children of the second wife should be given inheritance by their father as polygamy remains one of the main sources of conflict in the post-land reform period.
- Local authorities should handle cases of land disputes early and also follow up certain cases. The reason that mostly land conflicts were solved after a long duration and after causing serious damage due to the delay from local leaders. Other land conflicts occurred because local leaders failed to follow up on the persistent causes of land conflicts and because of the unexpected high value of the land.

To sum up, it is mainly the responsibility of local leaders and parents to address and solve land-related conflicts. Local leaders must raise people's awareness about the land laws and follow up on the implementation of the laws. In addition, they must handle land conflicts without delay and to ensure that justice is served to the winner. From the parents' side, before they pass away they should transfer land inheritance of the same quality and size to all the recognised children of both genders and ensure that their children receive proof-of-ownership documents.

7.2.7 Major findings on how problems of poverty can be addressed and solved through land registration and land use consolidation

Objectives of the present also were to determine how the registration and consolidation of land can solve the problems of poverty in post-genocide Rwanda, particularly in the Southern Province. Major findings on how this should be achieved indicate the following solutions:

- Provide farmers seeds and fertilisers on time and at a very low price or for free. The empirical data in this study revealed that the delays in agricultural inputs (fertilisers and seeds) and their costs make the farming not cost-effective. If the mentioned inputs could be delivered on time and at an affordable price or for free, it would increase productivity in a sustainable way and help alleviate poverty seeing that farming would then become cost-effective.

- Train the poor to conduct projects and get loans from the bank, encourage the banks and other micro-finance companies to give loans to title holders without any other conditions. This would lead to poverty reduction by introducing a knowledge-based approach in agriculture and almost all the people would fulfil the conditions (only presenting title-deed documents) to qualify for loans.
- Local government should explain the usefulness of titles and help to resolve the land-related cases in courts. The strategy should focus on training and advising the poor on the modern use of land. Local government officials should advocate for loans in the banks in order to make land more productive. Harnessing the support of local and international NGOs in this advocacy would lead to poverty reduction as most of local people have land and title deed documents but lack the knowledge and financial capacity through their agricultural projects. Furthermore, title holders among the designated poor should be sensitised in order to change their mind-sets so that they can obtain land titles and utilise it. The government should assist these title holders among the poor by studying which projects would be effective on their lands and recommend these to the banks. For this purpose agronomists or cadres should be kept near people and work hand in hand with them.
- Allow people to grow multiple crops and to retain a part of land where multi-cropping is used. These farmers should be allowed to select their preferred crops as the empirical data revealed that the maize and cassava crops are not the choice, nor the priority crops to ensure food security in the Southern Province . The real food crops that meet the needs of people in this region are mainly Irish potatoes, beans and banana trees. Therefore, integrating these crops in the land use consolidation project and designate these as regional priority crops would make the farmers participate more in the consolidation programme, which would lead to sustainable food security and poverty reduction.
- Multiply mobilisation and sensitisation campaigns as well as training sessions about the relevance of land consolidation. For this purpose people should be sensitised about the gains to farm collectively in cooperatives and consolidate lands. The local leaders should also organise visits where land use consolidation was successful. This should lead to poverty reduction as it has been proven that farmers' cooperatives implies a cost-effective approach that aim to increase agricultural production in projects of land use consolidation.
- Use technology in farming to overcome effects of climate change. By storing water for use during drought times and helping the poor overcome problems brought about by the climate change, would help alleviate poverty. This is based on the empirical data that indicated that

climate fluctuations cause drought, which lead to low agricultural production and a food shortage crisis.

- Establish stores for food crops in each region, and change seeds over time in order to see which type suits in the region the best; also multiply various seeds in one region to help fight famine. This would lead to poverty reduction as people would find different varieties of food crops nearby and as permanent source.

In short, it is the responsibility of the MINAGRI to improve the procedures and modalities of implementing the land use consolidation programme. The rationale is taking into consideration the priorities and needs of the local people (i.e. beneficiaries) concerning matters such as priority crops selected themselves. This should be done in collaboration with the local leaders and beneficiaries and other stakeholders including civil society organisations. MINAGRI should also distribute seeds and fertilisers on time, address climate fluctuations biases and encourage cooperating farmers. This would lead to poverty reduction as land use consolidation would be participatory in its implementation process and management.

7.3 Recommendations

Effective land reform should result in reducing poverty and in solving land-related conflicts. For this purpose the land registration and land use consolidation programmes should increase agricultural productivity, curb land conflicts and promote equality among the inhabitants. In this regard, the present study makes recommendations to address identified weaknesses of land reform implementation. The focus will also be on developing strategies and policies that can help ensure the implementation of effective land reform in post-genocide Rwanda. These recommendations will be categorised in terms of areas of application to follow.

7.3.1 Expand the agricultural farmers' cooperatives approach to all land reform activities

Agricultural cooperatives are mainly founded by farmers but sometimes it can be under the initiative or intervention of the state. For a successful implementation of land use consolidation, MINAGRI encouraged rural farmers to create or keep to cooperatives in order to provide them with agricultural inputs and other kinds of support, seeing that cooperatives are clearly structured and have a system of management. The empirical data from the present study indicated that, apart from certain technical and managerial problems due to insufficient knowledge, generally agricultural cooperatives did enable members to increase their agricultural productivity. The cooperatives also played various other roles such as solving conflicts among

members and strengthening social cohesion. For those reasons the present study makes the following recommendations:

- The finding was that land use consolidation with mono-cropping increased agricultural produce more in cooperatives than in individual households (which mean that cooperatives might be more profitable). Therefore it is recommended that MINAGRI through RAB multiply cooperatives of farmers throughout the whole Southern Province and Rwanda in general. This would lead to full-scale popular participation and effective of land use consolidation. The reason is that the landowners would be financially and technically assisted in order to increase productivity. As a result, land use consolidation would be profitable to a significant number of rural dwellers.
- The finding was that regrouping farmers in cooperatives improved the psycho-social living conditions through strengthening their social ties and building self-confidence but at a low level on being involved in leisurely activities. Therefore it is recommended that people in cooperatives be trained with regard to leisurely activities, which could include avail and use their free time, relaxation, rest and holidays in order to improve their psycho-social living conditions still further.
- The finding was that some of cooperatives' members formerly were engaged in land-related conflict and that partaking in joint agricultural activities and other activities strengthens cohesion among the members to a high level. Therefore it is recommended that the approach of cooperatives in improving agricultural productivity should also be employed to solve other kinds of conflict among people of the same region who used to be involved in conflicts, seeing that this approach appears to be effective.

In short, the expansion of agricultural cooperatives to different areas of the Southern Province and Rwanda in general would lead to popular participation and effective land use consolidation as people in all the regions would be encouraged to farm through cooperatives. Therefore the aim of reducing conflict and alleviating poverty would be largely achieved as people would work in organisations with clear structures and a formal management system while having the benefit of various support systems. Furthermore, since cooperative members are financially more empowered than non-members, the expansion of agricultural cooperatives could help enhance the well-being of rural people in the Southern Province and the whole of Rwanda.

7.3.2 Train and advise farmers on the use of land in a profitable manner, on gender equality in land access and on cooperative management

Farmers need skills, advice, knowledge and expertise in order to use their land in a profitable way. The findings of the present study identified among farmers several gaps due to insufficient knowledge of performing their agricultural activities (cf. Tables 6.13 and 6.14). Moreover, farmers generally live in rural areas where they practice traditional agriculture with no experience of modern methods and their education level is mostly low (cf. Table 6.5). Therefore, training should be organised and focused on the following areas:

- The finding was that farmers did not benefit of training and capacity building programmes and that for that reason couldn't gain experience and expertise to develop and utilise the owned land in a profitable manner. Therefore it is recommended that the government in the local areas should provide multi-dimensional training on the way in which land can be utilised profitably; also organise learning visits to areas where land use consolidation was successful. This would enable farmers to see practical activities/demonstrations of land use consolidation in action. Trainings should go hand in hand with mentorship where each cooperative is given an agronomist/mentor.
- The finding was that most rural dwellers of the Southern Province do not have the experience to use their land titles as collateral to acquire loans. They also lack a culture of working with banks as some still stash money away in their homes, and those who have money in the banks fear loans due to the lack of information and of credit facilities. Therefore it is recommended that formal training should be organised and presented and assistance provided on applying for loans and acquisition matters as well as the benefits of working with banks in this regard. This training and assistance should be made available to all the rural people. Furthermore, the government should make available loan facilities together with technical assistants to assist illiterate people in writing a formal application for loans, and thereby help the landowners confidently apply for loans.
- The finding was that agricultural cooperatives through agricultural inputs such as fertilisers and pesticides, increased productivity although not in a stable way due to climate fluctuations. Therefore it is recommended that MINAGRI do the necessary research about which crops are suitable for the rainy season and which ones are drought-resistant during dry seasons. Poor farmers should be informed about the study findings. With regard to overcoming climate fluctuations effects, storing water for use in the period of drought would be an effective and cost-effective mechanism. The government and international

organisations supporting the agricultural sector should financially assist farmers in acquiring water tanks.

- The finding was that there are incidences of mismanaging the cooperatives' finances, which results in deficits for the poor farmers who are members of these cooperatives. Therefore the recommendation is that the government should organise trainings to build capacity and mentor all the members in managing finances as well as in the technological and business approach to agriculture. The government should also follow up the financial management of the farmers' cooperatives to detect cases mismanagement on time and deal with it accordingly.
- The finding was that people are not aware of certain key provisions of the land policy and law such the following: women's and men's equal land rights; the status of land ownership which consists of leases of between 3 and 99 years as a guarantee of tenure security while they formerly owned it under the customary land tenure system; and why they pay taxes for their lands. Therefore it is recommended that the government through MINAGRI and MINIRENA should organise various sensitisation and mobilisation campaigns to raise people's awareness on these key provisions of the current land reform policies and laws and to explain article 3 and 17 of the new Land Law of 2013. These training sessions should also include female children in order to make sure that both men and women have the same knowledge of their equal property rights.

In short, a multi-disciplinary focus on training and mentorship is a priority to help build a knowledge-based agriculture and long term self-reliance among rural farmers. A further priority is conducting more studies on overcoming the consequences of climate fluctuations because it would limit the problem of unstable agricultural productivity. If the government provides the designated poor farmers of the Southern Province with the relevant knowledge how to utilise land profitably and in cooperative management, the land reform projects would be effective.

7.3.3 Assist the farmers of the designated poor with access to the land and food crops markets

Farmers need to find easy access to markets and to the following agricultural assets: production inputs, credit facilities, affordable prices of food crops and cost-effective land transactions with regard to the land markets. Farmers also need to be provided with technical advice on the conditions and the process of applying for loans and to manage these loans efficiently. They also need advice on the functioning of the markets and information of the prices, types and quality of food crops needed. For that reason, the present study recommends the following:

- The finding was that people are unable to sell their land and land buyers are hesitant because of the two main issues: the of the high cost of the whole transaction process and the long distance to the banks where they pay the charges for land transfer, and to the district where all the processes are finalised. Therefore it is recommended that all the services concerning land transaction be made available to people at the lowest administrative level (administrative cell and sector) and the transaction costs be reduced in order to encourage trading in land in the rural areas.
- The finding was that there are frequent movements to the local markets for various operations such as selling agricultural produce and buying food crops, whereas agricultural enterprises outside the country are limited. Therefore it is recommended that food crops which are needed more or markeTable inside the country should be cultivated in order to make rural agricultural enterprises more commercial.
- The finding was that the problem of food security persists despite the increase in agricultural productivity. This is also because food-crop prices and the income from selling the agricultural produce during the harvest period is lower than the price of crops/food (especially processed) at the market during post-harvest period. Therefore it is recommended that MINAGRI establish mechanisms to protect the farmers at the market during the post-harvest period by restricting food-crop price fluctuations and thus sustaining food security. MINAGRI or RAB should render service to farmers in rural areas by fixing a sTable price of food crops throughout the year and by establishing stores for food crops in each region. Moreover, the price of the processed food should be reduced to make it affordable to the rural poor. This will develop among rural dwellers the habit of consuming processed and packaged food according to a modern lifestyle. Such a practice would also improve food security in the region as the price for selling food crops would be the same as for purchasing food.
- The finding was that land use consolidation and mono-cropping in certain rural areas of the Southern Province rather benefits the interest of capitalists, including the economic elite factory owners who sell processed food at high prices, than the poor consumers. Therefore it is recommended that government should intervene and protect the profit of the poor rural farmers and thereby afford value to the work done by cooperating farmers.

To sum up, the recommendation is that the government should institute the mechanisms to protect the poor farmers against price fluctuations, make available loan facilities with technical assistants and the relevant services regarding the transactions at the lowest administrative level (administrative cell and sector) and ensure the reduction of the land transaction cost. If these

recommendations are met the land reform will be effective in encouraging trading in land in the rural areas, thereby improving food security and helping to alleviate poverty and fight famine.

7.3.4 Improve the agricultural and economical infrastructure

Economic and agricultural infrastructures make up a very important element of ensuring sustainable development of the rural areas. In particular, the success of land reform projects including land use consolidation depends on the availability of quality and sufficient agricultural and economic infrastructure that enables the easy transport of agricultural inputs and production, easy access to rural markets as well as on the affordability of food prices. It is for that reason that this research recommends the following:

- The finding was that agricultural inputs such as improved seeds and fertilisers, as well as other food crops produced in other districts, became much more expensive due to the increasing production costs. This is mainly due to poor infrastructure, especially roads as well as the inadequate and expensive means of transport for smallholder farmers. Therefore it is recommended that sufficient infrastructures should be established or existing infrastructure rehabilitated to allow rural farmers easier transport of their produce to markets in other areas that pay better prices. This would also allow the agricultural traders from the outside to purchase food crops in rural areas and offer a better price. It is clear that the reduction of transport costs would reduce the food prices considerably.
- The finding was that there is a lack of agricultural support systems such as mechanised implements and other infrastructure in the local areas. These include effective water management and the lack of modernised markets in the remote administrative sectors of the districts of the Southern Province. As a result farmers are unable to increase food production and make a living out of farming. Therefore it is recommended that the government through MINAGRI provide infrastructure supporting systems to local farmers in order to help increase agricultural productivity.

To sum up, the government through the Ministry of Infrastructure should it a priority to provide agricultural and economic infrastructure to rural areas of the Southern Province. Such provisions would help make land reform through land use consolidation more effective and profitable to its beneficiaries.

7.3.5 Change policies, laws and implementation strategies to ensure effective land reform implementation

One of the objectives of the study project was to suggest what policies, laws or implementation strategies can be changed to ensure effective land reform implementation in post-genocide Rwanda based on the empirical findings. In this regard, the recommendation is that the following existing policies and laws be amended:

- **Top-down land reform amended to a more participatory policy:** Land policy reform should be conducted by firsts consulting with beneficiaries, considering their views and priorities and raising their awareness of the policy provisions. The findings of this study indicated the following situation:
 - The projects of the land reform policy were conceived in a top-down fashion with no sensitising of the rural farmers before the implementation phase, only momentarily during the process.
 - The consultative meetings targeted the opinion leaders and local leaders and not individual local poor famers directly. Opinion leaders including members of civil societies that were consulted during the land reform policy development gave their observations and recommendations but most of these were not taken into consideration; the propositions of the government staff in charge of developing the policy remained largely intact.
 - The regional priority crops prescribed by MINAGRI/RAB did not reflect the priorities and needs of local people. As a result, the land use consolidation tended to be less participatory.
- Based on the above-mentioned findings, it is recommended that the government take into account civil society organisations' ideas as partners and people's priorities and needs (in terms of food crops to be grown) seeing that they are the beneficiaries. It should be understood that, when the projects fail, beneficiaries are the first to lose out.
 - Activities should be planned in a collaborative manner with the involvement of beneficiaries and other stakeholders to give beneficiaries the understanding that they are owners of the projects and have control of them.
 - Farmers' cooperatives should be consulted about their priority crops and the government should make seeds available that are preferably selected by farmers themselves as they

are better informed of the crops that suit their regions. For example, sweet-potatoes, sorghum and cassava would be welcomed because farmers habitually grow these crops. Irish potatoes were grown throughout the Northern province, particularly in the districts of Musanze, Burera and Nyabihu because the farmers were used to growing these crops.

- **Ministerial Order No 002/16.01 of 26/04/2010 determining the reference land price outside the Kigali city needs amendment:** The finding show that land buyers and sellers choose to bargain on the price, seeing that the price provided by ministerial order is very low and does not afford true value to the land. Therefore it is recommended to the Ministry of Natural Resources (MINIRENA) through Rwanda Natural Resources Authority (RNRA) that these government organs amend the law and fix the land price in accordance to the realities of the markets, in light of the fact that the national currency is subject to inflation while the value of land increases overtime.
- Article 30 of the Land Law No 43/2013 of 16/06/2013 prohibiting the subdivision of farm land if each plot becomes of less than 1 ha needs further elucidation and even to be amended: The findings of the present study indicated that the culture of bequeathing through distributing inheritance land to all children persists at a very high level where some children receive plots of less than 1 ha each. Moreover, owning and farming the family land individually is a practice that encourages land fragmentation while people refuse to consolidate their farm-holdings in the Southern Province region. Therefore it is recommended that the government should not only apply the law but also make it clear that the culture of bequeathing land should be limited. The law should determine that family land must be owned collectively and used by family members depending on its size. If this amendment is applied, problems of poor land use, low agricultural productivity, land fragmentation and land-related conflicts will be phased out.

In light of the above-mentioned recommendations by the present study, new strategies of land reform implementation should be adopted. The reason is that the old strategies failed to raise people's awareness of the policy provisions, encourage implementation participation in the land use consolidation and address land-related conflicts. The recommendation is that new strategies should include:

- **Use of civil society organisations in the mobilisation and sensitisation campaigns:** It is recommended that the government of Rwanda adopts a new approach to reach ordinary rural dwellers and increase the level of people's awareness and involvement in the land reform process. In this regard, sensitisation and mobilisation campaigns should be

undertaken by technicians from MINAGRI and MINIRENA in direct collaboration with technicians from civil society organisations. The following explanatory remarks will suffice:

- Collaboration with civil society organisations would be very relevant considering their position as social movements. This also underscores their mediatory role where they on the one hand, sensitise people about policies and, on the other hand, plead by politicians to take people's priorities in consideration.
- Findings have shown that politicians present the land use consolidation policy as a project of the government instead of informing the rural farmers that it is a popular project in order for them to accept it as their own. Involving the civil society organisations would mean a more effective approach as these organisations can reach all the districts, sectors and cells.
- Findings indicated the level of people's awareness of the land policy and law varies between districts and administrative sectors – some local authorities sensitised and explained the land reform policy and law while others failed to do so.
- **Use of persuasive techniques and approaches to coerce people's adherence and commitment before policy implementation:** The finding was that the beginning of the implementation of land use consolidation was marked by tension and opposition from the rural people due to various reasons: a lack of common understanding of the reforms; forced participation and the uprooting of traditional crops and arresting of those who resisted. Therefore it is recommended that the rural farmers should be approached and consulted with them before the implementation of the amended policy and their ideas and priorities be taken into consideration. The *further implementation phase of the revised policy* should take place under the condition that people understood, accepted the programme and committed themselves to participate in the implementation process.
- **Use of *gacaca* (traditional jurisdictions) in handling land-related conflicts:** Seeing that land ownership is a metaphor for power, economic asset and identity, it is evident that land-related conflicts need to be handled by a culturally based institution. The findings revealed cases where land was registered to the wrong owners during the land registration process.
- This includes cases of fraud where people told land surveyors and registrars that they individually owned land while it was collectively owned by family members living in Kigali or outside the country.

- Some of these conflicts were reported to local leaders, others kept secret and were officially unknown.

Therefore it is recommended that *gacaca* jurisdictions (traditional courts chaired by men and women of integrity, selected and voted in by local people) should be instated. These traditional mechanisms should be used to identify the actual land owner so that the fraudster or the wrongly registered owner may be taken to justice. It is a known fact that *gacaca* jurisdictions were effective to identify and judge genocide convicts. These juridical forums allowed local people (among them victims) to reveal the names of perpetrators and deciding on their verdicts. No other grouping of people knows better to whom any land belongs as do the neighbours.

To sum up, the developing of the land reform policy in Rwanda needs to change from a top-down fashion to a bottom-up process through consulting people/beneficiaries and partners before the implementation.

- The views, ideas, needs and priorities of beneficiaries should be considered and met in order to gain their full involvement and participation.
- The Ministerial Order No 002/16.01 of 26/04/2010 determining the prescribed land price outside Kigali city must be amended in order to adjust the land price in accordance to the realities of the markets.
- Article 30 of the Land Law No 43/2013 of 16/06/2013 prohibiting the subdivision of farm land needs further elucidation. The policy also needs to be amended in order to include provisions that encourage collective land ownership and use.
- Strategies should be revised by using civil society organisations, appropriate persuasive techniques and approaches in the mobilisation and sensitisation campaigns as well as the reinstatement considered of *gacaca* (traditional jurisdictions) in handling land-related conflicts.

Such amendments and revisions will lead to participatory, successful and effective land reform in the Southern Province of Rwanda.

7.4 Conclusion

The aim of the present research project was to evaluate the implementation of land reform through land registration and land use consolidation in the Southern Province of post-genocide Rwanda. Theories on land reform were reviewed, particularly in terms of its different meanings, and the following aspect investigated: best practices, principles and experiences in other countries beside Rwanda. It was examined how land reform helped reduce poverty and curb land-related conflicts by enhancing equality and improving agricultural productivity.

Implementers as well as beneficiaries of land reform from the Southern Province were approached and their views gathered on the following matters: possible weaknesses and strengths of land reform in post-genocide Rwanda and on how problems of land-related conflicts and poverty can be addressed and resolved. In addition, land reform implementation activities and outcomes were analysed. Findings were based on the empirical investigations of the views of beneficiaries and implementers of land reform. The various strengths and weaknesses were interpreted of both programmes. Based on the major findings, the research project has accomplished its aim: The land registration and land use consolidation were assessed and various strengths and weaknesses identified.

This chapter concluded the study by official recommendations to MINAGRI and MINIRENA to address the identified weaknesses of land reform implementation, specifically land use consolidation, seeing that the land registration programme generally was successful. These recommendations will help ensure a further phase for the implementation of a revised and amended policy, leading to effective land reform in post-genocide Rwanda.

To date and to the knowledge of the researcher no similar scientific studies have been undertaken in evaluating land reform through land registration and land use consolidation in the Southern Province of post-genocide Rwanda. Therefore, the present research study contributes to the body of knowledge regarding this particular area of research.

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ANNEXURE A: CONSENT FORM FOR PARTICIPATION IN A RESEARCH PROJECT

(English version)

Dear farmer,

I am a doctoral student in the school of Government and Social studies at the North-West University, Potchefstroom Campus. I am undertaking field research in this area of the Southern Province and I would like to invite you to participate in this research that aims to enable me to write a thesis and fulfil the requirements for obtaining a PhD in Development and Management. The research project title is: **“An evaluation of land reform implementation in post-genocide Rwanda: The case of the Southern Province ”**.

Your participation consists of answering all the questions posed in this questionnaire that has been designed to evaluate the land reform implementation process in the Southern Province of Rwanda. The evaluation relates respectively to the programmes of land registration and land use consolidation, with particular focus on the weaknesses and strengths of each programme in the Southern Province . The investigation also assesses the challenges associated with the implementation process of land reform and possible solutions to those challenges. Based on the research findings, recommendations will be formulated in order implement land reform that solves the problems of poverty and land related conflicts.

I promise you to abide with North-West University's code of ethical conduct during the whole process of this study. Your names will not be asked nor written anywhere and the information that you will provide will be treated confidentially and will be only used for research purposes. Your participation is voluntary. You are even allowed to withdraw from the research at any step without any negative impact on you. If you voluntarily accept to answer the questions please do it with honesty.

Thank you.

JD DUSHIMIMANA

ANNEXURE B: QUESTIONNAIRE FOR LAND REFORM BENEFICIARIES (FARMERS)

(English version)

Part I. Questions related to demographic information of the respondents			
N° of Question	Questions	Answers	Signs
Q1	Province		
Q2	District		
Q3	Sector		
Q4	Cell		
Q5	Village		
Q6	Age of respondent	.....	
Q7	Sex	1. Male 2. Female	/ ___ /
Q8	Matrimonial status of respondent	1. Single 2. Married 3. Never married 4. Widowed 5. Divorced	/ ___ /
Q9	Status in the household	1. Child 2. Adult dependant 3. Adult independent 4. Parent 5. Grandparent	/ ___ /
Q10	Which education level have you finished?	1. None 2. Primary level 3. Vocational Training 4. Half secondary level 5. High school level 6. University level (A0)	/ ___ /
Q11	Children who are still alive	.....	
Q12	Employment occupied during the last 12 months (<i>More than one answer are possible</i>)	1. None 2. Farming 3. Breeding 4. Small trade/Private 6. Public service 7. NGO staff 8. Other (please specify)	/ ___ / / ___ / / ___ / / ___ /
Q.13	(For married people only): Which of the following matrimonial regimes have you chosen?	1. Universal community of property 2. Partnership of gains 3. Separation of property	/ ___ /

Part 2. Questions about land property owned			
Q14	What is the size of your household land? <i>(Read on the proof of land ownership you have)</i>	..... ..... .....	
Q 15	In which ways have you got that land? <i>(More than one answer are possible)</i>	1.Inherited from parents 2.Received as a gift 3.Acquired through purchase 4.Received it from the state 6.Other (please specify)	/___/ /___/ /___/ /___/ /___/ /___/
Part 3. Participation in the program of land registration and land use consolidation			
Q 16	Has your household land been registered?	1. Yes 2. No	/___/
Q17	If yes, which legal document for ownership were you given?	1. Title-deed document 2. Provisional title to land 3. None	/___/
Q 18	If you have not yet acquired the title-deed document what should be the cause? <i>(More than one answer are possible)</i>	1. Our land is subject to disputes 2.Non justified delay 3.Other(please specify	/___/ /___/ /___/
Q19	Have you been involved in the programme of land use consolidation?	1.Yes 2. No → 26	/___/
Q20	If yes which modality have you adopted?	1.Land consolidation with mono-cropping 2. Mono-cropping without land consolidation	/___/
Q21	Do you farm your land individually or you joined others in a cooperative?	1.I am a member of a cooperative 2.I farm individually 3.I farm in both ways	/___/
Q22	Have you practiced mono-cropping on all your land or on a part of it?	1.A part of the land 2. The whole land 3.Other (please specify)	/___/
Q23	How many households are members of your cooperative?	..... .....	
Q24	If in farming cooperative, what is the total area under land use consolidation farmed by your cooperative?	..... ..... .....	

Q25	How do you manage the harvested agricultural produce in your farming cooperative?	1.Each member takes the harvest of his/her land 2.All the products belong to the cooperative and members share interests 3.Other (please specify)	/___/
Q26	If you have not been involved in land use consolidation please explain why?	..... ..... .....	
Part 4: The contribution of land registration and land use consolidation programmes in fighting poverty and solving land conflicts			
1.1. Promoting commercial agriculture			
<i>a) Increasing agricultural production</i>			
Q27	Which crops does your household grow among the priority crops farmed in this region? (More than one answer are possible)	1.Maize 2.Rice 3.Soya-beans 4.Vegetables 5.Fruits 6.8. Cassava 7.Other (please specify)	/___/ /___/ /___/ /___/ /___/ /___/ /___/
Q28	Were you consulted to select the priority crops farmed in this region?	1. Yes 2. No	/___/
Q 29	What is the type of seeds grown?	1.Improved seeds approved by Minagri 2.Traditional seed 3.Mixed seeds	/___/
Q 30	Where do you get seeds from? (More than one answer are possible)	1.We buy them at the market 2.We receive them freely from the state 3. We buy them from the state 4.Ngos distribute them freely 5. We buy them from NGOs 6. Elsewhere (Please specify).....	/___/ /___/ /___/ /___/ /___/
Q31	Compared to multi-cropping, has monocropping brought increase in productivity?	1.The agricultural production increased 2.Nothing changed 3.The agricultural production decreased 4.Other (please specify)	/___/
Q32	If the agricultural production increased, to what extent is that?	1.Very High 2.High 3.Moderate 4.Low 5. Very low 6.Not at all	/___/

Q33	If the productivity decreased or remained the same what should be the causes? <i>(More than one answer are possible)</i>	1.Lack of fertilisers 2.Much sun 3.Much rainfall 4.Irregularities in rainfall 5.Delays in improved seeds delivery 6. Other (please specify) 	/ ☐ / / ☐ / / ☐ / / ☐ /
Q34	If the productivity increased what should be the causes? <i>(More than one answer are possible)</i>	1. Financial cost of fertilisers eased by the government 2.Availability of farmer promoters(Agronomists) 3.Use of fertilisers 4.Use of improved seeds 5. Availability of donors 6.Use of mechanization 7.Other (please specify) 	/ ☐ / / ☐ / / ☐ / / ☐ / / ☐ / / ☐ / / ☐ / / ☐ /
Q35	Choose the tool that matches the one that you use in your agricultural activities: <i>(More than one answer are possible)</i>	1.Fertilisers 2.Traditional manure 3.Hoes 4.Tractors 5.Post-harvest technology 6. Other (please specify) 	/ ☐ / / ☐ / / ☐ / / ☐ / / ☐ / / ☐ / / ☐ /
Q36	What is the size of the total area that your household farmed for the last season?	..... .....	
Q37	Estimate the total kgs/tones produced on one hectare/are for the last season:	1.Maize.....Kgs or T 2.Fruits.....Kgs (T) 3.Beans....Kgs(T) 4.Vegetables...Kgs(T) 5.Rice.....Kgs(T) 6.Soy-Beans....Kgs (T) 7.Cassava 8. Other (please specify) 	/ ☐ / / ☐ / / ☐ / / ☐ / / ☐ / / ☐ / / ☐ /
Q38	To what extent did the land use consolidation/monocropping contribute in increasing varieties of food (crops) at the local market?	1.Very high contribution 2. High contribution 3. Moderate contribution 4.Low contribution 5. Very low contribution 6.Not at all	/ ☐ /

Q39	If the extent of contribution is low, very low or not at all, motivate your answer?	1.All the production is sold elsewhere 2.All the production is exported 3.The production is low 4. Others(Please specify)	/ / / / / /																																																	
Q40	What is the extent to which gathering in a cooperative of land users helped to perform in the following: <i>(Put a x in the place corresponding to the right answer in each row)</i>	<table border="1"> <thead> <tr> <th></th> <th>(1) Very High</th> <th>(2) High</th> <th>(3) Moderate</th> <th>(4) Low</th> <th>(5) Very Low</th> <th>(6) Not at all</th> </tr> </thead> <tbody> <tr> <td>To find donors</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>To increase productivity</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>To find loans</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>To find trainings</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>To reduce land fragmentation</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		(1) Very High	(2) High	(3) Moderate	(4) Low	(5) Very Low	(6) Not at all	To find donors							To increase productivity							To find loans							To find trainings							To reduce land fragmentation														
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To reduce land fragmentation																																																				
b) Increasing market use of land																																																				
Q41	To what extent did the issue of titles to land brought the following changes to the land market? <i>(Put a x in the place corresponding to the right answer in each row)</i>	<table border="1"> <thead> <tr> <th></th> <th>1. Very High</th> <th>(2) High</th> <th>(3) Moderate</th> <th>(4) Low</th> <th>(5) Very Low</th> <th>(6) Not at all</th> </tr> </thead> <tbody> <tr> <td>Land price</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Land value</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>increment of land buyers</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Opportunities to acquire loans</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>increment of land sellers</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Increment of business in land</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>		1. Very High	(2) High	(3) Moderate	(4) Low	(5) Very Low	(6) Not at all	Land price							Land value							increment of land buyers							Opportunities to acquire loans							increment of land sellers							Increment of business in land							
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Q42	How much money was one hectare of land before land registration programme and how much is it today? (NB: To be answered by those who sold a piece of land over the last 6 months)	1.Before Frws/ha 2.Today.....Frws/ha	/ / / /																																																	

Q50	If you did not agree on the price which consequences that came about later? <i>(More than one answer are possible)</i>	1.I was victimised 2.I was forced to sell it and accept the amount 3.It created conflicts between me and the buyer 4. I was traumatised 5.It deepened me in poverty 6.Others (Please specify) 	/___/ /___/ /___/ /___/ /___/ /___/
Q51	If you bought land, what are the reasons that pushed you to do it? <i>(More than one answer are possible)</i>	1.Extend developmental actions 2.Keep land for future sale 3. Others (Please specify) 4.None	/___/ /___/ /___/ /___/
Q52	In your household, what do you plan to use the agriculture production for?	1.To be consumed by ourselves 2.To be sold all 3.A half to be consumed, a half to be sold 4. Share with relatives 5.Other (Please specify) 	/___/
Q53	What have you used the last season produce for? <i>(More than one answer are possible)</i>	1.We consumed them all 2.We sold them all 3.Some were consumed other were sold at the market 4.We saved a part of it 5. Others (Please specify) 	/___/ /___/ /___/ /___/ /___/ /___/
Q54	In your cooperative, what did you plan the produce to be used for? <i>(More than one answer are possible)</i>	1.To be shared by members 2.To be sold by the cooperative and share interests to members 3.To sell a part of it and share another it to members 4. Others (Please specify) 	/___/ /___/ /___/ /___/ /___/ /___/

Q55	Do you have permanent markets where you sell your food production?	1.We have permanent markets 2.We have a market but it is not permanent 3.We have no market 4. Others (Please specify)	/___/
Q56	Where are the markets localised? (More than one answer are possible)	1.In our local district 2.In other districts of our province 3.In other Provinces 3.In the city of Kigali 4.Outside Rwanda 5. Others (Please specify)	/___/ /___/ /___/ /___/
Q57	If it is outside Rwanda, name the countries:	1..... 2..... 3..... 4..... 5.....	
Q58	To what extent did land registration enable you to access the market?	1.Very High 2.High 3.Moderate 4.Low 5. Very low 6.Not at all	/___/
Q59	To what extent did land use consolidation enable you to access the market for agricultural produce?	1.Very High 2.High 3.Moderate 4.Low 5. Very low 6.Not at all	/___/
Q60	To what extent do you perform the following kinds of operations at the markets? Would you say it is: 1.Very High 2.High 3.Moderate 4.Low 5. Very low 6.Not at all	1. Agricultural inputs trade 2. Selling agricultural produce 3. Buying food 4.Agricultural business outside of the country	/___/ /___/ /___/ /___/ /___/
d) Rising agricultural profit			
Q61	Considering the money your household invests in land use consolidation based-agriculture, to what extent does agriculture generates profit?	1.Very High 2.High 3.Moderate 4.Low 5. Very low 6.Not at all	/___/

Q62	To what extent does your cooperative get profit from agricultural activities?	1. Very High 2. High 3. Moderate 4. Low 5. Very low 6. Not at all	/ /
Q63	What kind of profit did you get from registering your land and acquiring title-deed as proof of ownership? <i>(More than one answer are possible)</i>	1. Full land ownership 2. End of land conflicts 3. Acquisition of other land rights 4. Freedom of land use 5. No other person's claim for it 6. Loans from the bank 7. Others (Please specify)	/ / / / / / / / / /
Q64	Does investing in agriculture generate more income (profit) than before land use consolidation programme?	1. It generates more income than before 2. It is the same as before 3. It was generating more income before 4. No profit today	/ /
Q65	What did you use the money earned from land sale for? <i>(More than one answer are possible)</i>	1. I saved all of it to the bank 2. I invested it in other income generating activities 3. I used it all to cover my needs 4. Other (please specify)	/ / / / / / / /
Q66	What for do you use the money (income) earned from agricultural production? <i>(More than one answer are possible)</i>	1. I save all of it to the bank 2. I invest in other income generating activities 3. I use it all to cover my needs 4. Others (Please specify)	/ / / / / / / /

Q67	Using the money earned from agricultural activities, to what extent have you achieved positive changes in the following areas:	1. Very High (2) High (3) Moderate (4) Low (5) Very Low (6) Not at all Nutrition (food security) Education fees fund Housing Income generating activities (projects) Better health Saving Transport and communication Doing business Buying domestic materials Leisure activities Building self-confidence Building social ties
4.2. Advancing equality		
a) <i>Partnership, participation practices between government and land owners</i>		
Q68	Choose the option that matches your opinion: The population participation in land use consolidation was:	1. Free 2. Forced 3. Other (Specify) 98. Refused / ___ /
Q69	If you declare that it was free, explain how it happened?	..... ..... ..... ..... .....
Q70	If you declare that it was forced, explain how it happened?	..... ..... .....

Q71	To what extent were you consulted on the following land reform components before their adoption? Would you say it is: 1.Very High 2.High 3.Moderate 4.Low 5. Very low 6.Not at all	1. land registration 2. land use consolidation	/___/ /___/
Q72	If you were consulted, to what extent were your ideas taken into account in the land policy adopted? Would you say it is:	1.Very High 2.High 3.Moderate 4.Low 5. Very low 6.Not at all	/___/
Q73	To what extent did you contribute in the implementation of land registration programme	1.Very High 2.High 3.Moderate 4.Low 5. Very low 6.Not at all	/___/
Q74	To what extent did you contribute in the implementation of land use consolidation programme?	1.Very High 2.High 3.Moderate 4.Low 5. Very low 6.Not at all	/___/
<i>b)Increasing the knowledge of people about land use</i>			
Q75	To what extent have you got explanations about the current land policy and law	1.Very High 2.High 3.Moderate 4.Low 5. Very low 6.Not at all/	/___/
Q76	If you got explanations to what extent are they?	1. Very sufficient 2. Sufficient 3. Moderate 4. Insufficient 5. Very insufficient 6. Not at all	
Q77	Where have you got information and explanation about land reform?	1.In the public meetings 2.In the media 3.In church meetings 4. Elsewhere (Please mention.....)	/___/ /___/ /___/ /___/
Q78	To what extent has your knowledge about land use so far increased compared to the period before?	1.Very High 2.High 3.Moderate 4.Low 5. Very low 6.Not at all	/___/

Q79	Give examples of what new have you learned about land use and what is it confusing you up to now?	..... ..... .....	
Q80	Give examples of what is it confusing you up to now?	..... ..... .....	
Q81	In your land use consolidation cooperative, are there people who are excluded from membership for different reasons?	1.Yes 2.No	/___/
Q82	If yes explain	..... ..... .....	
c) Promoting gender balance			
Q83	If your name and signature appear on the title-deed that you were given, what is your title? <i>(To be answered by women only)</i>	1. Landowner 2.Co-owner 3.Other (please specify)	/___/ /___/ /___/
Q84	If you sold your household land have you consulted with your family (spouse & children)? <i>(To be answered by women only)</i>	1. Yes 2. No	/___/
Q85	Have you received your own land in terms of inheritance from parents? <i>(To be answered by women only)</i>	1. Yes 2. No	/___/
Q86	If yes have you inherited from your father and your mother? <i>(To be answered by women only)</i>	1. From My father 2. From my mother 3. From both 4. Others	/___/
Q87	If no say why? <i>(To be answered by women only)</i>	..... ..... .....	
Q88	Have you faced reluctance from your brothers? <i>(To be answered by women only)</i>	1. Yes 2. No	/___/
Q89	If yes, explain how this happened and what was the end of the story?	..... ..... .....	
Q90	If there are other cases of men's reluctance to acknowledge their sisters' ownership of land, to what extent are those cases?	1.Very High 2.High 3.Moderate 4.Low 5. Very low 6.Not at all	/___/
Q91	If it is very high and high what are its consequences?	..... ..... .....	

Q92	Did you see women among the following categories?	1. Yes 2.No Employees in land registration Agents of Land use consolidation follow up Members of cooperative of land use consolidation	
d)Heightening the protection of the poor (vulnerable)			
Q93	Does the land registration programme in practice care for the vulnerable people in particular in this area?	1.Yes 2.No	/ ____ /
Q94	If they are considered do you mean that:	1. They are given a special assistance to get title-deeds 2.They are assisted to get loans 3.They get attorneys at law 4. They receive trainings 5.Others (please specify..)	/ ____ / / ____ / / ____ / / ____ /
Q95	If they are not assisted motivate your answer?	..... ..... ..... .....	
Q96	The vulnerable people experiment the following conditions: Choose the option that matches your opinion:	1.Loosing land unjustly 2.Selling on low price due to ignorance 3. Landlessness 4. Others (Please specify).	/ ____ / / ____ / / ____ / / ____ /
Q97	In your cooperative of land users, do the following categories of vulnerable people get membership?	(1) (2) Yes No Historically marginalised people "Batwa" economically poor people Genocide survivors Released genocide convicts	
4.3. Stabilising rural social relationship			
a) Lessening land conflict			
Q98	To what extent were land related conflicts occurring in this region, before launching the land reform program	1.Very High 2.High 3.Moderate 4.Low 5. Very low 6.Not at all/decreased	/ ____ /

Q99	If the option is high or very high, conflicts tended to be between who and who?	1.Family members 2.Neighbouring families 3.Others (Please specify)	/ / / / / /
Q100	The sources of land related conflicts tended to be:	1.Land boundaries 2.Inequality in land ownership 3.Female exclusion 4.Polygamy 5.Land scarcity 6.Others (Please specify)	/ / / / / / / / / /
Q101	Today, to what extent can we say that land related conflicts reduced?	1.Very High 2.High 3.Moderate 4.Low 5. Very low 6.Not at all	/ /
Q102	If land conflicts reduced to the high level, the reasons should be: Choose the option that matches your opinion:	1. Clarification of land boundaries 2.Records of all the lands 3.Setting up decentralised land commissions/bureaux 4.Others (Please specify)	/ / / / / / / /
Q103	If land conflicts did not reduce, the reasons should be: Choose the option that matches your opinion:	1.Weaknesses among land conflict dealers 2.Poor knowledge of the land law 3.Others (please specify)	/ / / / / /
Q 104	If land conflicts increased so far to what extent?	1.Very High 2.High 3.Moderate 4.Low 5. Very low 6.Not at all	/ /

Q105	If land conflicts increased after land reform launch, the reasons should be: Choose the option that matches your opinion:	1. Issues related to poor knowledge of the land law 2. Late issue of title-deeds 3. Cases related to unclear boundaries 4. Women exclusion from inheritance 5. Corruption/bribes during land registration 6. Corruption/bribes in land sale/purchase 7. Others (Please specify) 	/ ___ / / ___ / / ___ / / ___ / / ___ / / ___ /
<i>b) Increasing activities promoting social cohesion</i>			
Q106	In the land users cooperatives, are there people who formerly had lived in land related conflicts?	1. Yes 2. No	/ ___ /
Q107	If yes, are there activities that you achieve together which promote cohesion among members?	1. Yes 2. No	/ ___ /
Q108	If yes, choose the option that matches with one of those activities:	1. Farming together 2. Mutual visit 3. Mutual help/assistance 4. Many meetings 5. Conviviality 6. Others (Please specify) 	/ ___ / / ___ / / ___ / / ___ / / ___ / / ___ /
Q109	What is the extent to which these meetings and activities performed together in cooperatives strengthen cohesion of members?	1. Very High 2. High 3. Moderate 4. Low 5. Very low 6. Not at all	/ ___ /
<i>c) Reducing land fragmentation</i>			
Q110	How are the family lands farmed?	1. Individually 2. Collectively	/ ___ /
Q111	Does the culture of bequeathing land through inheritance persist in this region?	3. Yes 4. No	/ ___ /

Q112	If it is done, to what extent is it?	1. Very High 2. High 3. Moderate 4. Low 5. Very low 6. Not at all	/ ____ /
Q113	If you have bequeathed land to your children, which model have you used?	1. Individual ownership 2. Collective ownership 3. Others(Please	/ ____ /
Q114	If you have not yet bequeathed land to your children, which model will you use?	..... ..... .....	
4.4. Positive and negative aspects of land reform			
Q115	If women are given land in terms of inheritance from their parents, is there any positive effect?	1. Yes 2. No	/ ____ /
Q116	If it is yes, to what extent are those changes?	1. Very High 2. High 3. Moderate 4. Low 5. Very low 6. Not at all	/ ____ /
Q117	Give examples of positive changes brought by women access to inheritance?	..... ..... ..... ...	
Q118	If the answer is no, what are the consequences brought by women access to inheritance?	..... ..... ..... ...	
Q119	The land registration programme is a good and relevant programme. Choose the option that matches your opinion:	1. Strongly agree 2. Agree 3. Disagree 4. Strongly disagree	/ ____ /
Q120	If you declare that you agree or strongly agree, motivate your answer?	..... ..... .....	
Q121	If you declare that you disagree or strongly disagree, motivate your answer?	..... ..... .....	

Q122	The land use consolidation programme is a good and relevant programme: Choose the option that matches your opinion:	1. Strongly agree 2. Agree 3. Disagree 4. Strongly disagree	/ ____ /
Q123	If you declare that you agree or strongly agree, motivate your answer?	..... ..... .....	
Q124	If you disagree motivate your answer?	..... ..... .....	
Q125	How do you appreciate the land registration implementation?	1. Very well implemented 2. Well Implemented 3. Moderately implemented 4. Badly implemented 5. Very badly implemented	/ ____ /
Q126	If it is badly and very badly implemented, explain how?	..... ..... .....	
Q127	If it is well and very well implemented, explain how?	..... ..... ..... ..... .....	
Q128	How do you appreciate the land use consolidation implementation?	1. Very well implemented 2. Well Implemented 3. Moderately implemented 4. Badly implemented 5. Very badly implemented	/ ____ /
Q129	If it is well and very well implemented, explain how?	..... ..... .....	
Q130	If it is badly and very badly implemented, explain how?	..... ..... .....	
	4.5. Challenges and suggestions		
Q131	What are the challenges do you face in your activities of land use consolidation?	..... ..... .....	

[illegible]

ANNEXURE C: CONSENT FORM FOR PARTICIPATION IN A RESEARCH PROJECT

(Kinyarwanda version)

Bwana/Madamu Muhinzi,

Ndi umunyeshuli mu cyiciro cy'ikirenga mu ishami rya Government and social studies muri Kaminuza ya North-West, Potchefstroom Campus. Ndimu ndakora ubushakashatsi muri iyi ntara y'amajyepfo nkaba nagira ngo ngusabe kunshyigikira ugira uruhare muri ubu bushakashatsi bugamije kumpesha impamyabumeny y'ikirenga ya PhD muri Development na Management.

Ubu bushakashatsi burakorwa kuri ibi bikurikira: **“Isuzuma ry'imigendekere y'ishyirwamubikorwa rya gahunda yo kuvugurura imicungire y'ubutaka mu Rwanda. Intara y'amajyepfo”**.

Mu kudufasha uraza gusubiza ibibazp byose ubazwa byateguwe kugira ngo byifashishwe mu gusuzuma imigendekere y'ishyirwamubikorwa rya gahunda y'ivugurura ry'imicungire y'ubutaka mu ntara y'amajyepfo y'u Rwanda. Iri suzuma rikorerwa kuri gahunda ebyiri arizo iyo kwandika ubutaka n'iyi guhuza ubutaka, cyane cyane harebwa ahagaragaye intege nke n'ahagaragaye imbaraga kuri buri gahunda. Ubu bushakashatsi kandi buzareba ingorane gahunda yo kuvugurura imicungire y'ubutaka yagiye ihura nazo ndetse hashakwe n'icyakorwa kugira ngo izo ingorane zishire. Hashingiwe kubyo ubu bushakashatsi buzaba bwaragezeho, tuzatanga inzira zishobora gukoreshwa kugira ngo gahunda yo kuvugurura imicungire y'ubutaka ikorwe neza ku buryo ikemura ibibazo by'ubukene n'amakimbirane ashingiye ku butaka.

Ntaho tukubaza amazina yawe ntanaho tuyandika kandi amakuru uri butange azagirwa ibanga akoreshe gusa ku mpamvu z'ubu bushakashatsi. Kugira uruhare muri ubu bushakashatsi ni ubushake bwawe. Wemerewe kandi kwivana mu bushakashatsi igihe cyose ushakiye nta zindi ngaruka bikugizeho. Niba wemeye nta gahato gusubiza ibibazo, usabwe kubikora mu kuri kose.

Murakoze.

JD DUSHIMIMANA

ANNEXURE D: PROOF OF EDITING

17 La Rochelle Street
Berg-en-Dal
WELLINGTON
7655
25 November 2015

TO WHOM IT MAY CONCERN:

I hereby confirm that the PhD thesis by Mr Jean de Dieu Dushimimana, *An evaluation of land reform implementation in post-genocide Rwanda: The case of the Southern Province*, was edited and groomed to the best of my ability within the available timeframe; this included recommendations to improve the language and logical structure and reconstructive editing to enhance the presentation.

Rev Claude Vosloo
Language and knowledge practitioner and consultant

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<http://homeofcreativity.co.za/info>

South African Translator's Institute reference no: 100 2432
Associate Member of PEG (Professional Editor's Group)

Home of Creativity ULTD 

<i>Don't think outside the box, reinvent the box</i>

ANNEXURE E: QUESTIONNAIRE FOR LAND REFORM BENEFICIARIES (FARMERS)

(Kinyarwanda version)

Part I. IBIBAZO BIJYANYE N'UMWIRONDORO W'UBAZWA (I-K)			
N° y'ikibazo	Ibibazo	Ibisubizo	Ibirango
Q1	Intara		
Q2	Akarere		
Q3	Umurenge		
Q4	Akagari		
Q5	Umudugudu		
Q6	Ufite imyaka ingahe y'amavuko?		
Q7	Igitsina	1. Gabo 2. Gore	/___/
Q8	Irangamimerere ry'ubazwa	1. Ingaragu 2. Arubatse 3. Utarigeze asezerana 4. Umupfakazi 5. Baratandukanye	/___/
Q9	Umwanya afite mu rugo	1. Umwana 2. Imfubyi yirera 3. Imfubyi irerwa 4. Umubyeyi 5. Umubyeyi wa Nyirurugo	/___/
Q10	Ni ikihe cyiciro cy'amashuri warangije?	1. Ntacyo 2. Amashuri abanza 3. Amashuri y'imyuga 4. icyiciro cya mbere cy'amashuri yisumbuye 5. Amashuri yisumbuye 6. Amashuri makuru/ Kaminuza (A0)	/___/
Q11	Abana wabyaye bariho ni bangahe	.....	
Q12	Umurimo wakoze mu mezi 12 ashize ni uwuhe? (Uwinjiza kurusha indi) (Ibisubizo birenze kimwe birashoboka)	1. Ntawo 2. Umuhinzi 3. Umworozi 4. Umucuruzi /Uwikorera 6. Umukozi wa Leta 7. Umukozi w'Umuryango utari uwa Leta (NGO) 8. Undi (wuvuge)	/___/ /___/ /___/ /___/

Q13	(Niba warashatse) : Ni ubuhe buryo muri ubu bukurukira mwahisemo gusezerana?	1.Ivangamutungo risesuye 2.Ivangamutungo-muhahano 3.Ivanguramutungo	/___/
Part 2. Ibibazo birebana n'umutungo w'ubutaka (I-K)			
Q14	Ubutaka urugo rwanyu rutunze bungana bute ? (Soma ku cyemezo cya nyirubutaka uko ubutaka bungana byanditseho)	..... ..... ..... .....	
Q 15	Ni ubuhe buryo mwabubonyemo? (<i>Ibisubizo birenze kimwe birashoboka</i>)	1.Wabuhawe n'ababyeyi 2.Wabuhawe n'abandi 3.Warabuguze 4.Waracyebewe 5. Ubundi (buvuge)	/___/ /___/ /___/ /___/ /___/
Part 3. Ubwitabire bwa gahunda zo kwandika no guhuza ubutaka hahingwa igihingwa kimwe (I-K)			
Q 16	Mwandikishije ubutaka bw'urugo rwanyu?	1. Yego 2. Oya	/___/
Q17	Niba igisubizo ari yego, icyangombwa mwahawe ni ikihe?	1. Icyangombwa cya burundu 2. Icyangombwa cy'agateganyo 3. Nta na kimwe	/___/
Q 18	Niba mutarabonye icya burundu vuga impamvu yabiteye? (<i>Ibisubizo birenze kimwe birashoboka</i>)	1.Isambu iri mu manza 2.Nta mpamvu izwi yo gukererwa kubiduha 3.Ibindi (bivuge)	/___/ /___/ /___/
Q19	Witabiriye gahunda yo guhuza ubutaka no guhinga igihingwa kimwe?	1.Yego 2. Oya → 26	/___/
Q20	Niba ari yego, mwahuje ubutaka mu buhe buryo?	1.Twahuje ubutaka tunahinga igihingwa kimwe 2. Twahinze igihingwa kimwe gusa 3.Ubundi buryo(buvuge)	/___/
Q21	Mukorera hamwe n'abandi muri koperative y'abahuje ubutaka/igihingwa kimwe cg uhinga wenyine? (K)	1.Nkorera muri koperative 2.Mpinga nyenyine 3.Byombi ndabikora	/___/

Q22	Ese ubutaka bwose wabushyize muri iyo gahunda? (K)	1.Ni igice kimwe cy'ubutaka 2. Ni ubutaka bwose 3.Ibindi (Bivuge)	/ ____/
Q23	Hamwe n'abo mwahuje ubutaka muri koperative muri ingo zingahe? (K)	..... .....	
Q24	Hamwe n'abo mwahuje ubutaka muri koperative, ubuso muhinga bungana iki? (K)	..... ..... .....	
Q25	Ni gute mucunga umusaruro mukuye mu buhinzi nka Koperative y'abahuje ubutaka/bahinga igihingwa kimwe? (K)	1.Buri wese atwara ibyeze mukwe 2.Byose ni ibya koperative tukagabana inyungu 3.Ubundi buryo(buvuge)	/ ____/
Q26	Niba utarigeze witabira guhinga igihingwa kimwe, ni iki cyabiguteye?	..... ..... .....	
Part 4: Uruhare rwa gahunda yo kwandikisha no guhuza ubutaka hahingwa igihingwa kimwe mu kurwanya ubukene no gucyemura amakimbarane ashingiye ku butaka			
1.2. Guteza imbere ubuhinzi buhingira amasoko			
d) Kongera umusaruro w'ubuhinzi			
Q27	Ni izihe mbuto urugo rwanyu ruhinga mu zigenewe guhingwa muri aka gace? <i>(Ibisubizo birenze kimwe birashoboka)</i>	1.Ibigori 2.Umuceri 3.Soya 4.Imboga 5.Imbuto 6. Imyumbati 7.Izindi(zivuge)	/ ____/ / ____/ / ____/ / ____/ / ____/ / ____/
Q28	Mwagishijwe inama mu guhitamo imbuto zihingwa muri aka gace?	1.Yego 2.Oya	/ ____/
Q29	Imbuto mutera ziri mu ruhe rwego? <i>(Ibisubizo birenze kimwe birashoboka)</i>	1.Imbuto z'indobanure zujuje ubuziranenge zemewe na Minagri 2.Imbuto za gakondo zisanzwe 3.Izivanze	/ ____/ / ____/ / ____/

Q30	Imbutu mutera muzikura he? (Ibisubizo birenze kimwe birashoboka)	1.Tuzigura ku masoko 2.Leta iziduhera ubuntu 3.Leta irazitugurisha 4.NGOs ziziduhera ubuntu 5.Tuzigura mu NGOs 6.Ahandi (Havuge)	/___/ /___/ /___/ /___/ /___/ /___/ /___/
Q31	Tugereranyije uburyo mukoresha bwo guhinga igihingwa kimwe n'uburyo mwakoresheye mbere mubona umusaruro mukura mu isambu yanyu wariyongereye?	1.Wariyongereye 2.Nta cyahindutse →33 3.Waragabanutse →33 4.Ibindi (bivuge)	/___/
Q32	Niba wariyongereye wiyongereye ku ruhe rugero?	1.Urugero runini cyane 2.Urugero runini 3.Urugero ruringaniye 4.Urugero ruto 5. Urugero ruto cyane 6. Ntarwo	/___/
Q33	Niba waragabanutse cyangwa utarahindutse byatewe n'iki? (Ibisubizo birenze kimwe birashoboka)	1.Kubura ifumbire 2.Izuba ryinshi 3.Imvura nyinshi 4.Imihindagurike y'ibihe 5.Kutabonera imbuto igihe 6.Ibindi (Bivuge)	/___/ /___/ /___/ /___/ /___/ /___/
Q34	Niba wariyongereye byatewe n'iki? (Ibisubizo birenze kimwe birashoboka)	1.Leta yagabanuye igiciro cy'ifumbire 2.Twabonye abarimu b'ubuhinzi 3.Twakoresheje ifumbire mvaruganda 4.Twahinze imbuto z'indobanure 5. Twabonye abaterankunga 6.Twakoresheje imashini zihinga 7. Ibindi (bivuge)	/___/ /___/ /___/ /___/ /___/ /___/ /___/ /___/
Q35	Ni ikihe gikoresho mukoresha mu mirimo yanyu y'ubuhinzi muri ibi bikurikira? (Ibisubizo birenze kimwe birashoboka)	1.Ifumbire mvaruganda 2.Ifumbire y'imborera 3.Amasuka 4.Imashini zihinga 5.Imashini zitunganya umusaruro 6.Ibindi (bivuge)	/___/ /___/ /___/ /___/ /___/ /___/
Q36	Ku mwero/gihembwe ushize mu rugo rwanyu mwahinze hegitari zingahe?	..... .....	

Q37	Kuri ha/are imwe mugereraniye hezeho ibiro bingahe bya: (Ibisubizo birenze kimwe birashoboka)	1.Ibigori.....Kgs (Toni) 2.Imbuto.....Kgs (Toni) 3.Ibishyimbo..Kgs(Toni) 4.Imboga.....Kgs(Toni) 5.Umuceri.....Kgs(Toni) 6.Soya.....Kgs (Toni) 7.Imyumbati..Kgs (Toni) 8.Ibindi (Bivuge)	/ / / / / / / / / / / /
Q38	Mubona gahunda yo guhinga igihingwa kimwe yaragize uruhare rungana iki mu gutuma ibiribwa bitandukanye biboneka ku masoko y'inaha?	1.Ni runini cyane 2.Ni runini 3. Ruraringaniye 4.Ni ruto 5. Ni ruto cyane 6. Ntarwo	/ /
Q39	Niba ari ruto, ruto cyane cyangwa ntarwo biterwa n'iki? (Ibisubizo birenze kimwe birashoboka)	1. Umusaruro wose ugurishwa ahandi 2.Umusaruro ugurishwa hanze mu bindi bihugu 3.Umusaruro uba muke 4.Ibindi (Bivuge)	/ / / / / / / /
Q40	Ni ku ruhe rugero kuba muri koperative y'abahuje ubutaka byabafashije muri ibi bikurikira: (Shyira x mu kazu karimo igizubizo nyacyo)(K)	(1) Runi ni cyane (2) Runi ni (3) Ruriranganiye (4) Ruturwo (5) Ruto cyane (6) Ntarwo Kubona abatari akungu Kongera umusaruro Kubona inguzanyo	
	e) Kwagura isoko ry'ubutaka	Kubona	
Q41	Ni ku ruhe rugero gahunda yo gutanga ibyangombwa by'ubutaka yahinduye ibi bikurikira ku isoko ry'ubutaka? (Shyira x mu kazu karimo igizubizo nyacyo)	amahu gukubwira kutanga ibyubutaka aho abantu bashyirirako ibyubutaka Ubwiye ngere bw'abaguzi Amahirwe yo kubona inguzanyo muri banki Ubwiye ngere bw'abagurisha Ubwiye ngere bw'abakora	(1) Runini cyane (2) Runini (3) Ruriranganiye (4) Ruturwo (5) Ruto cyane (6) Ntarwo

Q42	Mbere hegitare imwe y'ubutaka yaguraga angahe ? Ubu iragura angahe? (Uwagurishije mu mezi 6 ashize)	1.Mbere Frws/ha 2.Ubu.....Frws/ha	
Q43	Wowe waguze ubutaka cyangwa warabugurishije kuva aho gahunda yo kwandika ubutaka no gutanga ibyangombwa? (Ibisubizo birenze kimwe birashoboka) (G)	5. Narabugurishije 6. Narabuguze (→48) 7. Byombi 8. Nta na kimwe	/___/
c) Gutuma abaturage bagira uruhare mu isoko ry'ubutaka n'umusaruro			
Q44	Niba mwaragurishije cyangwa mwaraguze ubutaka mu mezi atandatu ashize hegitari imwe yaguraga angahe? (G)	..... ..... ..... .....	
Q45	Niba mwaragurishije ubutaka bwanyu mwabugurishije ku bushake? (G)	1.Yego →47 2.Oya	/___/
Q46	Niba ari oya byatewe n'iki? (Ibisubizo birenze kimwe birashoboka)	1.Kwimurwa na Leta 2. Kwimurwa ku ngufu 3.Kwishyura ibyangijwe muri jenocide 4.Ibibazo byinshi byari bikenewe gukemurwa n'amafaranga 5.Ibindi (Bivuge)	/___/ /___/ /___/ /___/ /___/
Q47	Niba warabugurishije ku bushake wabitewe n'iki? (Ibisubizo birenze kimwe birashoboka) (G)	1.Kugurisha ahatera ngo ngure ahera 2.Kujya mu yindi mishinga itari iy'ubuhinzi 3.Kugura ikibanza mu mudugudu 4.Ibindi (Bivuge) 5. Nta na kimwe	/___/ /___/ /___/ /___/ /___/
Q48	Habayeho ubwumvikane hagati yawe n'uwo mwaguze? (G)	1.Yego 2.Oya	/___/
Q49	Niba ari oya, sobanura uko byagenze (G)	..... ..... .....	

Q50	Niba nta bwumvikane bwabayeho ku bicio ni izihe ngaruka byagize? (Ibisubizo birenze kimwe birashoboka) (G)	1.Nararenganye 2.Nategetswe kwemera amafaranga no kugurisha 3.Byateye amakimbirane hagati yanyje n'uwo twaguze 4. Byanteye ihungabana 5.Byanyongereye ubukene 6.Ibindi (Bivuge)	/ ☐ / / ☐ / / ☐ / / ☐ / / ☐ / / ☐ /
Q51	Niba waraguze ubutaka wabitewe n'iki? (Ibisubizo birenze kimwe birashoboka) (G)	1.Kwagura ibikobwa by'amajyambere 2.Ubutaka ni isoko y'ubukire 3.Ibindi (Bivuge) 4.Ntacyo	/ ☐ / / ☐ / / ☐ / / ☐ / / ☐ / / ☐ /
Q52	Mu rugo rwawe, umusaruro mwakuye mu buhinzi mu gihembwe gishize mwari mwarawuteganiye gukoreshwa iki? (Ibisubizo birenze kimwe birashoboka)	1.Kuribwa wose 2.Kugurishwa ku masoko wose 3.Kugurishwa igice kimwe ikindi tukakirya 4.Guhaho abavandimwe 5.Ibindi (Bivuge)	/ ☐ / / ☐ / / ☐ / / ☐ / / ☐ / / ☐ /
Q53	Ubu ibyo muheruka kweza mu rugo rwanyu mwabimajije iki? (Ibisubizo birenze kimwe birashoboka)	1.Twarabiriye byose 2.Twabijyanye ku isoko byose 3.Bimwe twarabiriye ibindi tubijyana ku isoko 4.Twahunitse igice cy'umusaruro 5.Ibindi (Bivuge)	/ ☐ / / ☐ / / ☐ / / ☐ / / ☐ / / ☐ /
Q54	Muri koperative yanyu umusaruro mukura mu buhinzi muba mwarawuteganiye gukoreshwa iki? (Ibisubizo birenze kimwe birashoboka) (K)	1.Kuwugabagabana buri wese agakoresha uwe icyo ahatse 2.Kugurishwa ku masoko wose na koperative tukagabana inyungu 3.Kugurishwa igice kimwe ikindi tukakirya 4.Ibindi (Bivuge)	/ ☐ / / ☐ / / ☐ / / ☐ / / ☐ / / ☐ /

Q55	Ese mufite amasoko ahoraho mugurishirizamo umusaruro? (Ibisubizo birenze kimwe birashoboka) (I-K)	1.Dufite isoko rihoraho 2.Dufite isoko ariko ntirihoraho 3.Nta soko tubona 4.Ibindi(bivuge)	/___/ /___/ /___/ /___/
Q56	Ni hehe mufite isoko mugurishirizamo umusaruro w'ibiva mu buhinzi? (Ibisubizo birenze kimwe birashoboka) (I-K)	1.Mu karere kacu 2.Mu tundi turere two mu ntara yacu 3.Mu zindi ntara 4.Mu muji wa Kigali 4.Hanze y'u Rwanda 5.Ahandi (Havuge)	/___/ /___/ /___/ /___/
Q57	Niba ari hanze y'u Rwanda ni mu bihe bihugu? (I-K)	1..... 2..... 3..... 4..... 5.....	
Q58	Ni kuruhe rugero gahunda yo kwandikisha ubutaka no gutanga ibyangombwa byakongereye ubushobozi bwo kubona amafaranga yo kujyana ku isoko?	1.Runini cyane 2.Runini 3. Ruraringaniye 4.Ruto 5. Ruto cyane 6. Ntarwo	/___/
Q59	Ni kuruhe rugero ibikorwa by'ubuhinzi bw'igihingwa kimwe byakongereye ubushobozi bwo kujya ku isoko kugurisha umusaruro?	1.Runini cyane 2.Runini 3. Ruraringaniye 4.Ruto 5. Ruto cyane 6. Ntarwo	/___/
Q60	Ni ku ruhe rugero ukora imirimo ikurikira ku isoko? Twavuga ko ubikora ku rugero: 1.Ni runini cyane 2.Ni runini 3. Ruraringaniye 4.Ni ruto 5. Ni ruto cyane 6. Ntarwo	1. Ubucuruzi bw'ibikoreshe by'ubuhinzi 2. Kugurisha umusaruro 3.Guhaha ibiribwa 4.Ubucuruzi bw'ibikomoka ku buhinzi hanze y'igihugu	/___/ /___/ /___/ /___/
d) Kuzamura inyungu mu buhinzi			
Q61	Iyo urebye amafaranga urugo rwanyu rushora mu buhinzi bukorwa muri gahunda yo guhuza ubutaka no guhinga igihingwa kimwe usanga mwunguka ku rugero rungana gute?	1.Runini cyane 2.Runini 3. Ruraringaniye 4.Ruto 5. Ruto cyane 6. Ntarwo (Turahomba)	/___/

Q62	Muri koperative yanyu mu mirimo y'ubuhinzi mukora mwunguka ku rugero rungana gute? (K)	1.Runini cyane 2.Runini 3. Ruraringaniye 4. Ruto 5. Ruto cyane 6. Ntarwo (Turahomba)	/___/
Q63	Ni izihe nyungu wakuye mu kwandikisha ubutaka no kubona ibyangombwa? (Ibisubizo birenze kimwe birashoboka)	1.Kubona uburenganzira ku butaka bwanjye 2. Nta makimbirane ngifitanye n'abantu 4.Kubona ubundi burenganzira kubutaka 5.Kubukoresha icyo nshaka 6. Kuba ntawundi ubumburanya 7. Kubona inguzanyo muri banki 8.Ibindi (Bivuge)	/___/ /___/ /___/ /___/ /___/
Q64	Gushora amafaranga mu buhinzi birimo inyungu nyinshi kuri ubu kurusha mbere yo guhuza ubutaka?	1.Birimo inyungu nyinshi kuruta mbere 2.Ni kimwe na mbere 3.Mbere nibwo byungukaga cyane 4.Nta nyungu na nke bifite ubu	/___/
Q65	Amafaranga wakuye mu butaka wagurishije wayamajije iki? (G) (Ibisubizo birenze kimwe birashoboka)	1.Narayabikije yose 2.Nayashoye mu yindi mishinga ibyara inyungu 3.Nyakoresheje mu kwikenura ndayamara 4.Ibindi (Bivuge)	/___/ /___/ /___/ /___/
Q66	Amafaranga ukura mu buhinzi uyamaza iki? (Ibisubizo birenze kimwe birashoboka)	1.Ndayabitsa yose 2.Nyashora mu yindi mishinga ibyara inyungu 3. Nyakoresha mu kwikenura agashira 4. Ibindi (Bivuge)	/___/ /___/ /___/ /___/

Q67	Ukoresheje inyungu ukura mu buhinzi ni ku ruhe rugero witeje imbere muri ibi bikurikira:	(1) Runini	(2) Rurin ganiy e	(3) Rut o	(4) Ruto cyan e	(5) Nta rwo
		Mu mirire Mu kwishyurira abana amashuri Mu gutura neza Mu mishinga ibyara inyungu Mu kugira ubuzima bwiza Mu kuzigama Mu ngendo n'itumanaho Mu bucuruzi Guhaha ibikoresho byo munzu Mu kwidagadura Mu kwigira Mu kongera inshuti				
8.2. Guteza imbere uburinganire						
a) Imikoranire hagati y'abayobozi na ba Nyirubutaka muri gahunda y'ivugururwa ry'imicungire y'ubutaka						
Q68	Hitamo igisubizo kigendanye n'igitekerezo cyawe: Guhuza ubutaka no guhinga igihingwa kimwe mwabikoze ku bushake nta gahato cyangwa ni ku gahato?	1.Ku bushake 2.Ku ngufu za leta 71 3.Ibindi (Bivuge) 4.(Ndifashe)			/ ____ /	
Q69	Niba ari ku bushake sobanura uko byagenze	..... ..... .....				
Q70	Niba ari ku ngufu za leta sobanura uko byagenze	..... ..... .....				
Q71	Ni kuruhe rugero mwagishijwe inama mbere y'ishyirwamubikorwa rya za gahunda z'ivugurura ry'imicungire y'ubutaka zikurikira: Vuga niba ari ku rugero: 1.Runini cyane 2.Runini 3.Ruraringaniye 4. Ruto 5. Ruto cyane 6. Ntarwo	1. Gahunda yo kwandika ubutaka 2. Gahunda yo guhuza ubutaka hahingwa igihingwa kimwe			/ ____ / / ____ /	

Q72	Niba mwaragishijwe inama mbere, ni ku ruhe rugero ibitekerezo byanyu byitaweho mu gushyiraho politiki nshya y'ubutaka? Mwavuga ko ari ku rugero:	1.Runini cyane 2.Runini 3. Ruraringaniye 4. Ruto 5. Ruto cyane 6. Ntarwo	/___/
Q73	Ni ku ruhe rugero mwagize uruhare mu ishyirwa mu bikorwa rya gahunda yo kwandika ubutaka?	1.Runini cyane 2.Runini 3. Ruraringaniye 4. Ruto 5. Ruto cyane 6. Ntarwo	/___/
Q74	Ni ku ruhe rugero mwagize uruhare mu ishyirwa mu bikorwa rya gahunda yo guhinga igihingwa kimwe?	1.Runini cyane 2.Runini 3. Ruraringaniye 4. Ruto 5. Ruto cyane 6. Ntarwo	/___/
b)Kongerera abaturage ubumenyi ku ikoresha ry'ubutaka			
Q75	Ni ku ruhe rugero mwasobanuriwe politiki n'itegeko rishya ry'ubutaka mu Rwanda?	1.Runini cyane 2.Runini 3. Ruraringaniye 4. Ruto 5. Ruto cyane →82 6. Ntarwo →82	/___/
Q76	Niba mwarabisobanuriwe mwahawe ibisobanuro biri ku rugero rungana gute?	1.Birahagije cyane 2.Birahagije 2.Biraringaniye 3.Ni bike 4.Ni bike cyane 5.Nta na bike	/___/
Q77	Niba mwarasobanuriwe byanyuze mu zihe nzira/hakoreshejwe ubuhe buryo? (Ibisubizo birenze kimwe birashoboka)	1.Mu nama n'abayobozi 2.Mu itangazamakuru 3.Mu materaniro y'amadini 4.Ahandi (Havuge)	/___/ /___/ /___/ /___/
Q78	Ubumenyi wari ufite ku mikoreshereze myiza y'ubutaka ubona bwariyongereye ku rugero rungana gute?	1.Runini cyane 2.Runini 3. Ruraringaniye 4. Ruto 5. Ruto cyane 6. Ntarwo	/___/
Q79	Tanga urugero rw'ibyo wamenye utari uzi mbere ku mikoreshereze y'ubutaka	..... ..... .....	
Q80	Tanga urugero rw'ibyo utarasobanukirwaho neza kugeza ubu ku mikoreshereze y'ubutaka	..... ..... .....	

Q81	Mu ishyirahamwe ryanyu nk'abahinga igihingwa kimwe hari abahanzwa ku mpamvu zinyuranye? (K)	1.Yego 2.Oya	/___/
Q82	Niba ari yego sobanura	..... ..... .....	
f) Guteza imbere uburinganire hagati y'umugabo n'umugore			
Q83	Wowe ku cyangombwa cya burundu wasinyeho nka nde? <i>(ikibazo kigenewe ab'igitsina-gore gusa)</i> (F)	1.Nyirubutaka 2.Umugore wa nyirubutaka 3.Ibindi (Bivuge)	/___/
Q84	Niba waragurishije ubutaka, mbere yo kugurisha mwabigiyeho inama mu muryango <i>(hagati yawe n'abana n'umugore/umugabo)</i> (F)	1. Yego 2. Oya	/___/
Q85	Waba warabonye isambu ho umugabane wawe uhawe n'ababyeyi bawe? (F)	1. Yego 2. Oya	/___/
Q86	Niba ari yego wawubonye ku babyeyi bawe bombi? <i>(ikibazo kigenewe ab'igitsina-gore gusa)</i> (F)	1.Kwa data 2.Kwa mama 3.Kuri bombi 4. Ahandi.....	/___/
Q87	Niba ari oya byatowe n'iki? <i>(ikibazo kigenewe ab'igitsina-gore gusa)</i> (F)	..... ..... .....	
Q88	Waba warigeze wangirwa na basaza bawe kubona umurage w'ababyeyi bawe? <i>(ikibazo kigenewe ab'igitsina-gore gusa)</i> (F)	1.Yego 2.Oya	/___/
Q89	Niba ari yego sobanura uko byagenze n'uko byaje kurangira?	..... ..... .....	
Q90	Niba hari ahandi hari ab'igitsina gore bangirwa na basaza babo kubona iminani(Kuzungura) ku babyeyi babo, icyo kibazo cyaba kiri ku rugero rungana gute muri aka gace?	1.Runini cyane 2.Runini 3. Ruraringaniye 4. Ruto 5. Ruto cyane 6. Ntarwo	/___/
Q91	Niba ari ku rugero runini ni izihe ngaruka bitera?	..... ..... .....	

Q92	Muri ibi byiciro bikurikira hari abagore mwabonyemo?	(1) Yego (2) Oya Abakozi bashinzwe kwandika ubutaka no gutanga ibyangombwa Mu bayobozi bakurikirana gahunda yo guhinga igihingwa kimwe Mu bagize amakoperative y'abahinga igihingwa kimwe	
d)Guha agaciro/kuzamura abakene			
Q93	Muri gahunda yo kwandika ubutaka abatishoboye bitabwaho ku buryo bw'umwihariko?	1.Yego 2.Oya →97	/___/
Q94	Niba bitabwaho mushatse kuvuga ko: <i>(Ibisubizo birenze kimwe birashoboka)</i>	1.Bahabwa ubufasha by'umwihariko mu kubona ibyangombwa 2.Bahabwa ubufasha ngo babone inguzanyo 3.Abafite imanza bahabwa abunganizi 4. Bahabwa amahugurwa 5.Ibindi (Bivuge)	/___/ /___/ /___/ /___/ /___/ /___/ /___/ /___/
Q95	Niba uvuga ko batitabwaho sobanura	..... ..... ..... ..... .....	
Q96	Ni ibihe bibazo byerekeranye n'amasambu abatishoboye bahura nabyo muri ibi bikurikira?	1.Bararenganywa bakamburwa amasambu yabo 2.Bagurisha amasambu yabo ku giciro gito kubera kutamenya ibiciro 3.Nta masambu bafite 4.Ibindi (Bivuge)	/___/ /___/ /___/ /___/
Q97	Mu ishyirahamwe ryanyu nk'abahinga igihingwa kimwe aba batishoboye bakurikira babamo? (K)	(1) Yego (2) Oya Abasubijwe inyuma n'amateka "Abatwa" Abatindi nyakuja (abatishoboye) Abacitse ku icumu Abafunguwe bakoze jenoside	
4.3. Kubungabunga imibanire myiza mu baturage			
d) Kugabanya amakimbarane ashingye ku butaka			

Q98	Inaha mbere ya gahunda nshya yo kwandika ubutaka amakimbirane ashingiye kubutaka yari ku rugero rungana gute? (I-K)	1.Runini cyane 2.Runini 3. Ruraringaniye 4. Ruto 5. Ruto cyane 6. Ntarwo →108 (ntayaharangwaga)	/ ___ /
Q99	Niba yarahabaga ku rugero runini cyane cyangwa runini yari hagati ya ba nde na bande? (I-K)	1.Abavandimwe mu miryango 2.Abaturanyi 3.Abandi (bavuge)	/ ___ / / ___ / / ___ /
Q100	Bapfaga iki? (Ibisubizo birenze kimwe birashoboka) (I-K)	1.Imbibi 2.Ubusumbane hagati y'abavandimwe 3.Kwimwa amasambu ku bana b'abakobwa 4.Kwima abavutse ku bandi bagore/bagabo 5.Ubutoya/ubucye bw'amasambu 6.Ibindi (bivuge)	/ ___ / / ___ / / ___ / / ___ / / ___ / / ___ /
Q101	Ubu twavugaga ko amakimbirane ashingiye ku butaka yagabanutse ku rugero rungana gute? (I-K)	1.Runini cyane 2.Runini 3. Ruraringaniye 4. Ruto 5. Ruto cyane 6. Ntarwo	/ ___ /
Q102	Niba amakimbirane ashingiye ku butaka yaragabanutse ku rugero runini cyane na runini byatewe n'iki? (Ibisubizo birenze kimwe birashoboka) (I-K)	1.Kuba ubutaka bwose bwaranditswe 2.Kuba imbibi zizwi 3.Hagiyeho inzego zishinzwe ubutaka mu turere 4.Ibindi (bivuge)	/ ___ / / ___ / / ___ / / ___ /
Q103	Niba yaragabanutse ku rugero ruto byatewe n'iki? (I-K)	1.Imikorere mibi y'abashinzwe kuyakemura 2.Kutamenya amategeko kw'abakemuramakimbirane 3.Ibindi (bivuge)	/ ___ / / ___ / / ___ /

Q104	Niba amakimbirane ashingiye ku butaka yariyongereye kuri ubu yiyongereye ku rugero rungana gute? (I-K)	1.Runini cyane 2.Runini 3. Ruraringaniye 4. Ruto 5. Ruto cyane 6. Ntarwo	/ ____/
Q105	Muri ibi bikurikira ni ibihe byatumye amakimbirane ashingiye ku butaka yiyongera? (Ibisubizo birenze kimwe birashoboka) (I-K)	1.Ibibazo bituruka ku kutamenya amategeko mashya y'ubutaka 2.Gutinda gutanga ibyangombwa 3.Imanza zituruka ku mbibi zidasobanutse 4.Kwima abakobwa iminani 5.Uburiganya mu iyandikwa ry'ubutaka 6.Uburiganya mu igura n'igurisha ry'amasambu 7.Ibindi (Bivuge)	/ ____/ / ____/ / ____/ / ____/ / ____/ / ____/ / ____/
e) Guteza imbere ibikorwa byongera umubano mwiza mu bantu			
Q106	Mu mashyirahamwe y'abahuje ubutaka haba harimo abigeze kugirana amakimbirane ashingiye ku butaka? (K)	1. Yego 2. Oya	/ ____/
Q107	Ese haba hari imirimo mukorera mu mashyirahamwe yanyu iteza imbere imibanire myiza hagati yanyu nk;abanyamuryango? (K)	1. Yego 2. Oya	/ ____/
Q108	Niba ari yego hitamo ibikorwa bibahuza mukorera hamwe? (K)	1.Guhingira hamwe 2.Gusurana 3.Gufashanya 4.Amanama menshi 5.Ubusabane 6. Ibindi (Bivuge)	/ ____/ / ____/ / ____/ / ____/ / ____/ / ____/
Q109	Ese uku guhurira hamwe kenshi mu bikorwa bitandukanye byaba bigira uruhare rungana gute mu kugabanya amakimbirane no gukomeza ubumwe bwanyu? (K)	1.Runini cyane 2.Runini 3. Ruraringaniye 4. Ruto 5. Ruto cyane 6. Ntarwo	/ ____/
f) Gukuraho guca ubutaka mo udupande twinshi			
Q110	Isambu y'umuryango wanyu ihingwamo mu buhe buryo muri ubu bukurikira? (I-K)	1.Umuntu ahinga ahe 2.Umuryango uhingira hamwe	/ ____/

Q111	Umuco wo guha abana imigabane babacyebera amasambu uracyariho inaha? (I-K)	1. Yego 2. Oya	/___/
Q112	Niba bikorwa bikorwa ku rugero rungana gute? (I-K)	1.Runini cyane 2.Runini 3. Ruraringaniye 4. Ruto 5. Ruto cyane 6. Ntarwo	/___/
Q113	Niba warahaye abana imigabane yabo wakoresheje ubuhe buryo? (I-K)	1.Buri wese yafashe umugabane we 2.Bose bahingira hamwe isambu y'umuryango	/___/
Q114	Niba utarabaha urateganya kuzakoresha ubuhe buryo? (I-K)	..... .....	
1.4. Ibyiza bya gahunda zo guhuza ubutaka no kwandika ubutaka n'ibyo wazinenga			
Q115	Niba abagore bahabwa amasambu ho imigabane ku babyeyi babo hari impinduka nziza byazanye? (I-K)	1. Yego 2. Oya → 120	/___/
Q116	Niba ari yego izo mpinduka nziza ziri ku rugero rungana gute? (I-K)	1.Runini cyane 2.Runini 3. Ruraringaniye 4. Ruto 5. Ruto cyane 6. Ntarwo	/___/
Q117	Tanga ingero z'impinduka nziza zazanywe no kuba abagore bahabwa imigabane iwabo (I-K)	..... ..... .....	
Q118	Niba igisubizo ari oya ni izihe ngaruka byazanye? (I-K)	..... ..... .....	
Q119	Gahunda yo kwandika ubutaka no gutanga ibyangomwa bya burundu ni nziza kandi iracyenewe: Hitamo igisubizo gikwiye: (I-K)	1. Ndabyemera cyane 2. Ndabyemera 3. Simbyemera 4. Simbyemera na gato	/___/
Q120	Niba ubyemera garagaza ibyiza byayo? (I-K)	..... ..... .....	
Q121	Niba uvuga ko iyi gahunda atari nziza itanakenewe garagaza icyo uyinenga	..... ..... .....	

Q122	Gahunda yo guhuza ubutaka no guhinga igihingwa kimwe ni nziza: Hitamo igisubizo gikwiye: (I-K)	1.Ndabyemera cyane 2.Ndabyemera 3.Simbyemera ▶ 124 4.Simbemera na gato	/ ____ /
Q123	Niba ubyemera garagaza ibyiza byayo? (I-K)	..... ..... .....	
Q124	Niba uvuga ko iyi gahunda atari nziza garagaza icyo uyinenga (I-K)	..... ..... .....	
Q125	Ubona gahunda yo kwandika ubutaka yarashyizwe mu bikorwa gute? (I-K)	1. Neza cyane →127 2.Neza 3. Bigereraniye 4.Nabi 5.Nabi cyane	/ ____ /
Q126	Niba ari nabi na nabi cyane sobanura ? (I-K)	..... ..... .....	
Q127	Niba ari neza na neza cyane sobanura? (I-K)	..... ..... .....	
Q128	Ubona gahunda yo guhuza ubutaka no guhinga igihingwa kimwe yarakozwe gute? (I-K)	1. Neza cyane 2. Neza 3. Biringaniye 4. Nabi 5. Nabi cyane	/ ____ /
Q129	Niba ari neza na neza cyane sobanura? (I-K)	..... ..... .....	
Q130	Niba ari nabi na nabi cyane sobanura? (I-K)	..... ..... .....	
4.5. Ingorane abaturage bahura nazo muri gahunda yo guhuza ubutaka no guhinga igihingwa kimwe n'ibyifuzo (I-K)			
Q131	Ni izihe ngorane muhura nazo mu mirimo yanyu yo guhinga igihingwa kimwe no guhuza ubutaka?	..... ..... .....	
Q132	Ni izihe ngorane mwahuye nazo mu bikorwa bya gahunda yo kwandikisha ubutaka?	..... ..... .....	

ANNEXURE F: INTERVIEW SCHEDULES

A. Semi-structured interview schedule for Civil society members

Questions

1. What role did your organization play in the land registration and consolidation programmes development? What about your roles in the implementation process?
2. Was your organization consulted during land policy development? If yes what was your contribution? Were your ideas taken into consideration?
3. In your understanding, why was land registration more participatory than land use consolidation?
4. How do you appreciate the way land registration programme has addressed the problems of land disputes, gender inequality, land conflicts, access to loans and poverty?
5. How do you appreciate the way land use consolidation solved the problem of food shortage, low agricultural productivity, access to the markets and poverty?
6. How do you appreciate the way farmers work with banks after land registration in this province?
7. Please say what are the shortcomings or negative aspects of land use consolidation and suggest how they should be eliminated?
8. Please give the shortcomings of land registration programme and suggest how they should be eliminated

B. Semi-structured interview schedule for Government officials (Authorities)

1. Did you consult people before land reform policy development and implementation?
If yes/no explain
2. Explain the process of land registration and consolidation in your district?
3. Why was land registration more participatory than land use consolidation?
4. What are the problems related to land registration that you encountered after land registration? How did you manage to solve them?
5. What were the weaknesses and strengths of both programmes? What about challenges and ways of overcoming them?
6. Did land registration result in land value and price increment? Did it open opportunities to get loans for farmers? Motivate your answer.

7. Are the poor (vulnerable categories) assisted in land reform? Please explain how?
8. How does land use consolidation address land fragmentation, poor agricultural productivity, conflicts, and food security?
9. What are the shortcomings and challenges did you experience in the process of land use consolidation? How do you intend to address them?
10. What are the shortcomings and challenges did you experience in the process of land use consolidation? How do you intend to address them?

C. Semi-structured interview schedule for farmers (beneficiaries)

1. What were the major land-related problems encountered by farmers before land reform? Are they all solved so far?
2. Were you informed about land reform before its implementation? Explain your answer. Were you consulted? Explain
3. Is the culture of inheritance persistent? If yes what are its consequences?
4. Why did people massively participate in land registration and not in land use consolidation?
5. What are the problems experienced by farmers involved in land use consolidation?
6. Why do some people choose to mix regional priority crops with traditional crops?
7. What are the positive and negative effects of land registration, and particularly the acquisition of land titles?
8. Do you easily get loans from the banks? If not what are the obstacles that impede people to work with banks?
9. Do you often go to the markets? What are the activities that you perform there?
10. Does agricultural produce increase at the same level in individuals and cooperatives? Motivate your answer
11. Is gender equality applied in terms of accessing land in the households? Please comment on this?
12. Are there other types of conflicts still experienced after land registration? What are their nature? How are they solved?
13. Give all the shortcomings of land use consolidation programme? How do you think they can be eliminated so that we can have an effective land use consolidation?
14. What are the shortcomings of land registration and who can they be eliminated?

ANNEXURE G: FOCUS GROUP DISCUSSION GUIDE

Name of Moderator:....

Note taker.....

Venue:.....

Date:.....

Check list:.....

I. Introduction

- Introduction of the researcher and the note taker, by the researcher
- Creation of a favorable environment for interviews/FGDs (physical and emotional)
- Asking participants in the FGD to introduce themselves
- Statement of the objectives of the research, key words,
- Informing participants the time that the interviews will take

II. Questions

1. What are the types of land related problems that existed before land reform? Which ones got solutions? Which ones persist? Which ones arose from the land reform?
2. Were people beneficiaries of land reform informed about reforms and consulted before land reform policy development and implementation?
3. What are the weaknesses and strengths of land registration and land use consolidation programmes?
4. Has land registration and consolidation programme solved issues of poor agricultural productivity and reduced land related conflicts?
5. What are the challenges undermining the achievement of the objectives of land reform and how should they be eliminated?
6. Are women's land rights provided?
7. What should be done to implement a land reform programme that would solve problems of poverty and land related conflicts?

III. A word of thanks to the participants

ANNEXURE H: APPLICATION LETTER FOR CONDUCTING EMPIRICAL DATA COLLECTION IN THE DISTRICTS OF THE SOUTHERN PROVINCE OF RWANDA

Kigali October, 22nd 2013

DUSHIMIMANA Jean de Dieu

PhD student in North-West University (South Africa)

Tel: 0786383539 ; E mail jeandushime@yahoo.fr

To: The Mayor of District

Dear Sir,

Re: Asking for authorization to conduct field research

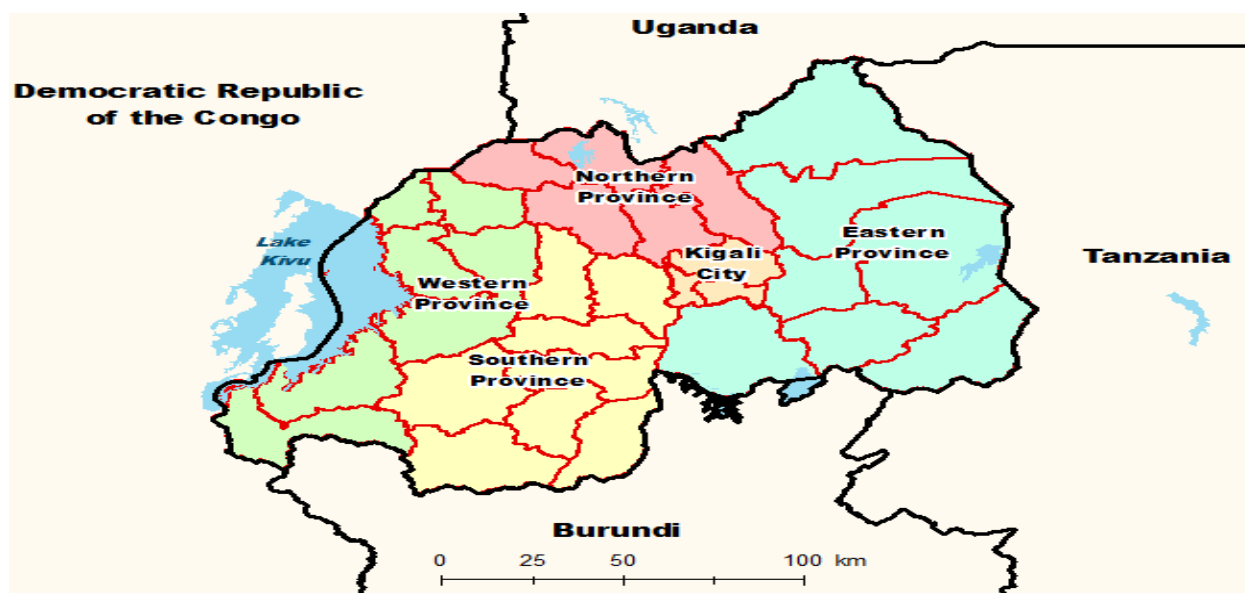
I am writing to you in order to ask for permission to conduct my research in your district. In fact, I am a PhD student at North-West University, Potchefstroom Campus in South Africa and at the same time I am a Lecturer in ULK, Kigali Campus. My research topic is *“An Evaluation of land reform implementation in post-genocide Rwanda: The case of Southern Province ”*. The focus is on land registration and land use consolidation programmes and the main objective is to assess how those programmes solve problems of poverty and land conflicts. Please find on the attachment the sponsorship proof and the recommendation letter from my supervisor.

Waiting for your favorable answer I thank you.

Yours faithfully,

Dushimimana Jean de Dieu

ANNEXURE I: DISTRICTS OF THE SOUTHERN PROVINCE OF RWANDA



1. Gisagara
2. Huye
3. Kamonyi
4. Muhanga
5. Nyamagabe
6. Nyanza
7. Nyaruguru
8. Ruhango

