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# Who is not at the table: Land deal negotiations in Southwestern Cameroon

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**Who is not at the table: Land deal negotiations in Southwestern Cameroon**

by

**Juliana M. Nnoko-Mewanu**

A dissertation submitted to the graduate faculty

in partial fulfillment of the requirements for the degree of

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**DEDICATION**

**To my Grandma MARY FULE MULANGO**

## ABSTRACT

Land deals can involve multiple and nested claims by communal groups, traditional authorities, households and individuals. Inclusive decision making regarding natural resource management and large scale land transactions can enhance positive community outcomes. Such decision making can also boost the sustainability of results. Our research focuses on village-level factors that influence negotiation processes and shape responses within and among communities.

Our study draws on group and individual interviews conducted in 2014 and 2015 with members of four rural communities in Cameroon. We examine the information and institutional capabilities that communities access to accept or reject land transactions and effectively negotiate terms. Bebbington's pioneering work exploring the role of community capitals as assets—his 'capitals and capabilities' framework—informed our analysis. So, too, did Ribot and Peluso's 'theory of access'—their emphasis, that is, not merely on property ownership but on people's ability to derive benefits from resources. We use Schwalbe et al.'s generic processes that create and reproduce gender inequality to examine the negotiation process and Cornwall's categories of 'participatory governance' to understand how participation is defined within a smaller stakeholder group.

Our analysis indicates that land investors are complying with the procedures and guidelines specified in Cameroonian law for community consultation and negotiations. Nonetheless, we found serious obstacles to meaningful informed consent. Such obstacles included uncertainty regarding decision making authority over the transfer of land, low or non-existent community assets, and deficiencies in structural and relational mechanisms. We also

found that current processes of transferring land-use rights are gendered and negatively affect women in particular and the communities to which they belong. We highlight negotiating opportunities for communities within an innovative policy space. And find that land transfer negotiation processes reflect differentials in power within these emerging spaces for decentralized governance. We argue that decision-making within this forum is geared towards legitimizing investor strategy with limited integration of community needs. Place-based variations are thus crucial in understanding negotiation processes over the transfer of land.

## **CHAPTER 1: AN INTRODUCTION TO LARGE-SCALE AGRICULTURAL LAND DEALS**

Agriculture is the primary source of food, clothing, and the materials used for fuel and housing for a growing world population (FAO 2012). According to World Bank Report (2008), agriculture is recognized as a vital development tool in achieving the Millennium Development Goals (MDGs) and Sustainable Development Goals (SDGs), especially for contributing to food security, raising the incomes of the poor, facilitating economic transformation and providing environmental services. Modernization in agriculture has focused on ways in which traditional or subsistence agricultural economies become modern through processes of improved technological transfer, dissemination of innovative agricultural techniques, and education to stimulate economic growth and change in social, political and cultural structures (Vago 1980; Arnon 1987; Todaro and Smith 2011). According to Arnon (1987), subsistence agriculture is self-perpetuating and simply increasing the input of traditional factors of production (land and labor) will reap low rates of return. Since traditional agriculture cannot itself supply the capital required to make its own transformation from traditional to modern production possible (Arnon 1987), some kind of intervention is essential. However, foreign investment in agriculture, especially land-based investments, has differentiated impacts on stakeholders at the local, national, and international levels, including investors. Investment in agriculture could range from agricultural inputs (high yielding and disease resistant seeds, chemical fertilizers, pesticides, equipment) and infrastructure such as irrigation services to large-scale commercial farming, food processing and distribution, and markets. Increased investment in the agricultural sector in the Global South might be the trigger to jump-start economic growth and enhanced well-being within these countries. Given the

fiscal inability of most developing country governments to invest in agriculture and the urgent need for such investments in rural areas, foreign investments in agriculture can be a means to fill this gap.

This dissertation examines the topic of foreign investment in agriculture in the Global South with emphasis on Africa, and Cameroon in particular. The dissertation is organized in five major chapters: introduction; three focused journal articles which each present theory, methods and results; and conclusion. I will explain the organization of chapter 1, the Introduction to the dissertation and will elaborate more on the general organization of the dissertation, at the end of this chapter. The Introduction has four sections. First, an introduction of large-scale agricultural investments in the Global South with an emphasis on Africa, and Cameroon in particular. This section includes the most common processes/scenarios of the transfer of land rights from local communities to foreign investors, and the potential opportunities and risks derived from such investments. Second, a section on the theoretical and conceptual frameworks that guide the discussion of large-scale agricultural land investments, and community participation processes. This section includes a discussion of contextual and institutional factors that structure local participation in the transfer of land rights. Third, a research design and methods section that describes the study area, operationalizes key concepts, and explains data analysis. This section contains the major research question and objectives regarding community participation in the transfer of land rights process. Fourth, a description of the dissertation chapters.

## **Agricultural Investments as Opportunities**

Increased foreign investment in agriculture would boost productivity of agricultural systems in the Global South, resulting in improved domestic food security and exports to world markets (Cheru and Modi 2013). For rural communities, investment in agriculture is the most important and most effective strategy for poverty reduction (World Bank 2008). Investments can potentially increase productivity at the farm level, which can also result in increased availability of food on the market, decrease in food prices, and increased food accessibility for rural and urban consumers (Hallam 2009). Lower priced staple foods enable consumers to supplement their diets with a more diverse array of foods, reducing the vulnerability of food supplies to shocks, and promoting stability in consumption (Food and Agriculture Organization of the United Nations 2013). The improvements in technology and training brought about by foreign investment in agriculture are important in enhancing community resilience to natural (extreme weather variability) and other types of (market mechanisms) shocks.

The enhancement of farm productivity and income causes a multiplier effect within society (Todaro et al. 2011) by generating demand for other rural goods and services, creating employment and incomes for the people who provide them. Foreign agricultural investments can enhance know-how for agricultural production, technology transfer, access to financial resources, wage employment, incorporation in agri-food regimes through value chain development, development of transportation infrastructure, health care services, provision of educational services and basic utilities (De Shutter 2011; Mackey 2011; McCarthy 2010). These opportunities to the rural economy create ripple effects, transmitting these benefits to the broader national economy.

In Brazil, FDI has resulted in an increase in agricultural production and Gross Domestic Product (GDP) (FAO 2013). In 2010, foreign investment in the agricultural sector in Brazil totaled \$35 billion (excluding extraction) (FAO 2013). Due to the presence of transnational corporations<sup>1</sup> at all stages of the supply chain, agriculture in Brazil has become modernized, and integrated upstream (institutions within each chain – banks, technology) and downstream (source to consumer) supply chain participants. Major investments in the Brazilian Savanna (Cerrado) in particular have transformed this region into one of the world's most important food producing regions in the world. This process involved the adoption of highly productive technologies and training of local people to improve labor productivity (FAO 2013:29-54).

The benefits of foreign agricultural investments are not only found at the national and local level of developing countries, but also have benefits for foreign investors and the global economy (Hallam 2009). For investors, 'investment in farmland and agricultural infrastructure offers the following attractions as an emerging asset class: strong long-term macroeconomic fundamentals; attractive historical returns on land investment; a mix of current income and capital appreciation; uncorrelated returns with the equities market and a strong hedge against inflation' (FAO 2013:3). In other words, it is a stable investment option with a potential for capital gains in the long run. There is also a huge positive impact on global trade from the increased production of food crops for national and international markets and future global price stability (von Braun and Meinzen-Dick 2009). However, the current commercial,

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<sup>1</sup> TNCs are suppliers of agriculture and forest inputs (e.g., Monsanto), machine and equipment producers, agriculture or forest output producers, processors and industrial firms (e.g., Louis Dreyfus Commodities Brazil), wholesalers, retailers, and exporters (e.g. Archer Daniels Midland Company).

industrialized model of production that follows foreign investments in the Global South results in systems that could be unsustainable (Bowler 2002a; Gliessman 2007; Shiva 2002).

### **Agricultural Investments as Risks**

Critics of modernization theory, e.g. dependency theorists, hold that well developed countries exploit the weak countries in the global south for their own benefit (Frank 1966) and the principal mechanism for this exploitation is through international trade and FDI in particular. Globalization principles of trade liberalization, capital flows, and diffusion of technology have resulted in furthering 'the development of underdevelopment' (Frank 1966; Shiva 2002). According to Shiva (2002), trade liberalization leads to growth of profits for global agribusiness corporations and a decline in food production, and food and economic security for farmers. Evidence from Tanzania suggests that the impact of FDI on agriculture-related industries is very complex (FAO 2013). According to the Tanzanian Board of Trade, FDI has instigated growth within the mining industry with a resultant increase in gold exports, which amounted to \$703.7 million in 2006 (42% of the total national export value) (FAO 2013). However, the increasing growth in capital-intensive production has mixed implications for the entire economy, with severe consequences for local economies. Emphasis on extractive industries has caused a migratory effect from agriculture, deepening poverty (unemployment) since investment is concentrated on capital-intensive sectors (FAO 2013).

The transformation of agricultural landscapes from subsistence mixed-cropping/smallholder farming to large-scale/commercial mono-cropping systems can result in increased economic vulnerability for smallholder farmers and landlessness in rural areas of the Global South (Spieldoch et al. 2013; Shiva 2002). The loss of control over agricultural

production is detrimental for local development since local ownership and place-based knowledge and connection are crucial for long term sustainable management of community resources (Gliessman 2007:14). The modern productive systems that are derived through FDI could have harsh consequences on the erosion of ecological security at the local and global scale (Shiva 1997, 2002; Bowler 2002a, 2002b; Gliessman 2007; Byerlee 2013; German et al. 2013). From an agroecological<sup>2</sup> perspective, the agroecosystems<sup>3</sup> that emerge from large-scale commercial agriculture with key elements of intensification, concentration and specialization, accrue a range of disbenefits for local communities and the world in general (Bowler 2002a, 2002b). These costs include diminished biodiversity, removal of natural and semi-natural habitats, rising soil erosion and salinity, reduced water tables, pollution of water courses, global warming and growing reliance on an excessively narrow range of crops and livestock.

In Uganda, FDI is concentrated in the supply of inorganic agricultural inputs, coffee processing and export, floriculture, and fish processing and export. Large transnational companies especially in the rice sector have contributed considerably to an increase in food production.<sup>4</sup> Paradoxically, the introduction of the DEKALB hybrid maize variety by Monsanto has not only increased yields, it has resulted in increased farmer dependency on the seed - since they need to purchase every season to maintain consistent high yields. Another example of this paradox is evident in how overfishing<sup>5</sup> in response to domestic and export demand, has led to the depletion of Nile perch fish stock in Lake Victoria resulting in a disruption of

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<sup>2</sup> It is a systems approach linking ecology, culture, economics and society in designing and managing agricultural systems that are sustainable.

<sup>3</sup> An agroecosystem is a dynamic association of crops, pastures, livestock, other flora and fauna, soils, water, and the atmosphere. Agroecosystems are contained within larger landscapes, which include uncultivated land, drainage networks, rural communities, and wildlife (US Environment Protection Agency 2014).

<sup>4</sup>Tilda Uganda Ltd a subsidiary of Tilda Limited, United Kingdom has been actively engaged in sustaining a consistently positive increase in rice production.

<sup>5</sup> The quantity of fish harvested exceeds the new fish bred in a given season.

livelihoods for local fisherfolk and potential food insecurity. Furthermore, even though theoretical research suggest that agricultural modernization will result in technology transfer to local communities, agricultural households in Uganda that utilize labor and non-labor technologies<sup>6</sup> range from 7.1% to 23.2% and only 7.3% reported any interaction with extension workers<sup>7</sup> (Uganda National Household Survey – Uganda Bureau of Statistics 2005 in FAO 2013).

FDI can become a catalyst for modernizing Africa's low-technology subsistence agriculture, however this should be embedded within a national strategy that focuses on improved productivity of local farmers and facilitates transition to a sustainable model of production (Cheru and Modi 2013).

### **Large-scale Agricultural Land Investments**

Foreign investment in land connotes the lease or outright purchase of land by a foreign corporate or state investor for agricultural production (food or cash crop) or extraction (minerals, rare earth etc.). Large-scale agricultural land investments involve multiple and nested claims by communal groups, traditional authorities, households and individuals. There are differing processes through which transfer of agricultural land use rights is planned and implemented in the Global South. These processes involve multiple stakeholders depending on the statutory provisions, customary laws, and social, political and legal institutions within a particular society (Lewis 2008; Cotula 2009).

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<sup>6</sup> For example - soil fertility management, crop protection, disease control, farm management, on-site storage, and improved agricultural inputs

<sup>7</sup> Knowledge-sharing or training is conducted mainly for the low- and mid-level workforce in crop harvesting, general safety and cleanliness standards. Top-level management receives training specialized training in International Organization for standardization (ISO) certification, production handling and quality control.

The late 2000s have witnessed a surge of FDI in the agricultural sector of developing countries (Hallam 2009; FAO 2013). The main driver of this surge is diverse and complex, but it can be linked to the rise in commodity prices between 2007 and 2008. This rise in food prices prompted countries that are heavily dependent on food imports such as China, United Arab Emirate and Saudi Arabia, to invest in countries where land and other natural resources were ‘abundant’ with a view of securing their future food supply (Cotula 2013; Landmatrix data). Coupled with high energy prices and the move to renewable sources of energy, this has triggered an increase in foreign investment in the production of feedstock crops for biofuels. Other drivers of this surge in investment in the agricultural sector include the continuing rise in global population,<sup>8</sup> expectations of future rising prices, increase of consumption rates and demand patterns for food, biofuels, and raw materials (Hallam 2009).

### **Scale**

While investment in the agricultural sector in developing countries is not new, the surge in investment is alarming, given the urgency and scale at which it is occurring. According to the Land Matrix – a global land monitoring initiative which tracks large-scale agricultural land investments, 1,535 recent cross-border land transactions targeting 68,993,380 hectares (ha) have been reported across the globe ([www.landmatrix.org](http://www.landmatrix.org) 06/16/2016). South East Asia has the greatest concentration of reported land deals (307 deals), but Africa is the region with the greatest intensity of land acquisition. Land acquisition by sector shows a total of 37.2 million hectares has been acquired globally for the production of biofuels, with 51% of these lands in Africa, 41% in Asia, and 8% in Latin America; 11.3 million hectares has been acquired globally for food crop production, with 38% in Africa, 38% in Asia, and 14% in

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<sup>8</sup> Population prediction of 9 billion by 2050 (FAO 2013).

Latin America (Kugelman and Levenstein 2013:190). Target countries for land deals include Papua New Guinea,<sup>9</sup> Indonesia, South Sudan,<sup>10</sup> Mozambique, Democratic Republic of Congo,<sup>11</sup> Liberia, and Sudan.

Land investors can be domestic or foreign comprised of foreign governments, sovereign wealth funds, state owned enterprises/parastatal investors, private investors (agribusiness and agrifood companies), corporate players and private institutional investors (banks, mutual, pension, hedge and private equity funds) (Cotula 2009). Data from the Land Matrix shows that investment originates from three groups of countries: emerging economies in East Asia and South America; Gulf countries; and countries from North America and Europe. Data from the Organization for Economic Co-operation and Development (OECD) (HighQuest 2010) shows that most investment in farmland across the globe is from Europe and North America. European companies account for 40% of all land acquired in Africa and North American companies account for 13% (Schoneveld 2011). Partnerships are also important between investors with 12% of all cases reported by the Land Matrix involved a partnership between foreign and domestic companies (Anseeuw et al. 2012).

## **Processes**

Land contracts define the terms of an investment project, and distribution of benefits, risks, and costs. A land transaction could consist of multiple contracts and relate to bodies of law at the local, national, and international level (Cotula 2011). These contracts are typically signed between a central government agency (land provider) and an investor (acquirer). Even

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<sup>9</sup> 3.8 million hectares of land is subject to interest.

<sup>10</sup> In 2008 Al Ain National Wildlife, a United Arab Emirate company, concluded a land contract over 2,280,000 hectares of land in South Sudan to be used for conservation and tourism purposes.

<sup>11</sup> In 2012, 1,900,000 hectares of land was contracted in the Democratic Republic of Congo (DRC) and put into production (agroforestry) by GroupeBlattnerElwyn, an American Company (Land Matrix 2014).

though there are usually only two parties to land contracts, local communities also have a stake in the transaction since legal transfer of use rights from the State to the land investor means restricting community access to this resource. Sometimes transfer of land use rights in Africa involves not only a contract between the investor and national government – as custodian over land, but also involves consultations and sometimes negotiations between foreign investor representatives and local communities. Land acquisition processes in the Global South vary depending on the politico-legal structures, and community institutions (Moyo 1998; Banerjee 2006; Colchester et al. 2007; German et al. 2011). Foreign investment in land can take the form of purchase, long-term leases, or through multiple contracts with local farmers. Long-term leases over land are the most typical arrangement of land transfer, partly because several countries have regulations that prohibit the sale of land to foreigners.<sup>12</sup> In the rare case of a purchase by a foreign investor, a local partner is usually involved (FAO 2013). However, the economic and social implications of lease or purchase are very similar given that lease contracts are generally over a long period, typically 50 to 99 years (Cotula 2009).

Tsikata and Yaro (2011) demonstrate the process of land acquisition, ownership and management of land relations in Ghana. The Ghanaian land tenure system straddles two vastly different structures of law and practice. An estimated 80% of land in Ghana is held by traditional authorities under a customary regime, alongside a statutory regime codified in the constitution of 1992 and supported by an extensive body of law and regulations dealing with ownership and use of land. Under Article 266 of the constitution, foreigners may not own land in Ghana, but may lease land for renewable periods of up to 50 years. The inconsistencies between the communal/customary system and the statutory national government regime

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<sup>12</sup> Usually foreign investors might acquire leasehold titles  $\leq 50$  yrs (Ghana), provisional certificates  $\leq 5$  years (Mozambique), derivative rights  $\leq 99$  years (Tanzania) or a provisional certificate  $\leq 14$  years (Zambia) (German et al 2013:4-7).

have led to rampant land disputes related to securing land for agribusiness purposes. In 2008, the government reacted to this inconsistency by enacting the Lands Commission Act, which consolidates all the institutions managing and administering land in the country. Despite the laws and institutions in place to administer land, Ghana has not succeeded in simplifying the process of acquiring land in a safe and transparent manner. The challenges presented in Tsikata and Yaro (2011) are similar across most African countries, revealing processes that are diverse, multifaceted and complex across regions, nations and even between local communities.

Land-based agricultural investment can take different forms and shapes. Production models also vary depending on the contract signed and the production type.<sup>13</sup> Production models can be categorized as inclusive or non-inclusive depending on its degree of incorporation of small holders within its model (Cotula 2009). Non-inclusive models of agricultural production are undertaken with hired labor and the investor controls all aspects of production and processing such as in plantation farming. Inclusive models involve varying partnership types between investors and local farmers such as plantation and contract farming coexisting, involving a ‘nucleus’ plantation operated by the company and sourcing additional produce from outgrowers; and investment in processing and sourcing agricultural produce through local farmers (Cotula 2013:7). Such a model could also involve contract farmers and independent suppliers— smallholders organize into cooperatives or participate in outgrower schemes that are managed by processing investors or plantation estates.

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<sup>13</sup> Production model refers to the size and structure of farming and variations in farming or management techniques (equipment and inputs) being implemented (ProForest 2010).

Borras and Franco (2010) classified large-scale agricultural land investments into four main categories of land-use transformation – food to food, food to biofuel, non-food to food, and non-food to biofuel. Investors emphasize the production of basic crops such as soft oilseeds, corn, wheat, feed grain, and livestock for export back to the investing country. Farmland is also used for the production of permanent crops such as sugar cane, oil palm, jatropha, and fruits trees (coconut), for conversion into biodiesel or export to foreign markets. Through agricultural investment, investors seek to gain access not only to land but also other natural resources, in particular water, to facilitate project implementation (TNI 2013). In most cases, investment in the agricultural sector involves the acquisition of land and actual production, even though in a minority of cases land is left uncultivated for speculative reasons.<sup>14</sup>

Some governments have set up national initiatives to guide land allocations for land-based investments such as land banks in Ghana, farm blocks in Zambia and Tanzania, and Agro-ecological Land Zoning in Mozambique (German and Schoneveld 2012). Typically, land investors have to conduct an Economic and Social Impact Assessment (ESIA) report to determine how the agricultural project will impact local communities and generate risk mitigation or alleviation techniques.<sup>15</sup> Depending on the national laws of the country, the investor might be required to engage in a process of consultation and negotiation with customary land users in order to gain local approval and legitimacy for the agricultural project.<sup>16</sup> In some countries, the project implementation is monitored by a government agency to ensure com-

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<sup>14</sup> The expectant increase in the price of land and other natural resources due to future scarcity has also resulted in financial speculation on these resources.

<sup>15</sup> The method of identifying land for investment is different across all countries, with government being the instigator in most cases. More often than not, negotiations between investor and government agencies are done in secret with or without an ESIA.

<sup>16</sup> Even though the 2006 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIPS) makes provisions on free, prior and informed consent (FPIC) with respect to local peoples decision making, the local communities involved in these negotiations usually lack the capability to engage in satisfactory bargaining.

pliance to the ESIA and impact mitigation mechanisms negotiated through local consultation (German et al. 2012). This is complemented by dispute resolution mechanisms, which are established within the local community such as in the case of Mozambique, Zambia and Tanzania.

### **Land Acquisition in Cameroon**

Cameroon<sup>17</sup> is located in Central Africa (6 00N, 12 00E), bordering the Bight of Biafra – between Nigeria and Equatorial Guinea. Cameroon is bilingual (English and French) and has 10 regions – Adamaoua, Centre, East, Far North, Littoral, North, North-West, West, South, and South-West. Cameroon covers a total area of 47,544,000 ha (land 47,271,000 ha, and water 273,000 ha), with 13.04% arable land, and 2.94% in permanent crops (palms, cocoa and coffee). A third of Cameroon's Southern 47,544,000 ha is covered by tropical forest.<sup>18</sup> The climate in Cameroon varies with the terrain, from tropical along the coastal/Southern to semiarid and hot in the North/Far North.

According to The World FactBook<sup>17</sup> Cameroon has a total population of 23,130,708 (July 2014 est.), total median age is 18.3 years, and a 2.6% population growth rate. Life expectancy is 57.35 years. The urban population makes up 52.1% of total population, with a 3.23% annual rate of change (2010 – 2015 est.).

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<sup>17</sup> Data from The World FactBook.

<sup>18</sup> Cameroon is second in Africa only to Democratic Republic of Congo in the diversity of its forest-dwelling primates.



Cameroon has 6 major ethnic groups – Cameroon highlanders 31%, Equatorial Bantu 19%, Kirdi 11%, Fulani 10%, Northwestern Bantu 8%, and Eastern Nigritic 7% (other African and non-African 14%).<sup>19</sup> There are more than 24 major native language groups, with French and English as official languages. Christians make up 40% of total population, Muslim 20%, and 40% a mixture of indigenous beliefs and Christian or Muslim (The World FactBook).

Cameroon was colonized by the Germans (1884), and under French- and British- administered United Nations (UN) trusteeship from 1948 – 1960 (French) and 1972 (British). Eastern (French) and Southern (Anglo) Cameroon was reunified in 1972 after a UN plebiscite.<sup>20</sup> Cameroon has a mixed legal system of English common law, French civil law, and customary law. In 1994 Cameroon Forest Code<sup>21</sup> laid the foundation for a model of forest management based on industrial logging and strict nature conservation. This provided the blueprint for a series of subsequent forest laws passed in 2002 as part of the World Bank backed major overhaul of the forest sector in the Congo Basin region. The 1995 forest-zoning plan designated most of forest areas for industrial logging and strict conservation purposes, leaving out only roadside areas up to a maximum of 5,000 hectares available for Community forests for a limited period of 25 years.<sup>22</sup>

### **Contextualizing Land Tenure**

Land tenure in the African context refers to mixed tenure regimes – an overlap between statutory, customary, and communal systems (Cousins 2009). Statutory tenure systems

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<sup>19</sup> Cameroon has as many as 75,000 indigenous Baka, Bagyeli, Bedzang and Bakola (BBBB or 4B) peoples or so called “Pygmies” in the rainforest areas of Cameroon.

<sup>20</sup> Plebiscite is contested by the Southern Cameroon National Council (SCNC) see: <http://www.scncforsoutherncameroons.net/new/index.php/component/k2/item/35-un-resolution-1608-and-the-struggle-for-the-restoration-of-british-southern-cameroons-statehood>

<sup>21</sup> See Code forestier Camerounais - Loi 94/1 - 20.01.1994

<sup>22</sup> See Cameroon Environment Code - Law 96/12 - 05.08.1996

include land that is under formal title based on national law such as a land act. Formalization could represent actual title of freehold (might include land certificates), or leasehold over a specified period. Customary tenure systems may involve clearly defined kin or family rights to some type of land or land use as well as common property resources. Customary land rights are tied to multiple social relationships that overlap such as household, kinship networks, and local communities and ensure shared access. Customary tenure regimes in many African countries entail rights to land that are derived from accepted membership of a social unit and are acquired through birth, affiliation or allegiance to its political authority, or various transactions such as gifts, loans and purchases (Cousins 2009). Communal tenure systems represent open access, shared common resources. Communal tenure does not always mean customary tenure because in some instances communal tenure is as a result of national policy and law. However, in this study the concepts will be used interchangeably because in the case of Cameroon, which incorporates Civil, Common and Customary law; communal land tenure is derived from pre-colonial and customary traditions. As in most African countries, customary rights of local people over land are not legally recognized in Cameroon but because of local claims to land, local involvement in the transfer of land rights is encouraged (Wily 2011).

Cameroon has a long history of land acquisition for agricultural motives as far back as during its colonial era. Cameroon's appeal as a target country for agricultural land investment has increased due to its agro-ecological diversity, easy access to the Atlantic facilitation exportation, huge opportunities for irrigation, and 'availability' of land.<sup>23</sup>

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<sup>23</sup> According to FAO Statistics, Cameroon has approximately 6.2 million hectares of arable land, with only 20% currently under cultivation (landportal.info).

Land Matrix data show that 133,743 hectares of land was allocated to transnational agro-industrial investors between 2006 and 2014 (land deals in which a written or verbal contract exist with the State). According to data from Cameroon's Ministry of Economy, Planning and Management (MINEPAT) (2013:78), 400,563 hectares was allocated to domestic and transnational agro-industrial investors before 2005. By 2012, Cameroon had issued mining and drilling permits over approximately 10 million hectares of land (Republic of Cameroon and Extractive Industries Transparency Initiative 2013). In Cameroon, 67.8% of the investors in large-scale land transactions are from India, 24.7% from U.S., 4.1% from France, and 3.4% from China (GRAIN 2012). I focused on land acquisition for plantation agriculture involving feedstock (palm oil) to biodiesel since this scenario illustrates a more contentious issue of how communities react when the production goal is non-food for export. In this case, the land deal also involves the local people who are considered to have use rights; based on customary law, local people have laid claim over the land for generations. I examine the conditions under which communities would have adequate information and institutional capabilities to effectively negotiate terms in land transactions or refuse a land deal. Given that only 3% of land in Cameroon is formally registered and owned by private individuals (Egbe 2001), most land is owned and can be disposed of by the State.

### **Procedure for Land Acquisition in Cameroon**

Land in Cameroon is classified as public, private, or national. Public land encompasses all land which cannot be acquired such as forest reserves, wildlife sanctuaries, etc. Public land cannot be the subject of a land transaction. Private land includes land that is owned by private persons (covered by land certificate), and land privately owned by legal entities such as local communities, regions, and the State. National land is land that is not

privately owned and therefore includes all other land that is neither public nor private. Privately owned land and National land are the main focus of most large-scale land transactions in Cameroon. Cameroon does not have a national land-zoning plan that divides the available arable land into spaces for agro-industrial activities and/or small-scale farming (Nguifo and Watio 2015).

There are three main channels through which land can be acquired. Firstly, land can be acquired from the government through a direct request for a concession. This acquisition applies to National land. Secondly, land could be acquired from a company that holds land rights to the particular concession. This type of acquisition is infrequent. Lastly, local communities can be consulted as a first step in obtaining legal contract from the State. Based on statutory provisions, this latter channel is questionable since the land acquisition should be done through divisional land and consultative boards and especially when National land is involved in the acquisition since local communities usually have limited (use) rights over National land.

Land identification is mainly investor-driven in Cameroon. The potential investor determines the location and quantity of land needed, and how they plan to use it. Next the investor requests for a grant of concession through a number of different Ministries depending on the intended purpose of the land investment. A request for agricultural land use is processed by the Ministry of Agriculture and Rural Development (MINADER) and forwarded to the Ministry of Domains, Cadastres and Tenure (MINDCAF), and other Ministries relevant to the acquisition (e.g., Ministry of the Environment, Nature Conservation and Sustainable

Development – MINEPDED; Ministry of Forestry and Wildlife – MINFOF; Ministry of Economy, Planning and Management - MINEPAT).

Land could be made available through a sale, assignment, or an allocation of rights to enjoyment over land. The State has the authority to dispose of, sell, or assign National land to an investor.<sup>24</sup> Land can be sold to private, natural or legal persons through an auction initiated by the State or requested by the potential purchaser. The issuing contract provides the purchaser the right to obtain title to the land. Land can be assigned to legal persons under public law, and/or attributed as part of company capital. Foreign investors cannot acquire agricultural land through assignment since they are not considered legal persons under public law.<sup>25</sup> Allocation of rights to enjoyment can be given to natural or legal persons through standard or long-term leases. Standard leases cover rental of up to 18 years, while long-term leases cover a period of 18-99 years.

The principal actors in the land acquisition process are the investor/purchaser/lessor, and the State. When National land is involved, the State engages in a bilateral process with the investor with little input from local communities. The investor usually determines the amount of land to be assigned with support from the local administration, which in turn is supposed to consult with local communities (Land and Consultative Boards). Some investors instigate consultation and negotiation processes with local communities during the identification phase in order to reduce the likelihood of resistance and conflict during the project implementation phase. There is no legal requirement for investors to consult or negotiate with local communities. Thus, the procedures of acquisition vary significantly from one invest-

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<sup>24</sup> Decree No. 76-167 of 27 April 1976 determines how National land is managed.

<sup>25</sup> Article 11 of Decree No 76-167

ment site to another. The acquisition process can result in a provisional or definitive concession to the investor.

### **Rights-based Approach and Participation in Natural Resource Management in Cameroon**

Law No. 96/12 of 5 August 1996 relates to environmental management in Cameroon and is very important in providing insights to community participation. According to Njamnshi et al. (2008) this law requires consultation of local communities in decisions relating to the environments and resources that they use. It also requires that relevant information should be made available to these communities in relation to the consultation process over environment and natural resource management decisions.

An Environmental Impact Assessment (EIA) decree (No. 2005/0577/PM) outlines the procedure for such an evaluation and requires public consultation throughout the process. (Njamnshi et al. 2008). Unfortunately, reports on environmental audits and environmental and social impact assessments (ESIAs) are rarely, if ever, published.

Cameroon's forest law (1994) provides a community forest concession model which recognizes use rights of local communities over specific forest types (usually small and degraded areas). Cameroon's engagement in Reducing Emissions from Deforestation and Forest Degradation (REDD+); a UN program to incentivize developing countries to reduce emissions from forested lands by creating a market value for carbon stored in forests, places pressure on the State to increasingly include local forest communities in the design and implementation of forest policy. In order to meet the strict safeguards for REDD+, Cameroon requires the Free, Prior and Informed Consent (FPIC) of all forest communities potentially

affected by REDD+ activities (Carodenuto et al. 2014). FPIC is a principle based on the collective right of indigenous peoples to participate in decision making and to give or withhold their consent regarding activities affecting their lands, territories and resources specified within the United Nation Declaration of the Rights of Indigenous Peoples (UNDRIP). Consent must be given freely, i.e., without coercion or manipulation. It must be obtained before activities are implemented. And it must preclude an understanding of the full range of issues arising from the activity or decision in question (Colchester and Mackay 2004). Cameroon has committed itself to upholding several international and regional agreements related to FPIC such as the African Union's Framework and Guidelines on Land Policy in Africa, and its Land Policy Initiative that provides best practices in land policy development.

Article 8 of the Law of 19 January 1994, which sets out how forest, wildlife and fish are to be managed, mentions the possibility of compensation for land appropriated for reasons of public utility but makes no provision on how compensation would take place (for which resources, and how they would be evaluated). Decree No 2003/418/PM of 25 February 2003 sets the compensation rates for crops but it has been criticized as being inappropriate for the production systems in rural communities since it is based on productive land use (e.g., construction or permanent crops) and only related to the land when it is titled (Nguiffo et al. 2015). Provision for limited compensation exists over the loss of the right to use forest spaces and resources, and the right to preserve spaces and resources that are vital to the community. Land investors vary considerably in the extent to which they take into account community rights and their eventual interactions with local communities. This is due to the vagueness and/or shortcomings of the legal and institutional framework with respect to local community rights in the participation process. Local community involvement in all aspects of the land

acquisition process is essential to instigate sustainable use of natural resources and sustaining community livelihood strategies.

## **Theoretical and Empirical Literature Review**

### **Theorizing Local Inclusiveness**

A community denotes a socio-spatial entity (village). It can be defined by tight spatial boundaries of jurisdiction and responsibilities, a distinct and integrated social structure and common interests (Blaikie 2006:1942). Flora et al. (2008) distinguish between communities of place – ‘locality’; and communities of interest - shared similar interests but spatially dispersed. Maginnis et al. (2004:331) capture the fluidity in the boundaries by characterizing communities as landscapes that represent multiple geographical scales (different land uses), and multiple institutional and political scales (administrative units – tribal, local government and national ministries) that all overlap. The United Nations (1981:5) defined participation as the creation of opportunities to enable all members of a community and the larger society to actively contribute to and influence the development process and to share equitably in the fruits of development. Agenda 21 (UN 1992:1.3) calls for “broadest public participation and the active involvement of the non-governmental organizations and other groups” in environmental decision making.

### **Institutional Arrangements, Property Structure and Collective Action**

Community participation connotes the direct involvement of ‘ordinary people’ in local affairs (Midgley 1986:23). It requires the voluntary and democratic involvement of stakeholders in identifying community needs and mobilizing local resources to address those needs. Key concepts that shape community participation are institutional arrangements, prop-

erty structures, and collective action (Cornwall 2002; Ananda 2009). Ostrom (1986) defines institutional arrangements as rules and regulations that shape human interactions at multiple, nested levels such as who is included in decision making and how information is structured. This includes specific rules guiding stakeholder interactions, representation and accountability.

Property rights are a specific type of right assigned to an individual or group to use and manage a particular resource (Ananda 2009). It could also be defined as a social relation – structure of rights and duties that characterizes the relationship between individuals with respect to a specific resource or benefit stream (Vatn 2005 in Ananda 2009). Property rights could mean state property, private property, common property, and non-property (open access) (Cousins et al. 2000). In the case of state property, ownership is held by the state but implies that local communities have use rights since they have state membership. However, the state makes decisions concerning resource use, management and transfer of right. Property rights to natural resources are the key institutional assets on which rural people build their livelihoods (Mwangi et al. 2012). Multiple levels of property rights exist within society such as customary law, national legislature, and international treaties and conventions<sup>26</sup> – which are at the top of the property rights hierarchy (Cousins et al. 2000). With regard to negotiating transfer of land rights to investors, tenure insecurity over land is an important factor in constraining community participation because of uncertainty over their role in the negotiations and insecurity of their authority over decision-making processes (Cousins 2009; Lewis et al. 2008; Colchester et al. 2013).

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<sup>26</sup> The 1966 International Covenant on Economic, Social and Cultural Rights stipulates that States should respect, protect and fulfill the right to food (Article 11). This provision is reinforced by the 2006 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIPS), which sets forth rules protecting the rights of local peoples to access natural resources and food; protecting land rights; safeguarding against forced population transfers; and requiring compensation along with free, prior and informed consent.

There is recognition of the importance of collective action as a valuable asset in community decision-making over natural resources (Newman 2001; Kooiman 2003; Swyngedouw 2005). A good example of such an initiative is Community-Based Natural Resource Management (CBNRM). It holds that communities can manage their natural resources (common pooled) in an efficient, equitable, and sustainable way based on their local custom, knowledge, and technologies. There are two key ideas behind the concept of natural resource management; i.e. decentralization and participation. Both imply a movement of decision making and real political power from the central to more local levels. New spaces have been created for a variety of state and non-state actors to cooperate in governance, giving room for actors who had been previously excluded from the policy process to be integrated through community participation, depicted in Schumacher's "Small is Beautiful" (1973).

Barrow and Mlenge (2005) illustrate the benefits of community participation in forest restoration in Shinyanga, Tanzania. The devolution of control and responsibility to the village level was an important factor in the success of the project. Local knowledge about the values and uses of different tree species, and culturally established practices such as the Sukuma practice of *ngitili*<sup>27</sup> grazing and fodder reserves were very instrumental in developing a resource management plan to counter forest and woodland degradation in the area (Barrow and Mlenge 2005). The use of both traditional and scientific knowledge through community participation in this case facilitated the restoration of forests and improved community livelihoods.

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<sup>27</sup> In Shinyanga, the practice of *ngitili* or 'enclosure' conserves rangelands for use during the dry seasons by marinating an area of standing hay until the next rains. *Ngitili* are divided into sections; each section is completely grazed before the next is opened (see Barrow, Fry and Lugeye 1992)

In the Global South, researchers have been highly critical of a wide range of participation initiatives which, despite a rhetoric of decentralization, are characterized by power imbalances between participants, explicit and implicit co-option, cost-shifting, and continuing centralization (Leach et al. 1999; Cooke and Kothari 2001; Cornwall 2002; Hickey and Mohan 2004; Taylor 2007). The notion of community participation has been criticized for ignoring the contradictory tensions in which most forms of governance are embedded (Swyngedouw 2005), failing to address issues of power agency and accountability (Newman 2001; Cooke et al. 2001), and neglecting fundamental inequalities in bargaining positions that different partners bring to the table (Hickey et al. 2004). Cornwall (2002) categorizes these new governance initiatives or policy spaces as closed, invited, and claimed spaces. Community consultation and negotiation over the transfer of land rights can be described as an invited space for local governance. These new governance spaces for community participation are spaces into which communities are invited by various types of authorities - government, supranational agencies or NGOs. Empirical research suggests that the scope for communities to exercise real influence in these spaces has been limited and sometimes masks new forms of control (Cheyns 2011; Cotula et al. 2008; Taylor 2007). Within these spaces, participants are selected to meet a particular need, and the agenda has already been set. These new spaces can become closed to the general public - where decisions are made by a set of actors behind closed doors, without any pretense of broadening the boundaries for inclusion.

Community participation invokes images of people coming together to vote, deliberate and plan, or to be consulted in public meetings. Questions about representation and accountability highlight some of the paradoxes of community participation (Cooke et al. 2001; Cornwall 2002). There is more evidence of decentralization of administrative functions (and

responsibility) away from centrally located agencies than of devolution of power to make and implement decisions within particular issue areas. The assumption behind negotiated landscapes is that the power to make decisions is meaningfully devolved to participants. This does not mean that all participants will achieve their objectives, but that they will have a meaningful role in negotiating outcomes and making decisions. According to Cornwall (1995) participation can be categorized into six modes: cooption, cooperation, consultation, collaboration, co-learning, and collective action. Cooption has the highest outsider control while collective action has not outside control at all. In this context, participation must involve more than token forms of negotiations such as consultation.

For local participation in decision-making to be possible, local institutions must be developed and strengthened, representative and accountable. They need to be accountable upward and downward, to the people they represent. In most large-scale land transfer cases consultation at the local level is superficial involving only a small group of people with little or no access to information regarding what the investment is about and the implications for the community (Lewis et al. 2008:23). The power imbalance within traditional/customary settings also excludes a large majority of affected people from participating in the land deal consultation process (Vermeulen and Cotula 2010). Alternatives to these closed spaces are claimed or created spaces which emerge out of situations of common concern or identification and might be a result of popular mobilization, such as around a shared identity or issue-based concern (Nesman 1981; Scott 1985; Cornwall 2002:24). The power structure and relations within a local community is very important in understanding the level and quality of community participation that will occur.

## **Power Relations**

While power is derived from positions occupied in various societal institutions, it is dynamic and continually negotiated through social interaction (Lukes 1974; Gaventa 1980; Gaventa and Cornwall 2006). Power in natural resource management, as in other realms, involves decision making that shapes the distribution of benefits and costs associated with particular decisions.

Power can be categorized into three dimensions; decision-making power; non-decision-making power (setting the agenda); and ideological power (manipulating the mind). Influence over the decision making process is an action that represents the first dimension of power (Lukes 1974). The second dimension of power entails not only influencing decision making processes but also restricting who participates in them (Tsikata and Yaro 2011). In Mozambique, the Land Act mandates consultation with the local people; in practice, local interests may be undermined through a consultation process that is not inclusive and where local people have limited or no effective access to land consultative boards (Nhantumbo and Salomao 2010). Even when participation is not overtly restricted, power holders may structure the definition of what is recognized as a problem and which critical issues are excluded from the agenda. In the case of Mozambique and Tanzania, consultation records over the transfer of land rights to foreign investors did not adequately reflect local community opinions, and provisions for benefit sharing were vague (Nhantumbo and Salomao 2010; Sulle and Nelson 2009). A third dimension of power reflects conscientization about problems and the range of possible solutions. Power holders may systematically promote an ideology that shapes the consciousness and beliefs of others. Thus, power may involve influencing others to act against their own best interests, restricting participation in decision making and exclud-

ing others' interests from getting on the agenda, and influencing, shaping or determining the very wants of others (Lukes 1974).

To understand variation in responses to agricultural land investments, research has to determine the conditions under which land contracts are negotiated, who is at the negotiation table and who is not. All three dimensions of power are critical for research on agricultural investments regarding social and cultural factors that influence the creation of consensus within communities to resist or consent to land transactions (Smalley and Corbera 2012; Hall and Paradza 2012; Mamonova 2012).

To understand how various mechanisms, processes and social relations create 'bundles of power' that define an individual's or group's power position in relation to agricultural land investments, I utilize theories of power postulated by Lukes (1974) and Gaventa (1980). I extend their proposition by including the theory of access (Ribot and Peluso 2003) to analyze the positionality of power and how this is affected by mechanisms of access which are rights-based, illicit, structural and relational.

### **From Property to Access**

The ability of local communities to participate effectively in negotiations to exert control over natural resources is directly affected by the societal rules and regulations, and their vulnerabilities<sup>28</sup> (Ribot 1998; Moser 1998; Okali 1989; Ribot and Peluso 2003). The different combinations of property rights correspond to the means through which new actors and institutions come to gain new powers of decision-making (Agrawal and Ostrom 1999).

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<sup>28</sup> Defined as "insecurity and sensitivity (the magnitude of a system's response to an external event) in the well-being of individuals, households and communities in the face of a changing environment, and implicit in this, their responsiveness and resilience to risks that they face during such negative changes" (Moser 1998:3).

The term property has been characterized as ‘a right in the sense of an enforceable claim to some use or benefit of something’ (MacPherson 1978:3).<sup>29</sup> In other words, property is the right to benefit from a particular resource. It represents a bundle of rights in which each strand of right symbolizes a benefit stream to the property holder (Okali 1989). A bundle of rights consist of the right to sell, lease, or subdivide; and it could also include the right to tax or take for public use (Meinzen-Dick and Mwangi 2009). One of the main themes in community participation in natural resource decision making is the importance of establishing rights to resources. The dominant view amongst practitioners is that people are more likely to become involved in social action when they have clear rights to resources. Clearly defined rights in the form of full legal ownership provide an incentive for active participation because they guarantee access to resources. However, access literature questions this idea and argues that confidence about future access, whether based on formal tenure<sup>30</sup> or not, is more crucial than formal title (Fisher 1995; Ribot 1998; Ribot and Peluso 2003). Legal rights might not always be enforced, while informal agreements might be sufficient and effective in different circumstance.

Using property as the only means through which social actors are able to benefit from resources has been challenged (Leach et al. 1999; Ribot and Peluso 2003; Sikor and Lund 2009). For Marx, property is appropriation – to make one’s own (Marx in Tucker 2012 [1978]). Marx’s characterization of property is akin to the concept of access, which is defined as “freedom or ability to obtain or make use of” in the Merriam-Webster online dictionary (4/21/2014). Property is to rights as access is to ability (Ribot 1998:310). The term ‘ability’

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<sup>29</sup> Similarly, Schlager and Ostrom (1992) focused on rights and rules based on law, custom or convention in defining property rights. They further categorize property rights as *de jure* rights – legal rights enforced by formal legal authorities; and *de facto* rights – rights based on rules made among resource users and not recognized by the state (Schlager and Ostrom 1992:254).

<sup>30</sup> Tenure encompasses the rights of secure, long-term access to land and resources, their benefits, and the responsibilities related to their rights.

encompasses rights and includes the multiple mechanisms, structures and relations that open up, influence, hinder and close down access to resources. Access extends the notion of property by implying that social actors can derive benefits from resources without holding property rights to them.

### **Theorizing Access**

Access theory (Ribot and Peluso 2003) posits that households and communities are positioned differently in relation to resources at various geo-spatial scales with varying bundles of power, which changes based on shifts and modifications of the strands over time, affecting forms of access to resources. Access analysis identifies and maps the mechanisms through which access is gained, controlled and maintained based on the ‘bundles of powers’ available to the individual/group within a particular context (Ribot and Peluso 2003:154). Social actors are enabled to gain, control, and maintain power through the means, processes, and relations derived from the strands that link these ‘bundles of powers’<sup>31</sup> into ‘webs of power.’ An individual can draw from different ‘bundles of powers’ in any given situation within various ‘webs of powers’ that organize access to resources (Meinzen-Dick and Mwangi 2009). This is done through the use of access mechanisms that could be rights-based, illicit, and structural, and relational mechanisms.<sup>32</sup>

According to Ribot and Peluso (2003), rights defined by law, customs and conventions that designate power and shape the ability to benefit from a particular resource represent rights-based mechanisms. These rights could represent the property structure, enabling

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<sup>31</sup> The concept ‘bundles of powers’ represents the mechanisms of power that are available to the actor at a particular time within a specific context such as authority, influence, socialization, acculturation, knowledge, etc.

<sup>32</sup> Social relational mechanism include social identity (status based on gender, age, or nobility – Berry 1993:16-17); social relations (friendship, family, lineage, historical ties among individuals and groups – Coleman 1988; Granovetter 1985; Platteau 1996); coercion and trickery (misinformation, threat of violence or even theft); material wealth (financial and material capital); or physical circumstances (location) (Ribot 1998:310; Ribot and Peluso 2003).

laws and institutions for enforceability of rights. Illicit mechanisms or rights-denied mechanisms operate through coercion and stealth to influence who gains and controls access to resources.<sup>33</sup> The structural and relational mechanisms are the socio-political institutions that shape the effectiveness of access generated by rights-based and illicit mechanisms. Community structural and relational mechanisms may include local infrastructure, knowledge, labor opportunities, social relations, and power relations.<sup>34</sup> The structural relational mechanisms named by Ribot and Peluso (2003) do not comprise an exhaustive list of such mechanism; instead, they vary based on the community and particular social action or resource.

Ribot (1998) provides an illustrative example of the many ways by which social actors enjoy access to resources. On investigating the distribution of benefits along a charcoal commodity chain in Senegal, he portrayed how different actors are able to benefit along the supply chain and through different mechanisms. Villages, for example enjoy customary property rights to forests, even though forests are legally owned by the state. Migrant cutters derived benefits by seeking employment with charcoal merchants, utilizing social factors such as shared social identity and social ties with merchants, stigma attached to the work, and specialized technical skills. Similarly, merchants derived benefits due to their control over labor opportunities and marketing. They utilized social ties with other merchants, government officials, and through credit, misinformation, and extraction permits (Ribot 1998:328).

Likewise, formal property rights do not necessarily imply that social actors holding them are able to derive material benefits from the natural resources to which those rights ap-

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<sup>33</sup>Ribot and Peluso (2003) examined illicit mechanisms as an individual level factor which occurs when individuals cultivate relations with or posing counter threats to those who control access, I extend this mechanism to the community level in relation to community mobilization – threats, violence, and collective action (Nesman 1981).

<sup>34</sup>Ribot and Peluso (2003) describe knowledge, technology, and information as separate structural and relational mechanism, here I have aggregated them as mechanisms of power.

ply (Ribot and Peluso 2003; Sikor and Lund 2009). Kenya's experience is a good example where land tenure reform involved the transformation of communal land rights to individual landholdings. Different social actors internalized benefit outcomes from this formalization of tenure, reflecting the influence of differences in household labor capacity and wealth (Meinzen-Dick and Mwangi 2009:39-40). It is not uncommon for people to hold property rights to some resource but lack the capacity to derive any material benefit from them.<sup>35</sup> Therefore, property rights may or may not translate into 'ability to benefit'; and access may or may not come about as a consequence of property rights.

Property is interconnected with authority, and by extension access is, too (Ribot 1998; Ribot and Peluso 2003; Sikor and Lund 2009). The rights, privileges, duties, and obligations that are derived from ownership of property require support from politico-legal authority or legitimate power. While power is derived from positions occupied in various societal institutions, it is dynamic and continually negotiated through social interaction (Lukes 1974; Gaventa 1980; Gaventa and Cornwall 2006). Power in natural resource management, as in other realms, involves decision-making that shapes the distribution of benefits and costs associated with particular decisions. Power may involve influencing others to act against their own best interests; restricting participation in decision making and excluding others' interests from getting on the agenda; and influencing, shaping or determining the very wants of others. The role of power is a core issue in community participation since stakeholders exercise different degrees of power to achieve desired outcomes (Ananda 2009; Cornwall and Coelho 2007).

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<sup>35</sup>Cousins (1997) argues that people lack 'real' rights if such rights are promised by law but denied in practice.

Tsikata and Yaro (2011) illustrate the salience of power structures in land acquisition by Solar Harvest Ltd. in Northern Ghana. During the land negotiations, the company's negotiator and assistant manager was the grandson of a Chief (Tijo-Na). He organized three community meetings in which selected stakeholders were invited to participate and during which the benefits of Solar Harvest Ltd. were explained to the participants. After these 'public' meetings, an initial sum was paid by the investor, of which 40% went to the Regent and the remainder was divided amongst the sub-chiefs and divisional chiefs, irrespective of whose land was part of the transaction (Tsikata and Yaro 2011). Responses from local community members pointed to the lack of a consultative process preceding the transfer of land rights, and the consequent displacement of a number of families from their sources of livelihood.

Though underlying power structures shape participation, communities could also utilize illicit or rights-denied mechanisms to control, maintain or gain access to the benefit stream from a particular resource. These are rights-denied mechanisms because criminality means different things to different people, especially when the particular action is not state sanctioned (Ribot and Peluso 2003). These right-denied mechanisms could be characterized by peasant mobilization – a gathering of the people to act together, “uniting the people to solve a problem or to reach a goal” (Nesman 1981:4). Mobilization could be top-down, imposed from the top through outside financing; it could begin on an intermediate level, through change agents working with a select few; and it can begin with local communities themselves. Similarly mobilization could mean enforced collectives, violent revolution, or simply everyday acts of resistance (Scott 1985). Contestations of the transfer of land rights to foreign investors may be manifested in social pressures, local resentment, and litigation that

can result in outright resistance and violent conflict (Cornwall 2002). The process of land acquisition by Solar Harvest Ltd. resulted in tension with the local communities due to the imbalance in the power of stakeholders in the negotiation process or lack of a negotiation process (Tsikata et al. 2011). The lack of disclosure to local communities on the operation plan of Solar Harvest Ltd. led to community uncertainties regarding when there will be a harvest, if there will be a processing plant, and the general future of the corporation. This coupled with the lack of a cordial relationship with local residents resulted in incidents of suspected sabotage such as the burning of a jatropha plantation owned by Solar Harvest Ltd. (Yaro and Tsikata 2013). The authors even insinuated that villagers would have resisted more overtly if it were not for the reverence they owe to village authorities. Instead, they resorted to sabotage and subterfuge similar to Scott's (1986) description of peasant resistance. Through mobilization, local people can become active participants in change rather than passive objects affected by change (Nesman 1981; Scott 1985; Cornwall 2002).

Mobilization is most probable when communities are empowered through the social relationships and networks within the community. Community social capital – networks, norms of reciprocity, and mutual trust amongst and within groups and localities, is a key access mechanism and shapes household and community potential to exert power to benefit from a particular resource (Putnam 1993; Flora and Flora 2008). Social capital can be categorized into bonding – connections among individuals and groups to enforce norms and encourage trust, and bridging – connections among diverse groups within community and outside the community. The existence of bonding and bridging forms of social capital are important in fostering transformative<sup>36</sup> community participation. The networks within commu-

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<sup>36</sup> Viewing participation as a means and an end

nities that have high bridging and bonding social capital include a horizontal dimension (lateral learning within a community and amongst communities); have a vertical dimension (community is linked to regional, and national resources and organizations); are flexible (participation is not a lifetime commitment) , have permeable boundaries (community of interest is expanded and community of place grows larger as new partnerships and collaborations are formed (Flora et al. 2008). Social relationships in access theory are both an end and a means to an end in shaping community ability to control or exert power over a particular resource.

Ribot and Peluso's (2003) theory of access maps dynamic processes and relationships of access to resources, facilitating analysis of who actually benefits and through what processes they are able to do so. I am interested in examining how access is controlled by excluding others from participating; how community negotiations can maintain inclusive access to resources; and how access can be gained or established through social/economic/political processes. At a community level of analysis, access theory proposes how structures/institutions influence the social relations that occur within society. I wish to extend this proposition by incorporating a capitals and capabilities framework to analyze how community assets or vulnerabilities (access mechanisms) can shape community motivation or ability (capabilities) to exert power over the transfer of land rights to foreign investors.

### **A Capitals and Capabilities Framework**

To understand the functioning of participation within local communities, we need to draw a line to link theory to practice in order to predict variations in community outcomes. A capitals and capabilities framework is the first step in understanding how rural communities are motivated to act and exert power to articulate and advance their interests. Communities

have diverse resources and this stock of resources (capitals) can be invested to generate more resources over a period of time (Emery and Flora 2006). Five important capitals have been identified; human, social, financial/built, natural, and cultural capital (Bebbington 1999; Emery et al. 2006; Moser 2006, 2008; Putnam 1993). Human capital characterizes the investments in education, health, and the nutrition of individuals within a community (Sen 1997). It has a direct link to labor and labor opportunities. Social capital is defined as the rules, norms, obligations, reciprocity, and trust embedded in social relations, social structures and society's institutional arrangements, which enable its members to achieve their individual and community objectives (Moser 2008; Putnam 1993). Financial capital describes the available financial resources such as savings and supplies of credit (Moser 2008) and can be transformed into physical capital – collection of infrastructure, equipment, and other productive resources owned within the community. Natural capital refers to the available environmental resources a community has such as soil, forests, water, and minerals. The available capitals existent within a community represent assets that can be invested and enhanced over time.

An asset-based framework relies on the premise that people in communities can organize to exert power to advance their interest by identifying and mobilizing existing assets, thereby responding to and creating local opportunities (Mathie and Cunningham 2003). According to Bebbington (1999:2022), “assets are not simply resources that people use to build livelihoods: they give them the capability to be and act.” Therefore, capabilities represent the different combinations of opportunities available to a community. For example, Sen (1993) noted that the possession of human capital not only means that people can produce more, and more efficiently; it also gives them the capability to engage more fruitfully and meaningfully with the world, and most importantly the capability to change the world. As such, assets are

identified as the basis of community power to act to reproduce, challenge, or change the rules that govern the control, use and transformation of resources.

### **Contextualizing Land Acquisitions**

Large-scale agricultural land investments raise complex issues across various dimensions; legal, economic, social, environmental, ethical, and cultural.<sup>37</sup> Transactions involving transfer of land use rights may restrict access of local communities to critical livelihood resources and undermine their food security. In a context of uncertainty regarding decision making authority over transfer and acquisition of agricultural and forest land, local communities' informed and voluntary consent in this process is questionable and meaningful compensation is uncertain. Beyond its economic value, land has social, cultural and religious value in many countries in the Global South. In Africa, the government owns most of the land within national territories except when it is titled, which is rare. Land tenure and titling of land has become a key factor in the negotiations over land deals since this involves the legal transfer of land use rights, which are currently held by local communities through customary law (Cornwall and Nyamu-Musembi 2004). Involving local people as parties to land deal negotiations may be a sensitive matter. When consultation of local communities does occur, timeframes are typically very short (Sulle and Nelson 2009; Nhantumbo and Salomao 2010), allowing little opportunity to establish local associations to build social capital and its derivative agency, and to develop an information network to strengthen their negotiation capabilities.

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<sup>37</sup> For an in-depth view on the socio-economic impacts of large-scale land investments see Answeeuw et al. (2011); Borras and Franco (2010); Borras et al (2010); Vermeulen and Cotula (2010).

Many of these agricultural investments, coupled with structural factors (policy deficiencies regarding land tenure systems and property rights) and personal greed have generated changes in land use, rural livelihoods and property relations (elimination of small- and medium-scale farming, restricted access to natural resources, land tenure conflicts, displacement and resettlement of communities in new areas) (Cotula et al. 2009; Dauvergne and Neville 2010; White et al. 2012).

In other instances, land transactions can enhance know-how for agricultural production (Mackey 2011), technology transfer, access to financial resources, wage employment, and incorporation in agri-food regimes through value chain development, development of transportation infrastructure, health care services, provision of educational services and basic utilities. This is especially true when indigenes are fully informed and consulted during Environmental and Social Impact Assessment (ESIA), participatory mapping of customary lands, inclusion in negotiating the terms of the land transaction (what quantity of land is involved, where, sale or lease, and for how long) in order to generate inclusive incorporation such as cooperative, contract farming, out-grower schemes, that reflect the needs of local people (McCarthy 2010). The extreme pros vs. cons of the 'land grab' argument may obscure some of the key socio-structural and politico-economic institutions and processes that define interactions at household and community levels (Oya 2013a; Edelman, Oya and Borras 2013). Thus, there is a need to reflect, challenge and reframe existing narratives, portraying differentiation that exists within the local context and their interaction with government and private business sector.

Globally, debates over large-scale land transactions for biofuel production are prompted by concerns with biodiversity conservation and climate change. In the local context, the emphasis is on economic and social development. Borras, McMichael and Scoones (2011) urge empirical research to examine interactions within local communities and local economies in order to provide suggestions for improved outcomes of land transaction. The highly differentiated character of local communities gives rise to a wide range of attitudes toward land transactions (Borras et al. 2011; Pye 2010; McCarthy 2010; Fernandes, Welch and Gonçalves 2010). Contrary to the assumption of homogeneity, local people are affected and experience diverse reactions to the socio-political process of 'land grabbing.' Responses of local people are influenced by socio-ecological factors such as land tenure system, topography, perceived value of the land, access to information, local institutions, authority, and local politics (Smalley et al. 2012).

### **Contextualizing Land Negotiations**

According to Ribot and Peluso (2003), legal/illicit, structural and relational mechanisms are tied to an individual's or community's power bundle (bargaining endowment) affecting the ability to benefit from gaining, controlling or maintaining access over a particular resource. Rights-based mechanisms in this setting represent the communal and customary rights that the villages within the affected area of Southwestern Cameroon have that enhance their ability to benefit from access. Because local people within this area only have use rights over land, this gives them limited statutory bargaining power for access (Wily 2011).

### **Framing Community Contestation and Consent**

Land deals usually involve multiple and nested claims by communal groups, traditional authorities, households or individuals (Cotula and Vermeulen 2011). Claims are based on unwritten customary tenure systems founded on traditional legitimacy or written land registration certificate from the State. Land tenure uncertainty is the central issue faced by investors (Cotula et al. 2011). Transfer of land rights to an investor can be contested by the local community, triggering backlashes that affect project implementation. Contestations may be manifested in social pressures, local resentment, and litigation that can result in outright resistance and violent conflict. Contestation depends on who is investing – nationals, foreign private investors, or foreign State agency. Land-based social relations that are class conscious, livelihood-dependent, and rights-securing are dynamic and not static (Borras and Franco 2012). Thus, land-based contestations and violence are influenced by social relations that are class conscious representing landless peasants, rural laborers, indigenous communities, and artisanal laborers; gender-sensitive in relation to ownership rights; livelihoods-dependent reflecting on-farm and off-farm sources of livelihoods; and rights-securing ensuring control and maintenance of access to natural resource.

In other instances, the response is more positive, ranging from outright support for the project (verbal and written agreement with legal force) to acquiescence (verbal or written but without legal force). Most partnerships between communities and investors fall within the second category (Nhantumbo and Salomao 2010). Consent in the case of Central Africa is not a definitive agreement representing a specific time and codified in a signed document. It involves an “ongoing relationship of exchange between parties which undergoes revision and renegotiation and which is witnessed by evidence of mutual satisfaction with that relation-

ship” (Lewis et al. 2008:23). Similarly, contestation is multi-dimensional, involving conflict and negotiation; a dynamic process based on negotiations for land use rights, land ownership rights and favorable terms of incorporation (Borras and Franco 2012; White et al. 2012). In this research, responses are expected to be dynamic based on continuous verbal and material exchange and involve ongoing ‘negotiation.’ Empirical research has to probe deeply to examine intra-household and community relationships to understand the roots of local support and opposition and reveal differences between and within specific land deals (Borras et al. 2012).

### **The Case of Herakles Farms in South West Cameroon**

In 2009 Sithe Global Sustainable Oils Cameroon PLC (SGSOC)<sup>38</sup> obtained authorization to gain concession over 73,086 hectares (ha) of land in Ndian and Kupe-Manenguba Divisions of South West Cameroon under a 99 year lease. The company planned to develop a large industrial palm oil plantation and refinery. Despite withdrawing its application to become a member of the Roundtable on Sustainable Palm Oil (RSPO) in 2012, Herakles Farms pledged to follow best practice principles, especially those of both the RSPO and International Finance Corporation (IFC) in the implementation of its project (Nelson and Lomax 2013). The company is currently in negotiations with local communities to decide how the project will be implemented and what benefits will accrue to local stakeholders.

Herakles Farms’ first contact was with the government. Based on the investor-driven model, they worked with government officials to identify the target project site. The boundaries of the concession were negotiated through a series of meetings and consultations with

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<sup>38</sup> Owned by Herakles Farms, an affiliate of Herakles Capital, an American investment company, henceforth referred to as Herakles Farms

Chiefs, notables, and government services through the various divisional land consultative boards.

According to Herakles Farms, they were in compliance of the legal statute since they had engaged in public consultations with communities that could be affected by the project in developing the ESIA for the project. The finished report (299 pages)<sup>39</sup> was made available to community members through Herakles Community Development Officers and on their web-site.

The finished ESIA report was submitted to the government. According to Herakles Farms (2013), the government organized public hearings in Mundemba (Ndian Division) and Nguti (Kupe-Muanenguba Division) giving community members a chance to review the report. A 17 member inter-ministerial committee examined the report and issued a Certificate of Environmental Conformity. The Land Consultative Board created two maps that defined the legal concession, each with a block (Block 'A' - Nguti block and Block 'B' - Mundemba and Toko block). However, the actual area to be used by Herakles Farms will be determined after Herakles Farms has engaged negotiations with each village over its current and planned land uses and establish which land can be made available for the project.

Herakles Farms engaged in three basic steps in its land negotiation process: a) production of a 'participatory' sketch map of the area to be negotiated showing sacred sites, farmland, settlements, protected areas, and communal land; b) field surveys to geo-reference land use type; and c) held negotiation sessions with the villages and signed Memorandums of Understanding (MoUs) (Herakles Farms 2013).

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<sup>39</sup> See <http://www.heraklesfarms.com/docs/SGSOC-ESIA.pdf>

According to Herakles Farms, the participatory mapping process involved a discussion between local community members and the company to identify land use (e.g., farmland, growth zones, areas of high cultural significance, and other land uses) in particular villages so that both parties could understand which areas could be made available to the project. The mapping process consisted of a series of meetings through which community members and the company mapped out village settlements, farmlands, communal lands, areas for future community expansion, and areas for the potential plantation. The goal of the process was to identify and sign agreements on what land community members will maintain access to and what land Herakles Farms will use for its project. According to Herakles Farms, “drawn maps are ground-truthed, recreated by Herakles Farms using mapping software, and shown to the community for approval. Each community receives a copy of the agreed-upon map” (2013:5). These mapping activities have been initiated in communities in/or bordering the first phase of field planting and will continue as the company advances into the next phases.

Herakles Farms has signed MoUs and Common Commitments (Cahier des Charges)<sup>40</sup> with administrative and village notables of the two Divisions affected by the concession. Within the MoUs, Herakles Farms made provision for payment of monthly stipends to all villages that were signatories and continued to express support for the project. The stipend payments were to take effect in April 2012 (retroactive), and would be paid quarterly going forward.

Herakles is currently opening the first 2500 ha of land for the plantation block ‘A’. Formal negotiations covering the first phase of the project have been carried out in most of

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<sup>40</sup> Sets out specifications that must be respected during the implementation of a project.

the project-affected villages while the ‘participatory’ mapping process is still underway. Despite Herakles Farm proclamations of following best practice principles prescribed by RSPO and IFC in the implementation of its project, serious weaknesses in the consultation and negotiation process have been identified (Yanggen et al. 2010; Achobang et al. 2013; Dupuy and Bakia 2013; Nelson and Lomax 2013; Nguiffo and Watio 2015). According to Nelson and Lomax (2013), accusations of the use of intimidation tactics to coerce local community members into acquiescence have been reported (e.g., presence of military/armed police officers during negotiations imprisonment of NGO personnel for distributing information about the project; and banning the activities of particular NGOs in the project affected communities etc.). The process is not transparent and differs from one village to another (Dupuy and Bakia 2013). The ‘participatory’ mapping process involved mainly the Chiefs and a few influential decision-makers of the different communities. Agreed maps showing conceded area are signed solely by Village Chiefs on behalf of their traditional councils and later by local government officials. The technical knowledge required to understand geo-referenced data involved in land use mapping is also a serious impediment to local authorities being able to adequately understanding the full meaning/implication of ceding specified land area (Nelson and Lomax 2013). The MoU terms are vague and intangible, difficult to operationalize in terms of quantity, quality and time (when/where/how it will be implemented). For example, the MoU states that schools and health units will be built without specifying when, who will provide funding to staff these facilities, or who would be permitted to access the facilities and at what cost. Usually these services are only available to plantation workers and not the general public. The MoU terms are uniform for all project-affected villages despite the fact that the communities are heterogeneous and have different development goals and needs. Local

community members are ill informed about the negotiation process. Herakles Farms' concession blocks overlap with the traditional lands of villages with which they have not consulted or negotiated and part of the block overlaps with public land (Korup Reserve) (Dupuy and Bakia 2013). Local communities faced with the *fait accompli* of the MoUs are asking for a renegotiation of the terms of the Common Commitment with Herakles Farms. Herakles Farms will have to engage in renegotiations on the subsequent phases of its project.

### **Project Site**

Data collection was carried out in Southwestern Cameroon in Ndian and Kupe Muanenguba divisions. Both divisions are found in the southern tropical area of Cameroon. The affected area has an estimated population of 400,000 people who are dependent on forest livelihoods – hunting and gathering, and a rural agrarian economy that is based on forest products – seeds, leaves, barks and animals for sale and the production of beans, cassava, plantains, and cocoa (Oakland Institute 2012). Over 70% of the inhabitants of the region live in rural areas and are involved in agriculture as their principal livelihood activity (MINADER 2013). Village members' access to land is usually by inheritance through customary rights. All farmers except recent migrants 'own' their land, usually by customary right. Migrants could purchase land or lease land for cultivation.

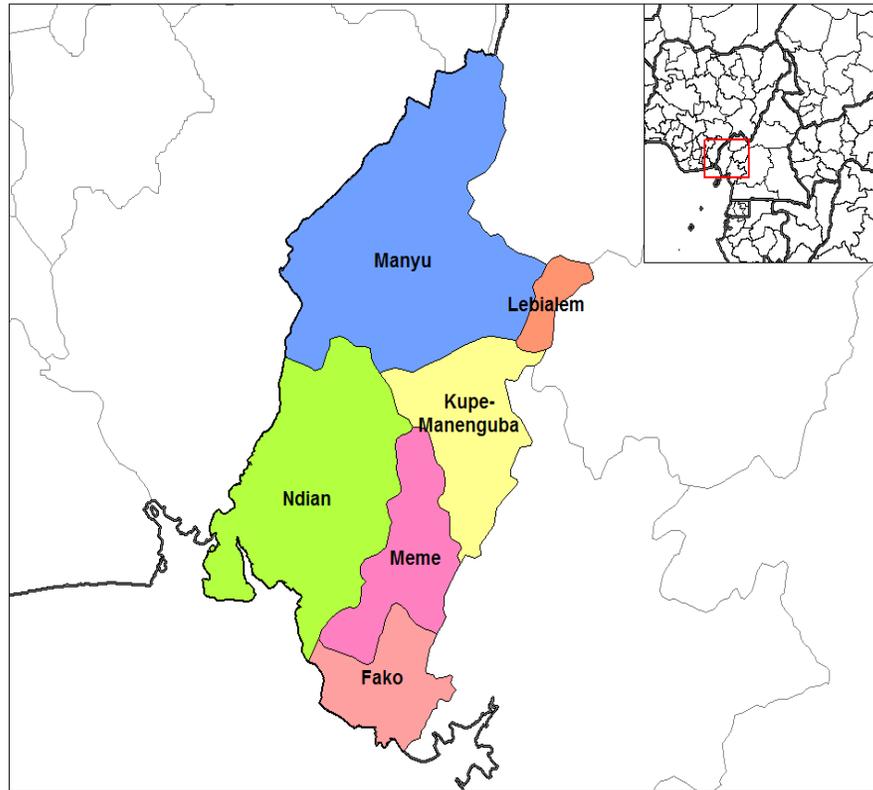


Figure 2. Sub-divisions in Southwestern Cameroon  
 ([https://en.wikipedia.org/wiki/Southwest\\_Region\\_%28Cameroon%29](https://en.wikipedia.org/wiki/Southwest_Region_%28Cameroon%29))

## Ndian

Ndian is the second largest division of South West Region with an area of 662600 ha. The division is comprised of 6 Sub-Divisions: Bamuso, Dikome-Balue, Ekondo-Titi, Idabato, Isanguele, Kombo-Idinti, Mundemba, and Toko; this study focuses on Mundemba and Toko subdivisions. One third of this region is made up of rivers, swamps, and small islets inhabited by fishing communities. Ndian is sparsely populated with poor or non-existent infrastructure and markets.<sup>41</sup> Villages are usually near a river where dry-season alluvial planting can be done. Most Ndian villages are small ranging from 10 to 50 houses. Villages of 20 houses

<sup>41</sup> Total population in 2012 of 150,550 (*Regional Service of Agricultural Development, MINADER, 2012*).

might decline to two or blossom into small towns over a ten-year period, depending on the local health situation and state of the road network.

The division is characterized by forested landscapes (Mountain forest zone - Rumpi), above-average rainfall and below-average soil fertility (sandy sedimentary zone with low nutrient levels). Soils in this division is a sandy sedimentary mix, acidic low-fertility interior soils (except after long-term fallow of 20 or more years), and alluvial soils of riverbanks, richer in nitrogen and organic matter but available only during the dry season (IITA Report 1988).

A majority of farms intercrop cash (cocoa, palm, and coffee) crops with secondary (food) crops. Farmers specialize in tree crops such as cocoa and coffee farms (Rumpi area) and palm trees in Ekondo Titi area on eastern border. Practice of clear cutting inland fields in some villages creates severe erosion problems due to high-rainfall granitic soils, preventing the establishment of cash crop plantations. Inland, farmers specialize in cassava, egusi, plantains, banana, taro, maize and yams around urban areas, and leafy vegetables, okra, egusi melon seeds, groundnuts, and cowpeas concentrated in the alluvial fields. The Rumpi hills zone is a highland acidic-soil area (cocoyam and plantains planted under tree cover to control erosion). This area is accessible only by a long and often difficult road, with few marketing links to outside areas despite surpluses of crops that feature in markets in neighboring areas. The uncertain length of the dry season, and intensity of rainy season flooding influences land use decisions in this division and result in unpredictable quantities of crops available for sale. Village communities inland, especially in the mountain forest area, rely exclusively on for-

ested products for nutrition (fruits, and leaves) and commerce (meat, seeds, and barks of trees).

### Kupe Manenguba

Kupe-Manenguba is the third largest division in the South West Region with total area of 340400 ha and total population of 136,856 (MINADER 2013). This division is comprised of three Sub-Divisions; Bangem, Tombel, and Nguti; this study focuses on Nguti sub-division. Kupe-Manenguba is dominated by forests and ecologically suitable for agriculture given its level terrain. The soils in Kupe-Manenguba are fertile metamorphic and volcanic, rich in potassium and other volcanic minerals. Annual rainfall is high and spread over an average of 156 days (MINADER 2013).

The main economic activity in Kupe-Manenguba is agriculture - cocoa and coffee are the cash crops and plantain, cocoyam, banana, and cassava are the food crops. The main agricultural system is slash and burn based on shifting cultivation. Local communities engage in other livelihood supporting activities such as hunting, fishing, and gathering of non-timber forest products especially bush mango (*Irvingia gabonensis* and *Irvingia wombulu*), eru (*Gnetum africana*), and seeds.

### **Research Framework**

Development research has expanded the concept of community participation, with recent emphasis focused on community participation in natural resource management (Cornwall 2002; Hickey et al. 2004; Maginnis et al. 2004). There is an increasing volume of research examining the scale, processes and impacts (with an emphasis on the creation of differentiation and contestation post-implementation) of the transfer of land rights from local

users to foreign investors (Matondi et al. 2011; Cotula 2013; Edelman 2013; Kugelman et al. 2013; Scoones et al. 2013; Oya 2013b). Research from CAPRI<sup>42</sup> has shown that property rights and collective action play key roles in determining agricultural productivity and food security, access to natural resources critical to sustaining rural livelihoods, and the likelihood that resources will be available to meet future needs. Scholars have investigated local people's lack of access to land to determine the impact of land transfer on their livelihoods. Unfortunately, research examining 'local people' and 'local communities' during the negotiation process has been sparse (Oya 2013a). In order to understand why contestation occurs post-implementation of a given project, we need to put all of the pieces together to comprehend the local dynamics pre-implementation and the socio-political context within which land transfers are negotiated.

Guided by the assumption that interactions within the local context are key elements in understanding responses to land deals, this research will focus on village level factors that shape various types of responses within and among communities. Community level factors include access to information; nature and extent of network connections to cooperatives and civil society organizations; inclusiveness of village decision making process; and influence of community leaders and local elites. Emphasis is on how awareness of procedural rights and access to legal mechanisms influence responses to land deals rather than the land tenure system per se. Understanding negotiation processes and outcomes requires taking into account the configuration of the negotiation group, relationships among negotiators, and relationships between negotiators and the constituents they represent (Kramer and Messick 1995). According to German et al. (2013), the relationship between land investors, govern-

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<sup>42</sup>System-Wide Program on Collective Action and Property Rights (CAPRI) by the International Food Policy Research Institute (IFPRI)

ment representatives and village authorities can lead to cooptation, especially when local constituents are far removed from the negotiations. The end goal of intergroup negotiations also reflects the individual and institutional interests of negotiators, which are divergent and sometimes may not reflect local concerns.<sup>43</sup> Thus, understanding the norms of the society and how they impact negotiation is key in comprehending the process and outcomes.

Leeuwis (2000) proposes a negotiation approach in reconceptualizing participation in land transactions. Community participation in the transfer of land rights is an ongoing, socially constructed and negotiated process (Leeuwis 2000:938). Local communities are heterogeneous, comprising different and sometimes conflicting interests. Communities have diverse problem situations (forest management, unsustainable management of fisheries, grazing of land, etc.) and differing community capabilities (community assets). Consequently, they interact with foreign land investors differently and realize differing outcomes from land transactions. The existence of variability in access mechanisms within local communities creates different outcomes for different communities faced with the same situation or social action.

### Central Research Question

To help engender the win-win solutions alluded to by von Braun and Meinzen-Dick (IFPRI 2009), this research on community participation in land rights transfer attempts to answer the following question:

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<sup>43</sup> In development research, participation relies on a communicative action approach. The concept communicative action (for the theory of Communicative action, see Jürgen Habermas's *The Theory of Communicative Action*) means deliberative action that involves argumentation in order to achieve a common goal. Thus participation is based in collective interest. However, research shows that different stakeholders participate for different reasons based on social interests and practices, which are usually conflicting (Messick and Brewer 1983). In the case of transfer of land rights effective consensus among some is frequently based on conflict and competition with others. Thus in reality, social actors engage in strategic action; following self-interest (Baron, Kerr and Miller 1992; Messick et al. 1983)

How do variations in community structures, capabilities and relationships shape land negotiations to implement a transfer of land use rights involving the Cameroonian government, communities, and Herakles Farms in Ndian and Kupe-Muanenguba divisions in Southwestern Cameroon?

Specific research objectives associated with this question follow:

- a. Identify key social dimensions – social networks and knowledge – associated with land deal negotiations and assess how they affect these processes;
- b. Determine the extent to which land deal negotiation processes reflect differentials in power within emerging spaces for decentralized governance; and,
- c. Identify social dimensions and power relations that are associated with being able to negotiate continued access to land.

Literature suggests that negotiation processes have their own dynamics and characteristics (Kramer and Messick 1995; Leeuwis 2000).<sup>44</sup> Key social factors that shape the negotiation process include the structure of the negotiation parties, social norms and social knowledge and goals (Kramer and Messick 1995). Firstly, the configuration of the negotiation group, relationships among negotiators, and relationships between negotiators and the constituents they represent can impact the negotiation process and outcomes. Large-scale land acquisitions processes in Ghana, Mozambique, Tanzania, and Zambia demonstrate variability in case study outcomes even though all cases studied had similar rights-based struc-

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<sup>44</sup> Negotiation processes can be divided into two broad categories; distributive and integrative (Leeuwis 2000:947). In distributive negotiation processes “the various stakeholders hold on to their own perceptions and positions, and basically use negotiations to divide the cake (or the pain).” This represents a zero-sum game – the gains of one party represents the losses of another. Conversely, integrative negotiation processes characterize processes in which stakeholders develop new (and often wider) problem definitions and perceptions on the basis of a creative collective learning process, resulting in the identification of win-win solutions (positive-sum game) (Leeuwis 2000:947)

tures (German, Schoneveld and Mwangi 2013). Secondly, understanding the norms of the society and how they impact negotiation is key in comprehending the process and outcomes. Negotiation in the African context does not involve a one-time process resulting in a contractual agreement; it is dynamic and on-going, dependent on verbal and material exchange to ensure continuous satisfaction (Lewis et al. 2008). Thirdly, social knowledge and goals reflect information that negotiators have about each other and the agricultural project.

Understanding negotiation processes and outcomes requires taking into account the impact of the social actors and situations, and the organizational context (top-down or bottom-top accountability) within which negotiation is embedded (Kramer and Messick 1995). Research at the local scale on variations in the means, processes, and relations by which actors are enabled to gain, control and maintain access to resources is necessary and important within the growing literature on transfer of land use rights.

## **Methodology**

### **Research Design**

The research methodology will be based on a case-study design. This is the best research design for investigating the complex and dynamic socio-political processes that are inherent and affect the negotiations over the transfer of land rights. According to Yin (2009:9-11), a case-study design should be utilized based on three conditions; the type of research question, the extent of control of behavioral events, and the degree of focus on contemporary events. Community negotiation process over the transfer of land rights meet all three conditions, given that the event is ongoing, out of the researcher's control, and the goal

is to explain ‘how’ and ‘why’ the socio-political context in which land investment occurs shapes the negotiation process over transfer of land rights to foreign investors.

I combine deductive and inductive logic in this qualitative study (Wengraf 2001). Deductive logic is derived from access framework that guides the propositions of the study – questions were created based on theoretical literature on community participation and access – and inductive logic because specific observations will be made and then generalized to the existing theories.

### Setting and Participants

The principal unit of analysis is the community, defined in geographic terms – as an incorporated village. The outcome of interest is maintenance of access to natural resources by villages involved in negotiations over the transfer of land rights to foreign investors. Since the study is focused on the maintenance of access to a particular natural resource, the procedure for selecting a village for study began with identifying those villages within which negotiation of transfer of land rights to foreign investors is occurring. Information about each relevant village was collected, and two villages or ‘cases’ were selected and included in a multiple-case study. The evidence from multiple-case studies is often considered more compelling, and the overall study is therefore regarded as being more robust (Herriott and Firestone 1983).

A secondary criterion for selecting the case study villages was accessibility of the villages in terms of transportation infrastructure, and access to gatekeepers to facilitate entry. The ‘cases’ were close enough to facilitate access between villages, but far apart enough to reduce a spillover effect.

## Data Collection

### Instruments

I created six interview guides for this study comprised of open-ended semi-structured questions.<sup>45</sup> Questions were derived from previous research and theories. A short survey instrument was developed to collect demographic information from a small group of participants for the third paper. Net Mapping<sup>46</sup> was used to visualize: implicit knowledge and understand the interplay of complex formal and informal networks, the degree of influence and hierarchical linkages among key actors; patterns of communication and information exchange within the community; and uncover sources of conflicts as well as potentials for cooperation. Data were also collected by observing village meetings, transect walks, and visits to the projected site of agricultural investment in order to add new dimensions for understanding the context of land rights transfer.

Documents such as news clippings, formal studies (e.g., ESIA), administrative documents, memoranda, and correspondence relevant to the specific land right transfer were collected. Copies of archival records such as GIS maps and public land inventories will also be collected for analysis.

### Procedure

This study is compliant with U.S. Department of Health and Human Services code of Federal regulations guiding researching involving human subjects.<sup>47</sup> I obtained a letter of permission to conduct study within the South West Region of Cameroon from the Gover-

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<sup>45</sup> See Appendix W – Interview Guides

<sup>46</sup> Net-Map is an interview-based mapping tool that draws on social network analysis (SNA) as described in Schiffer and Waale (2008), goes further by including principles of power mapping (Schiffer 2007) and stakeholder analysis approaches (Holland 2007).

<sup>47</sup> See Appendix X – Authorization from Iowa State Internal Review Board (IRB)

nor's Office of the region.<sup>48</sup> I used letters of introduction and invitation to solicit participation of villages, villagers and informed stakeholders in the study. I carried out individual interviews, focus group discussions and Net-Mapping activities to corroborate facts that might have been established through interviews or previous empirical research. Interviews were audio recorded using a non-intrusive audio recorder and an iPad to lessen any tensions that might be caused by the presence of a recording device. During Net-Mapping<sup>49</sup> exercises, I interviewed groups of 2-3 people (friends or neighbors) to create influence and resource maps for each community.

I carried out semi-structured interviews: with approximately 136 key informants from four (4) villages,<sup>50</sup> 16 members of SGSOC PAV, and 10 interviews with government officials, civil society and investor representatives. Participants were purposely selected based on their role as village authority, or knowledgeable about the negotiation process between local communities and Herakles Farms. Sample size was different for each sub-group, depending on accessibility of village members, availability and willingness to participate by representatives and villagers. In one village sample size was based on the redundancy criterion, i.e., I kept interviewing until I starting hearing the same information from each subsequent respondent (point of saturation). In two other villages, sample size was based on house numbering and interviewing an adult in every third house. This is because families usually live in multiple houses in a loose compound with strong ideologies shared amongst all family members – simply put families will usually dissent or consent regarding the land transfer so this was to ensure that I got a variety of opinions and experiences. This does not mean that fami-

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<sup>48</sup> See Appendix Y

<sup>49</sup> See Appendix on Net-Mapping – Qualitative data protocol.

<sup>50</sup> I interviewed 85 men and 52 women

lies were considered as homogenous; on the contrary, subsets on the study were focused on different members of families – women, men, and youths. In one village, sample selection and size was based on accessibility of respondents. Most villagers felt uncomfortable talking with me and in order to ensure that they did not face any reprisals I preferred to only interview villagers who were willing.

Table 1. Social Demographics of Community Members Interviewed

<b>Demographic Categories</b>		<b>Totals (N = 162)</b>
<b>Sex</b>	Female	54
	Male	108
<b>Role</b>	Not Village Authority	105
	Village Authority	31
	Government Representative	2
	Civil Society Representative	5
	Herakles Farms Representative	3
	SGSOC-PAV Members <sup>51</sup>	16
<b>Village</b>	A	50 Individuals 2 Focus Groups (20x2=40) 5 Net-Map Groups (4x5=20)
	B	2 Individuals, 1 Net-Map (4)
	C	7 Individuals, 1 Net-Map (4)
	D	5 Individuals, 1 Net-Map (4)

Due to time constraints and accessibility, it was difficult to talk to all government authorities and civil society representatives involved in the negotiation process. While on the corporate side, I faced low response rate due to inaccessibility.

<sup>51</sup> Membership in PAV is made up of all 21 communities affected by the project.

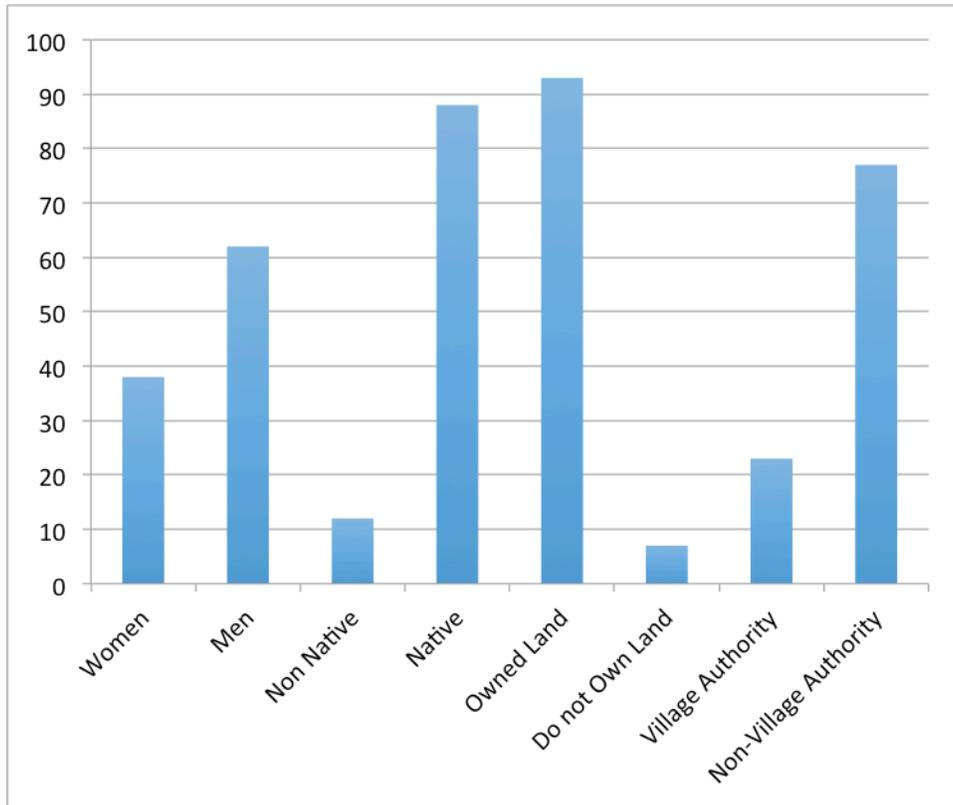


Figure 3. Socio-demographic representation of study sample

Almost all respondents ‘owned’ land based on customary provisions. This meant they had land they were farming on for commercial and subsistence purposes. Respondents who did not ‘own’ land were recent migrants and based in the area for work. Average age for community respondents was 46 years, with median age for the sample population at 47 years. Median age for females was 48 years and for males was 46 years. A majority of community members interviewed had less than high school education.

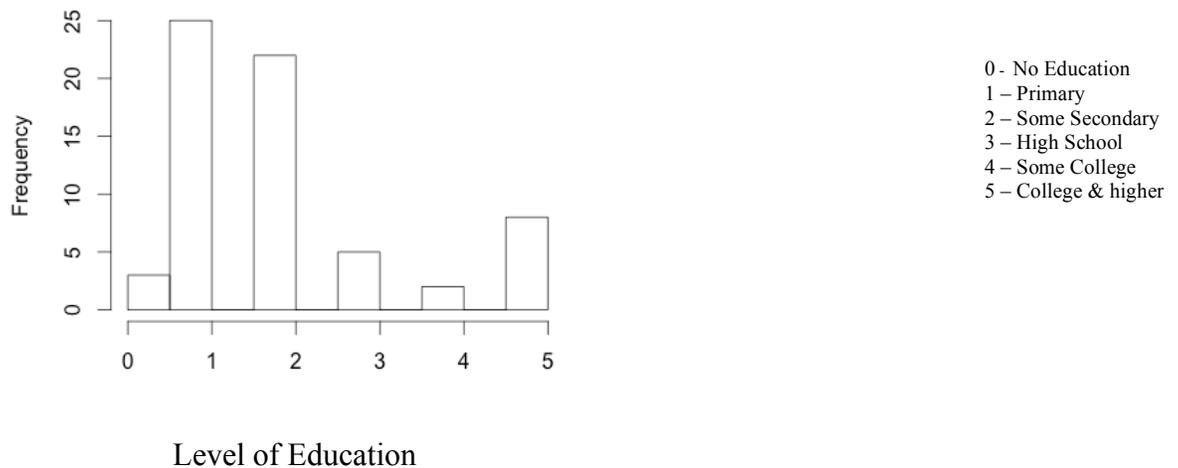


Figure 4. Demographics of Study Sample based on level of Education

I also conducted two focus group discussions with women and youths, respectively, since this method facilitated engaging them in conversations about the investment project taking into consideration their busy schedules (bush mango season). I conducted eight Net-Mapping exercises with five in the largest village and one in each of the smaller villages.

Land is a sensitive issue and ownership of land is even more delicate and complex. A number of people did not accept to participate in study the sensitive issue of the transfer of land rights, and some willing participants refused to be recorded. I spent at least one month in each village in order to gain the trust of the local people. Sometimes I lived in a village that was close to other study villages and visited the other villages every other day in order to establish familiarity with community members. I also relied on community gatekeepers to instigate formal introductions with key informants in order to gain credibility and encourage participation in the study.

## Data Analysis

Data from audio recordings of interviews and focus groups was transcribed verbatim (individual interviews) and non-verbatim (group interviews). Data were coded<sup>52</sup> using NVivo<sup>53</sup> for anticipated and emerging (new) themes using open, axial and selective coding based on grounded theory (Saldana 2012; Charmaz 2006). The analysis of the data collected was based on the theoretical propositions, which frame the case study, particularly access theory (Ribot and Peluso 2003) and the community capitals and capabilities framework (Bebbington 1999).

Visual illustrations of Net-Maps were generated using VisuaLyzer.<sup>54</sup> Audio data from Net-Mapping sessions were coded based on the developing themes in the data analysis.

A cross-case analysis was implemented for the four villages to determine whether villages followed similar courses (the aim is to reveal major similarities and differences). Within-case comparisons were made between negotiating group participants and non-participants to identify variations of power.

## Limitations

There is no single perfect formula for designing a case study (Yin 2009). Because of the lack of a specific procedure for developing and implementing a case study, there is the possibility that equivocal evidence or my personal biases might influence the findings and conclusions. Interviewing within one's own cultural community – as an 'insider', affords the

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<sup>52</sup> Coding method is a procedure for organizing the text of the transcripts, and discovering patterns within the community structure. It is an iterative process (Auerbach and Silverstein 2003).

<sup>53</sup> A computer assist software that can determine general trends and patterns within the data set.

<sup>54</sup> VisuaLyzer™ is an interactive and intuitive desktop tool for visualizing and analyzing social network data from imported data or from data created in the graphical interface.

researcher a degree of social proximity, but it also increases awareness amongst both the researcher and participants of the social divisions that structure the interactions between them (Ganga and Scott 2006). This closeness – between researcher and participants – can influence my objectivity and affect the social dynamics that shape the research process. My insider status can facilitate entry and integration within the local communities, but it can also affect the way in which community members perceive me within this relatively ‘close social world’ (Ganga et al. 2006:1). My positionality as a female researcher from an American university could also have influenced the interview dynamics given the privileges that come with being affiliated with a foreign university, and also potentially raise gender, class, and generational issues. This could cause respondents to be guarded about what is disclosed to/around me and to possibly regard me with suspicion given that the land right transfers being negotiated involve foreign investors.

In order to reduce distrust, I clearly explained my affiliations and principal purpose in each village – preferably at a village meeting, and reiterated this fact throughout my stay in each village. I also deconstructed my notion of community participation and analyzed how my positionality affects the way that I perceive things before venturing into the field in order to gain awareness of my biases and temper them. I maintained some degree of flexibility during implementation of the research design in order to adequately deal with any unexpected situations.

### Ethical Considerations

To ensure that informants took part in the research voluntarily and understood the purpose of the interviews, I explained who I am, a Ph.D. student gathering data for a disserta-

tion research project, that their responses will be kept anonymous (use of pseudonyms and codes) and that I would like to take notes/record the interviews. I provided participants with a card bearing information about the research and my contact information. Land is a sensitive topic in Cameroon and local people are wary of talking about their land and signing legal documents. To minimize suspicion and discomfort, I verbally obtained informed consent, rather than asking participants to sign a paper copy.

### **The Dissertation Ahead: Presentation of Chapters**

The remainder of this dissertation contains four chapters. Chapter 2 “Community Factors, Negotiation Processes and Land Acquisition in Cameroon” explains the need to take into consideration place specific factors when examining the processes of community participation in negotiating the transfer of land. I use a capitals and capabilities framework (Bebbington 1999) integrated with theory of access (Ribot and Peluso 2003) to argue how variations in asset stock of these negotiating communities shape the inclusiveness and quality of village participation. Chapter 3 “Gendered Resource Relations and Changing Land Values: Implications for Women's Access, Control, and Decision Making over Natural Resources” looks at how processes of transferring land-use rights are gendered. I use Schwalbe et al.'s (2000) generic processes that create and reproduce inequality to explain how women's land rights are interrupted or redefined within the project affected villages. I argue that these processes negatively affect women in particular and the communities to which they belong. Chapter 4 “Policy Spaces for Land Negotiations in Cameroon: Negotiation Forums as Invited Spaces” focuses on how community negotiation outcomes reflect variations in power within newly created spaces - Site Global Sustainable Oils Cameroon Project Affected Villages (SGSOC-PAV), on large-scale agricultural land transactions. I use Cornwall's (2002)

categories of ‘participatory governance’ to understand how this association shapes implementation of the project. The last part is a concluding chapter that draws on empirical evidence from the study to consider prospects for policy and future research.

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## **CHAPTER 2: COMMUNITY FACTORS, NEGOTIATION PROCESSES AND LAND ACQUISITION IN CAMEROON**

### **Abstract**

Land deals can involve multiple and nested claims by communal groups, traditional authorities, households and individuals. Inclusive decision making regarding natural resource management and large scale land transactions can enhance positive community outcomes. Such decision making can also boost the sustainability of results. Our research focuses on village-level factors that influence negotiation processes and shape responses within and among communities.

Our study draws on group and individual interviews conducted in 2014 and 2015 with members of four rural communities in Cameroon. We examine the information and institutional capabilities that communities access to accept or reject land transactions and effectively negotiate terms. Bebbington's pioneering work exploring the role of community capitals as assets—his 'capitals and capabilities' framework (Bebbington 1999)—informed our analysis. So, too, did Ribot and Peluso's 'theory of access' (Ribot and Peluso 2003)—their emphasis, that is, not merely on property ownership but on people's ability to derive benefits from resources.

Our analysis indicates that land investors are complying with guidelines specified in Cameroonian law for community consultation and negotiations. Nonetheless, we found serious obstacles to meaningful informed consent. Such obstacles included uncertainty regarding decision making authority over the transfer of land, low or non-existent community assets, and deficiencies in structural and relational mechanisms. Our conclusion: the inclusiveness and

quality of village participation depends on the villagers' access to social, political and financial resources.

Keywords: community participation, negotiation, access, agricultural investment

## Overview

Increased investment in the agricultural sector in the Global South could be a trigger to jump start economic growth and enhance wellbeing. Development literature has proposed as essential the involvement of local people in development plans that affect their communities (Chambers 1983, 1997; Bebbington 1999). The creation of new and open spaces for local participation is important in ensuring sustainable development. Power relations, social relations, and knowledge within a community shape people's participation in negotiations over the transfer of land rights to foreign investors. The aim of this paper is to analyze how variability in those factors influences outcomes. The paper is subdivided into four major sections; (1) processes of land acquisitions in Africa; (2) land acquisition in Cameroon; (3) conceptual and theoretical frameworks to understand community participation and access; and (4) methodology and results.

## Background

The late 2000s have witnessed a surge in foreign direct investment (FDI) in the agricultural sector of developing countries (Hallam 2009; FAO 2013). The main driver of this surge is diverse and complex, but it can be linked to the rise in commodity prices between 2007 and 2008. This rise in food prices prompted countries that are heavily dependent on food imports, such as China and Saudi Arabia, to invest in countries where land and other natural resources were 'abundant' or 'underutilized' with a view of securing their future food supply (Cotula 2013). Coupled with high energy prices and the move to renewable sources of energy, this has triggered an increase in foreign investment in the production of feedstock crops for biofuels (Dauvergne and Neville 2010; McMichael 2010). Other drivers of this surge in investment in the agricultural sector include the continuing rise in global popula-

tion,<sup>55</sup> expectations of future rising prices, increase of consumption rates and demand patterns for food, biofuels, and raw materials (Hallam 2009).

Land transfer processes in the Global South vary based on statutory provisions, customary laws, and social, political and legal institutions within a particular society (Lewis et al. 2008; Cotula 2009). Transfer of land use rights in Africa involves not only a contract between the investor and national government – as custodian over land, but also involves consultations and sometimes negotiations between foreign investor representatives and local communities.

Community participation in the transfer of land rights is an ongoing, socially constructed and negotiated process (Leeuwis 2000:938). Local communities are heterogeneous comprising different and sometimes conflicting interests. Communities have diverse problem situations (forest management, unsustainable management of fisheries, grazing of land, etc.) and differing community capabilities (community assets). Consequently, they interact with foreign land investors differently and realize differing outcomes from land transactions. The existence of variability of access mechanisms<sup>56</sup> within local communities creates different outcomes for different communities faced with the same situation or social action.

We focus on examining the following questions: a) What are the key social dimensions of community negotiations on transfer of land use rights, and how do these factors affect the negotiation process and its outcomes? b) How are community negotiations over transfer of land use rights shaped by structural and relational mechanisms such as power, social relationships and access to knowledge?

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<sup>55</sup> Population prediction of 9 billion by 2050 (FAO 2013).

<sup>56</sup> Theory of Access\* (Ribot and Peluso 2003).

## Land Acquisition in Cameroon

Land acquisition processes depend on the legal structures and political institutions within a country (Moyo 2000; Banerjee 2006; Colchester et al. 2007; German et al. 2011). In most African countries, the government owns most of the land except when it is titled, which is infrequent. In Cameroon, the sale of land is permitted though the formalization of title is different for nationals and non-nationals. Foreign investment in land is done through purchase, long-term leases, or through multiple contracts with local farmers. Long-term leases over land are the most typical arrangement of land transfer, partly because several countries have regulations that prohibit the sale of land to foreigners.<sup>57</sup> Cameroon has a long history of land acquisition for agricultural motives as far back as during its colonial era. Cameroon's appeal as a target country for agricultural land investment can be attributed to its agro-ecological diversity, easy access to the Atlantic facilitating exportation, huge opportunities for irrigation, and 'availability' of land.<sup>58</sup> There has never been a national land audit exercise in Cameroon to determine how much land has been formally registered, how much land is held under customary tenure, compared to land that is Public or National lands. Only a small percentage of Cameroon's land is held under formal title and according to MINDAF, 60% of all titles in 2009 were over urban areas (African Development Bank 2009). Only approximately 3% of rural land is held under formal title and this is usually by large commercial farms (AfDB 2009; World Bank 2009; Nguiffo and Djeukam 2008).

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<sup>57</sup> Usually foreign investors might acquire leasehold titles  $\leq 50$  years (Ghana), provisional certificates  $\leq 5$  years (Mozambique), derivative rights  $\leq 99$  years (Tanzania) or a provisional certificate  $\leq 14$  years (Zambia) (German et al 2013:4-7).

<sup>58</sup> According to FAO Statistics (accessed 06/01/2015), Cameroon has approximately 6.2 million hectares of arable land, with only 20% currently under cultivation (landportal.info).

Landmatrix<sup>59</sup> data shows that 133,743 hectares of land was allocated to transnational agro-industrial investors between 2006 and 2014 (land deals where a written or verbal contract exist with the State). According to data from Ministry of Economy, Planning and Management (MINEPAT) (2013:78) 400,563 hectares was allocated to domestic and transnational agro-industrial investors before 2005. By 2012, Cameroon had issued mining and drilling permits over approximately 10 million hectares of land (Republic of Cameroon and Extractive Industries Transparency Initiative 2013).

### Procedure

Formal law recognizes ownership, usufruct,<sup>60</sup> and leasehold rights depending on the categorization of land. Land in Cameroon is categorized into public, private, and National land. Public land encompasses all land that cannot be acquired such as forest reserves, wildlife sanctuaries, etc. Public land cannot be the subject of a land transaction. Private land includes land that is owned by private persons (covered by land certificate), and land privately owned by legal entities such as local communities, regions, and the State. National land is land that is not privately owned and therefore includes all other land that is neither public nor private. The vast majority of untitled land in Cameroon is found in rural areas and used by rural communities. Untitled rural lands would be categorized as National land, neither private nor public, and administered by the State (Javelle 2013). Privately owned land and National lands are the main focus of most large-scale land transactions in Cameroon. Cameroon does not have a National land-zoning plan that divides the available arable land into spaces for agro-industrial activities and/or small-scale farming (Nguifo and Watio 2015).

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<sup>59</sup> A global and independent land monitoring initiative.

<sup>60</sup> A civil law term that refers to the right of one individual to use and enjoy (such as draw profit) the property of another, provided its substance is neither impaired or altered. In the case of land the usufructuary can enjoy without altering the substance, though use and time land might diminish or deteriorate naturally (legal-dictionary.thefreedictionary.com).

Land identification and allocation is investor-driven in Cameroon. It is the potential investor that proposes the location and quantity of land needed, and how it will be used. A request for agricultural land-use is processed by the Ministry of Agriculture and Rural Development (MINADER) and forwarded to the Ministry of Domains, Cadastres and Tenure (MINDCAF), and other Ministries relevant to the acquisition (e.g. Ministry of the Environment, Nature Conservation and Sustainable Development – MINEPDED; Ministry of Forestry and Wildlife – MINFOF; Ministry of Economy, Planning and Management - MINEPAT).

After this procedure, there are three main channels through which land can be acquired. Firstly, land can be acquired from the government through a direct request for a concession. This acquisition applies to National land. Secondly, land could be acquired from a company that holds land rights to the particular concession.<sup>61</sup> Lastly, local communities can be consulted as a first step in obtaining legal contract from the State. There have been cases in Cameroon where consultation of local communities was the only procedure entered into to acquire land (primarily done by nationals). Based on statutory provisions, this is questionable - especially when National land is involved in the acquisition since local communities usually have limited (use) rights over National land (Nguifo and Watio 2015).

Land could be made available through a sale, assignment, or an allocation of rights to enjoyment over land. The principal actors in the land acquisition process are the investor/purchaser/leasee, and the government. When National land is involved, the State engages in a bilateral process with the investor with little input from local communities. The investor usually determines the amount of land to be assigned with support from the local administration, which in turn is supposed to deliberate with local communities through Land and Con-

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<sup>61</sup> This type of acquisition is infrequent (Nguifo and Watio 2015).

sultative Boards. Some investors instigate consultation and negotiation processes with local communities during the identification phase in order to reduce the likelihood of resistance and conflict during the project implementation phase. Even though there is no legal requirement for investors to consult or negotiate with local communities, Cameroon's engagement in Reducing Emissions from Deforestation and Forest Degradation (REDD+)<sup>62</sup> places pressure on the State to increasingly include local forest communities in the design and implementation of forest policy. Thus, procedures of acquisition vary significantly from one investment site to another. The land acquisition process can result in a provisional or definitive concession to the investor.

#### The Case of Herakles Farms in South West Cameroon

In 2009 Herakles Farms as Sithe Global Sustainable Oils Cameroon PLC (SGSOC)<sup>63</sup> obtained authorization to gain concession over 73,086 hectares (ha) of land in Ndian and Kupe-Manenguba Divisions of South West Cameroon under a 99 year lease. The company planned to develop a large industrial palm oil plantation and refinery. Activities of Herakles Farms were suspended in 2012 because the land acquisition process to obtain leasehold was not statutory.<sup>64</sup> In 2013, the President of Cameroon issued a decree granting provisional concession<sup>65</sup> and requiring that the company consult and negotiate with the affected local communities to arrive at a contract that reflects the needs of all stakeholders. Though Land Consultative Boards in the respective divisions created maps that defined the legal concession<sup>66</sup>, the actual area to be used by Herakles Farms will be determined after it has engaged in nego-

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<sup>62</sup> REDD+ is a UN program that aims to incentivize developing countries to reduce emissions from forested lands by creating a market value for carbon stored in forests.

<sup>63</sup> Owned by Herakles Farms, an affiliate of Herakles Capital, an American investment company, henceforth referred to as Herakles Farms.

<sup>64</sup> See Djoyum, 2013

<sup>65</sup> See Presidential Decrees No 2013/418 of 25 November 2013 granting a provisional land lease to Herakles Farms in Mundemba; No 2013/416 of 25 November granting a provisional land lease to Herakles Farms in Nguti; and No 2013/417 granting a provisional land lease to Herakles Farms in Toko.

<sup>66</sup> Block "A," - Nguti block, and Block "B," - Mundemba and Toko block.

tiations with each village over its current and planned land-uses and establish what land can be made available for the project. The company is currently in negotiations with local communities to decide how the project will be implemented and what benefits will accrue to local stakeholders.

### Conceptual and Theoretical Frameworks to Understand Community Participation and Access Maintenance

This paper examines the land acquisition process related to Herakles Farms in the dense and high biodiversity forests of Southwest Cameroon. It builds on writings on the processes and context of current large-scale land transactions (Vermeulen and Cotula 2010), theory of access (Ribot 1998; Ribot and Peluso 2003), and capitals and capabilities framework (Bebbington 1999).

#### Access Theory

Access theory (Ribot and Peluso 2003) posits that households and communities are positioned differently in relation to resources at various geo-spatial scales with varying bundles of power, which evolves over time, affecting forms of access to resources. This is done through the use of access mechanisms which could be rights-based, illicit, and structural relational.<sup>67</sup>

According to Ribot and Peluso (2003) rights defined by law, customs and conventions that designate power and shape the ability to benefit from a particular resource represent rights-based mechanisms - the property structure, enabling laws and institutions for en-

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<sup>67</sup> Structural relational mechanism include social identity (status based on gender, age, or nobility – Berry 1993:16-17); social relations (friendship, family, lineage, historical ties among individuals and groups – Coleman 1988; Granovetter 1985; Platteau 1996); coercion and trickery (misinformation, threat of violence or even theft); material wealth (financial and material capital); or physical circumstances (location) (Ribot 1998:310; Ribot and Peluso 2003).

forceability of rights, etc. Illicit mechanisms or rights-denied mechanisms operate through coercion and stealth to influence who gains and controls access to resources.<sup>68</sup> The structural relational mechanisms are the socio-political institutions that shape the effectiveness of access generated by rights-based and illicit mechanisms, such as local infrastructure, knowledge, labor opportunities, social relations, and power relations.<sup>69</sup>

Though theory of access explains how particular mechanisms affect the ability to gain, or maintain access to particular resources, it does not necessarily explain how asset vulnerability could diminish this possibility. In order to explain how low asset stocks could shape local people's notion of what is being negotiated, what is at stake, and what are the tools available to them to empower the decision making process, we incorporate a capitals and capabilities framework.

### A Capitals and Capabilities Framework

Asset-based frameworks view people in communities as capable of organizing to exert power to articulate and advance their interests by identifying and mobilizing existing assets (Bebbington 1999), thereby responding to and creating local opportunities to 'change the world.' Assets form the basis of community power to act and to reproduce, challenge, or change the rules that govern the control, use and transformation of resources. Five important assets (or capitals) have been identified; human, social, financial, physical, and natural. Capabilities represent the different combinations of resources (assets) that a community can draw from to instigate growth (Sen 1993), it refers to the available opportunities. Sen (1993)

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<sup>68</sup>Ribot and Peluso (2003) examined illicit mechanisms as an individual level factor that occurs when individuals cultivate relations with or posing counter threats to those who control access, we extend this mechanism to the community level in relation to community mobilization – threats, violence, and collective action (Nesman 1981).

<sup>69</sup>Ribot and Peluso (2003) describe knowledge, technology, and information as separate structural and relational mechanism, here we have aggregated them as mechanisms of power.

distinguishes between ‘doing x’ and ‘choosing to do x and doing it.’ This project analyzed how variability in community assets shape community capabilities to act or exert power over the negotiation process for each village. Community capabilities shape local community member’s understanding of the negotiation process and also the Free, Prior and Informed Consent (FPIC) of these villages. FPIC is a principle based on the collective right of communities to participate in decision-making and to give – or withhold – their consent to activities affecting their lands, territories and resources. Consent must be given freely, i.e., without coercion or manipulation. It must be obtained before activities are implemented. It must also be founded on an understanding of the full range of issues arising from the activity or decision in question (Colchester and Mackay 2004). International law recognizes FPIC as a legal norm that imposes clear duties and obligations on States. Cameroon has ratified all international laws related to the provision of FPIC.

We therefore require a notion of access to resources that helps us understand how people in rural communities give meaning to the consultation/negotiation over the transfer of land rights, how their perceptions of these processes are related to their livelihood choices and strategies; and the ways in which peoples capabilities both add to their quality of life and also enhance their abilities to confront the social conditions that they might encounter, such as negotiations of land transfer. The assets to which communities have access are not merely the means through which they make their living, but also give meaning to their world.

Using access theory, or a capitals and capabilities framework as a single analytical tool would not be sufficient to provide a complete picture of how the decision making process is shaped. We blend access theory and capitals and capability framework to examine

how structural-relational mechanisms such as social relations, power relations, and knowledge are weakened by asset deficiencies and in turn shape community capabilities to negotiate access maintenance over land. Emphasis is placed on the underlying power relations (community power structure) and how it shapes the decision-making process.

### Methodology

I use a case-study design to investigate the complex and dynamic socio-political processes that are inherent and affect the negotiations over the transfer of land rights. The units of analysis are communities. Community is defined based on geographic location – a village. Cases were identified and selected from villages currently engaged in negotiating access maintenance with the investor. A second selection criterion was based on accessibility of the villages in terms of transportation infrastructure, and access to gatekeepers to facilitate entry. The four ‘cases’ were also close enough to facilitate access between villages, but far apart enough to reduce a spillover effect.<sup>70</sup> Drawing on empirical data collected in mid-2014 in four rural communities in Southwestern Cameroon, Africa, which are in various stages of negotiating the transfer of land use rights to a multinational corporation; Herakles Farms.

### Data Collection

Each village was an individual case study. Data from audio recordings of open-ended,<sup>71</sup> in-depth interviews with key informants such as village authorities, government representatives, investor representatives, and informed villagers was collected. Focus groups were also organized to corroborate facts that might have been established through interviews

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<sup>70</sup> Situation in village A directly affecting situation in village B.

<sup>71</sup> In order to adequately document the connections that exists within each case.

or previous empirical research. Data were also collected through observations of village meetings, transect walks,<sup>72</sup> visits to the projected site of agricultural investment in order to add new dimensions for understanding the context of land rights transfer. Documents such as news clippings, formal studies (e.g., ESIA), administrative documents, memoranda, GIS maps, correspondence relevant to the specific land right transfer, and public land inventories were collected.

We conducted 64 individual interviews, 8 small group interviews (Net-Mapping) each comprised of 4 individuals, and 2 large focus groups each with 20 individuals. See Table 1 on social demographics of community members interviewed.

Data collected was analyzed based on the theoretical propositions that frame the case study – capital assets analysis as described by DFID (2000) and access analysis as proposed by Ribot and Peluso (2003). The case study will (a) show how community capital assets can shape village-level negotiations, (b) how structural and relational mechanisms can shape the negotiations of the transfer of land rights in foreign agricultural investments and (c) explain interaction between community capabilities and access maintenance, given the legal provisions for participation. NVIVO and manual coding was used and word tables created to determine general trends.

To measure social capital, this study used the mechanisms identified by Grootaert (2004): the types of groups/institutions and networks that exist within the community, and perceptions of trustworthiness of community members towards these groups/institutions

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<sup>72</sup> A tool for describing and showing the location and distribution of resources, features, the landscape and main land uses along a given transect (worldbank.org).

(measured using specific open-ended questions during interviews)<sup>73</sup>. Social capital consists of bonding (ties within communities) and bridging (ties between organizations and communities) social capital (Narayan 1999; Daasgupta and Serageldin 2000). The study also measured ‘linking’ social capital (Woolcock 1999) – ties to authority figures (police, local leaders, ministers, political parties), a specific component of “bridging” social capital, which is alluded to by Ribot and Peluso’s (2003) theory of access (access to authority).

To measure human capital, I determined the number of educational institutions, vocational training, and health facilities in the community. Illiteracy impedes community members’ ability to access information, or understand written, legal or technical documents. While investors use GIS to map out areas that are of interest, a local community’s bargaining endowment is weak due to lack of access to and inability to understand the full implications of such mapping.

To determine financial capital, I measured the availability of logging royalties, availability of commodity institutions of credit for farm inputs (cooperatives), and formal (credit unions/banks) and informal (tontins, njangis, merry-go-rounds) financial institutions for cash credit. This affects local peoples’ ability to carry out their own projects if formal financial institutions are non-existent. This might result in communities being dependent on investors for agricultural inputs or cash advances.

The fourth type of capital, physical or built capital, is measured by the availability/accessibility of physical and technical infrastructure such as communication lines (roads and telecommunication), electricity, and water systems. Access to information is very im-

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<sup>73</sup> See interview guide on Social relations.

portant to understand who can benefit from a particular resource (Gaventa and Cornwall 2006; Ribot and Peluso 2003). Access to privileged information, higher education, and specialized training can facilitate individual or group ability to benefits from resource access. Informed consent requires effective multi-directional communication. Consent cannot be given if the villagers have not received and understood all the necessary information on which to base their decision.

Finally, natural capital, the community's assortment of natural resource stocks, is measured by the amount of community land available for present and future transfer negotiations, percentage of total land with standing volume (forest) to cultivated land, number of year-round flowing rivers and streams for irrigation, and geographic isolation from nearest urban area (implications for availability of labor force and wage rate). This has implications on present and future bargaining over natural resources.

The next two mechanisms, power and knowledge, are a result of a combination of individual and community capitals resulting in more or less power and, in turn, to access/restrictions to relevant information. Power - Power relations were measured using specific in depth interview questions, Net-mapping and observation.<sup>74</sup> Power may involve influencing others to act against their own best interests (visible power); restricting participation in decision making and excluding others' interests from getting on the agenda (hidden power); and influencing, shaping or determining the very wants of others (invisible power).

The three dimensional framework of power (Lukes 1974) is used to understand the underlying power relations within land transactions. Village leadership structure, the formal

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<sup>74</sup> Please see Appendix X: Interview Guide on Power relations and Net-Mapping – Qualitative data Protocol.

rules or laws that govern forest management and the tenure system, represent visible power (formal title over land would be an important source of visible power). Hidden power can be characterized by the cultural/belief systems within local communities, and personal relationships within the political system that influence what gets on the agenda. Such as when negotiation meetings are held in English even though the majority of villagers do not speak or comprehend English. Invisible power is evident when negative stereotypes that limit the roles of certain groups exist within the community, e.g., entrenched attitudes towards women and youth, feelings of subordination, apathy, self-blame, powerlessness, unworthiness, hostility, anger, etc., and when crucial information is concealed or inaccessible to members of the community. This paper focuses on the first two dimensions of power. Questions aimed to examine; what agendas dominate? how is information gathered and used? how are spaces created to negotiate decisions? and by whom?

Knowledge - Knowledge will be measured within the context of social capital and how it strengthens power within a community. Questions asked would be: who has information relevant to the land transfer? where do they get it from? how is this information shared?

## Results

The South West region is located in the moist forest zone with one rainy season, which in turn determines the length of the growing season. This equatorial zone is home to the Bayang Mbo Sanctuary, the Bakossi Mountains, the Rumpi Hills, and the Korup National Park – four protected areas of High Conservation Value (HCV). Communities are dependent

on forest livelihoods – hunting and gathering, and a rural agrarian economy based on forest products – seeds, leaves, barks, and fruits.

In the case of the villages examined, the majority of local community members favored letting the investor implement its project within their community. Even though there were questions surrounding how the project would be implemented and the implication for the future generations' access to land, the majority of community members felt that the development opportunity was greater than the risk, assuming that their village situation could not get worse. Villages that had resisted the land deal were not included in the study since the scope was to understand the decision making process over the transfer of land use rights.

(a) Community Assets

An asset indicator sheet was created to measure the five capital assets at the community level; categories used were mostly available, slightly available, slightly unavailable, mostly unavailable, and non-existent. Three members of each village – the chief or representative, head of the traditional council, and head of the women's council, were asked to rate key indicators on the asset indicator sheet, total scores for each asset was calculated and adjusted to percentage values. Asset pentagons for each village was created using standardized calculated values (see Fig 7).

In community A, all capital assets are higher than any of the other three villages, with physical, human, natural capitals considerably higher than financial and social assets. Deficiencies in social assets in community A reflect distrust due to conflict over chieftaincy succession.

When asked to describe trust within the community, a male respondent said,

The people of [Community A] are now in two camps [Fig. 6], there is a camp that says they are for the present chief and there is a camp that says no to the present chief. These groups are always at loggerheads. If there is any problem that concerns the village there is always dispute. There is no trust.

This is not particular only to A since there are a number of cases where indigenes have contested the legitimacy of the ruling family and/or individual resulting in a division in village allegiance. There are also situations where quarters within the village have been declared chiefdoms seceding from the larger group giving rise to chieftaincy disputes.

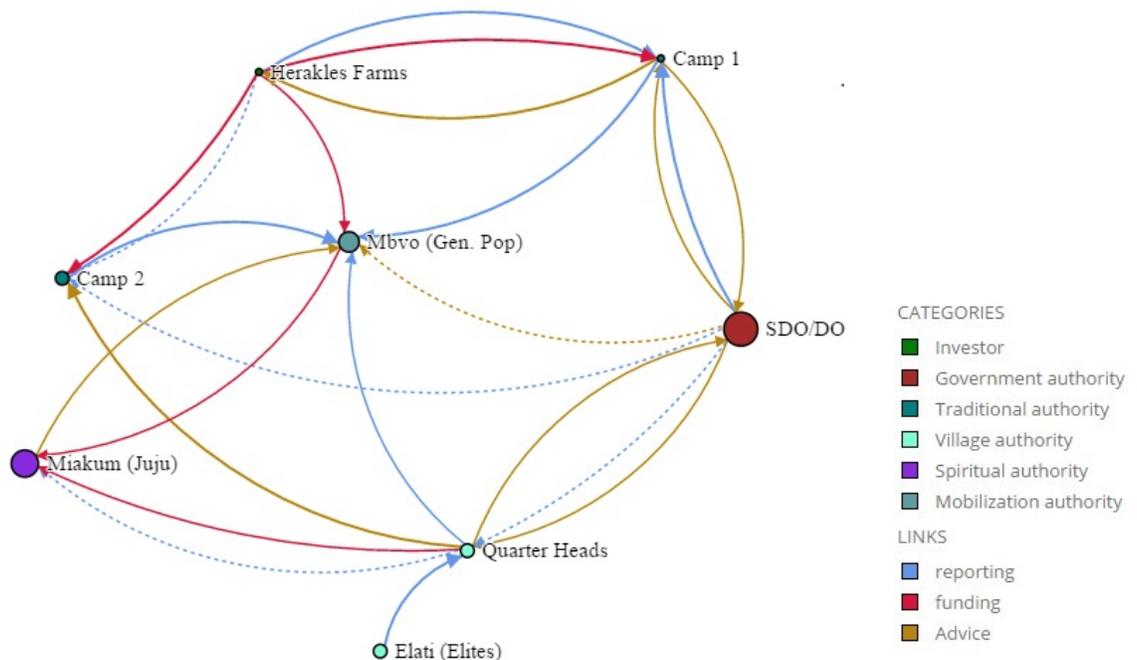


Figure 5. Mapping Influence 1: Network of relationships showing dual authority (2 camps) and possible implications for how community negotiates the transfer process.

A series of events had highlighted corruption by certain elites in reserving benefits from village negotiations for their personal use and misappropriation of community funds from a logging company's use of community land. This community is off the national electricity grid; where electricity is available, it is rationed or individually generated. This limits access to media in general (television, radio and newspapers), restricting access to communication relevant to this decision making process.

Community B is characterized by high natural assets, low social and human assets, non-existent physical, and financial (formal) assets. The low/non-existent nature of assets in B erodes the bargaining endowment even though there are abundant natural assets to entice investor interest.

Similarly, community C is characterized by high natural assets, but low physical and social (bonding) assets, and inadequate human and financial assets. The abundance of natural assets gives C a strong bargaining position since the investors see the potential for future expansion within this area. The low/inadequate nature of all other community assets puts this community in a precarious position in terms of accessing and using legal and technical resources that might be available to them.

The poorest community was D in which all assets were extremely low. D is characterized by low natural assets, low social assets (bonding), non-existent human, physical, and financial (formal) assets. D borders large stretches of public land, limiting its natural asset-base in terms of land. D's capital endowment is extremely low given that all assets are low or non-existent.

None of the local community members interviewed who were resident in these communities had formal title over the land they farmed or on which they resided. Under formal law, these communities have recognized usufruct rights but neither rights to exclusive possession nor rights to mortgage or transfer land. Visual representations of community capitals through asset pentagons show a clear distinction of capital endowments among communities.

All villages, except D, have mostly available stocks of natural assets, but with limited financial, human and physical assets. B, C, and D have similarly low stocks, with community B having more physical and human assets. Communities C and D show low physical, human, and financial assets, but higher social and natural assets. This reflects the weak communication infrastructure (poor roads, no telecommunication service), lack of energy infrastructure (electricity), poor sanitation, inadequate health and educational facilities and no formal financial institutions.

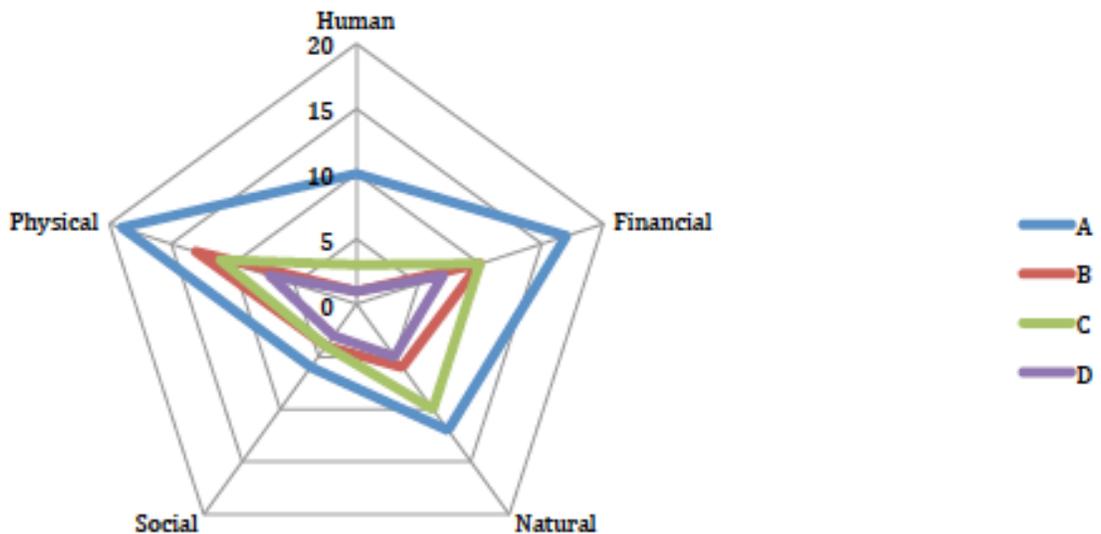


Figure 6: Asset Pentagons

These three villages, B, C, and D are smaller and tightknit, with very strong and unitary leadership structures, which is typical of most of the villages affected by this land transfer. The poorest village was D in which all assets were extremely low. Villages in the Kupe-Muanenguba area (A and B) have higher endowments of physical, financial, and human capital assets than villages in Ndian (C and D), where bonding social capital was greatest even though bridging social capital was very weak.

These communities are plagued with poor transportation linkages and inadequate technology, which consequently affects linkages to market and labor opportunities.

A female respondent said,

To go to neighboring villages is by foot. For example, to go to Barika, a bike can take you there but the other villages is by foot. I go there when I have something to do there, like last Sunday we went to Mokango for a parish meeting. We went there on Saturday, and came back on Sunday. I put my child on my back and walked with the other women. Although the distance is far, we don't have a choice we just have to walk. It usually takes us two hours walking to arrive Mokango. But people who walk fast can use an hour thirty minutes.

In the villages identified for this study, there is no electrification or pipe borne water, and inadequate health care and educational facilities. When asked how they get information, one respondent said, "We don't have electricity so we don't watch television nor listen to the radio. We get information through the town crier. He passes the announcement to the whole village". Asset vulnerabilities and low asset stocks can shape community perceptions of

needs, deriving meanings that differ markedly from a situation with full knowledge of the investment project and possible strategies that support viable local livelihoods.

Another male respondent explained,

Has a contract been signed? I don't know, only those who are in the negotiation team can tell us that. But in the community you only hear of rumors but you cannot tell whether it is true or false. We just hear them passively. I am not a member of the government neither am I a member of the traditional council. There are some that say that [Herakles Farms] has been given land in this [village] and others say that SGSOC has not been accepted because of the preservation of wild life. So we are confused.

Herakles Farms has signed Memorandum of Understanding (MoUs) with these communities groups under two blocks – Nguti and Toko blocks. A review of these MoUs reveal that the conditions are the same for these different communities even though the communities and villages have different needs. The greatest opportunity guaranteed by the MoUs is employment of local community members without specifying what type of employment, for how long, and at what remuneration. Given the low levels of human capital within some of the communities guarantee of employment would not necessarily mean development especially if community members would loose access to farmland. Generally employment would differ depending on stage of implementation with higher number of laborers needed during early stages of implementation (clearing and planting), compared to during growing or processing phases. More skilled employment might be required in the later phases such as food scientists, marketing, and accounting opportunities compared to planters, harvesters, fertiliz-

ers, especially if production is mechanized, which is typical of most commercial farms. Employment type would differ based on where refinery would be located with more processing specialized labor in this community.

All villages were guaranteed a standard monthly stipend even though some villages are transferring more land than others. There is no provision for the stipend amount to increase as the risks incurred by the investor (uncertainty of production) might decrease and profits might increase.

Standard services promised include health and educational facilities, and provision of electricity and road. There is no provision on who will benefit from these facilities and how, though locals assume that these services would be free and accessible by everyone. In most cases, such as in PAMOL – a palm plantation agribusiness found in Toko Block, only employees of the plantation can access company schools, clinics, and electricity and at reduced costs.

The promise of basic amenities that are deficient in all villages in these MoUs was enough to convince village members to consent to the land transfer and support a petition to the president in favor of the land deal even though the MoUs represent no contractual obligation on Herakles Farms.

Based on data collected using asset indicators, secondary sources describing the topography and socio-economic situation of these communities, and personal observation I conclude that asset deficiencies within these villages could limit their bargaining endowment. In terms of technical knowledge (human capital), bonding/bridging social capital, and finan-

cial and physical capital, Community A, which had the most asset endowment, was the slowest in implementing the president's decree. Community members were most informed, had the highest number of consultative meetings with Herakles Farms preceding and following the EIA process, and had the most open opposition to and voicing of worries about the project. The community was willing to contest the presidential decree demarcating land to Herakles Farms and wished to identify alternative land for this investment. On the other hand, for communities B and D, the idea of having basic public infrastructure such as hospitals/clinics, schools, community halls, and wage employment was too good to resist given the low asset stocks that existed in their communities. There were fewer questions raised, and community members spoke more of the opportunities and less of the risks associated with the project. These communities were accepting of the land demarcated for this investment in their communities and waited with apprehension for the project to be implemented. Though communities B and D were the most willing for implementation to start, the lack of infrastructure (road, telecommunication, and labor) and difficult terrain deterred the investor from starting implementation. Nurseries that had been started in these areas were over-grown and by mid-2015 the investor was selling these plants to any buyer who was willing to evacuate the young trees out of these communities. Community C can be described as an anomaly, in the sense that though it had moderate asset stocks compared to all four communities there was little questioning of the presidential decree and project implementation was the furthest along. This could be attributed to the strong hierarchical power structure that exists in the community and how this results in the moderation of information streams to all community members. Thus, we are justified in integrating an asset and capabilities framework with a structural relational approach to further understand the negotiation outcomes.

(b) Structural and Relational Mechanisms and Access

Power Relations

All respondents interviewed referred to the importance of power within the negotiation and decision making process. All three dimensions of power were evident within these communities; the dimensions illustrated here are visible power and hidden power, since invisible power goes beyond the scope of this paper. Visible power – power by the government in the decision making process clearly shapes the land acquisition process. The lack of formal title over the land being transferred provides local people with only usufruct rights, while the State has decision-making power over these lands since they can be categorized as National land. All respondents expressed uncertainty regarding the role of local communities, given that specific pieces of land (within specific GPS coordinates) had been allocated to the investor. A male respondent explained that “the [Senior Divisional Officer] made us to understand that we are not the owners of the land. He told us that whether we like it or not [Herakles Farms] will come and we are not going to disturb them.” All interviewees declared the irrefutable nature of the presidential decree allocating the provisional concession, even though they believed that the land belongs to their various villages. A female respondent said, “We do not have powers more than the government but if the government has signed they should also meet us to negotiate. They should see the community.”

Power wielded by village customary rulers and their notables over their constituents echoed within the decision making process over the transfer of land is a clear reflection of visible power.

A male respondent said,

When [Herakles Farms] comes [to the village] they meet with the chief [and]/or quarter heads. When they [traditional authorities] have finish with the white men [Herakles Farm representatives], the message will then be delivered to the entire village - whether good or bad we do not have a say. For me it is needless.

In three (B, C, D) of the four communities, there was a distinct hierarchical structure of power with the chief at the top.<sup>75</sup> Even in the single community (A) that had a dual power structure,<sup>76</sup> the majority of meetings involving the investor were held at the chief's palace.

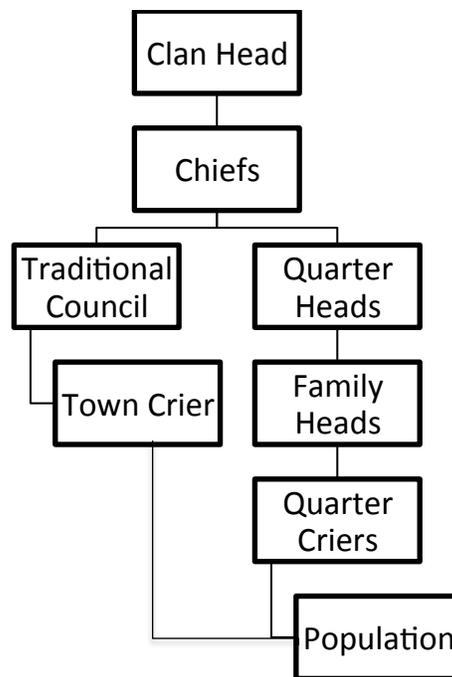


Figure 7. Traditional Hierarchy. Source: Monographic Study, Nguti Rural Council (2009)

<sup>75</sup> Customary powers based on tradition and cultural beliefs (sacred societies and mystical powers).

<sup>76</sup> Due to a dispute over the Chieftaincy lineage.

Though there is a hierarchical structure of power with the chief and traditional council at the top all members of the traditional council do not have equal power. Some are trusted by the chief and thus enjoy more influence, and others are liked by the community and can exert their will on the decision making process.

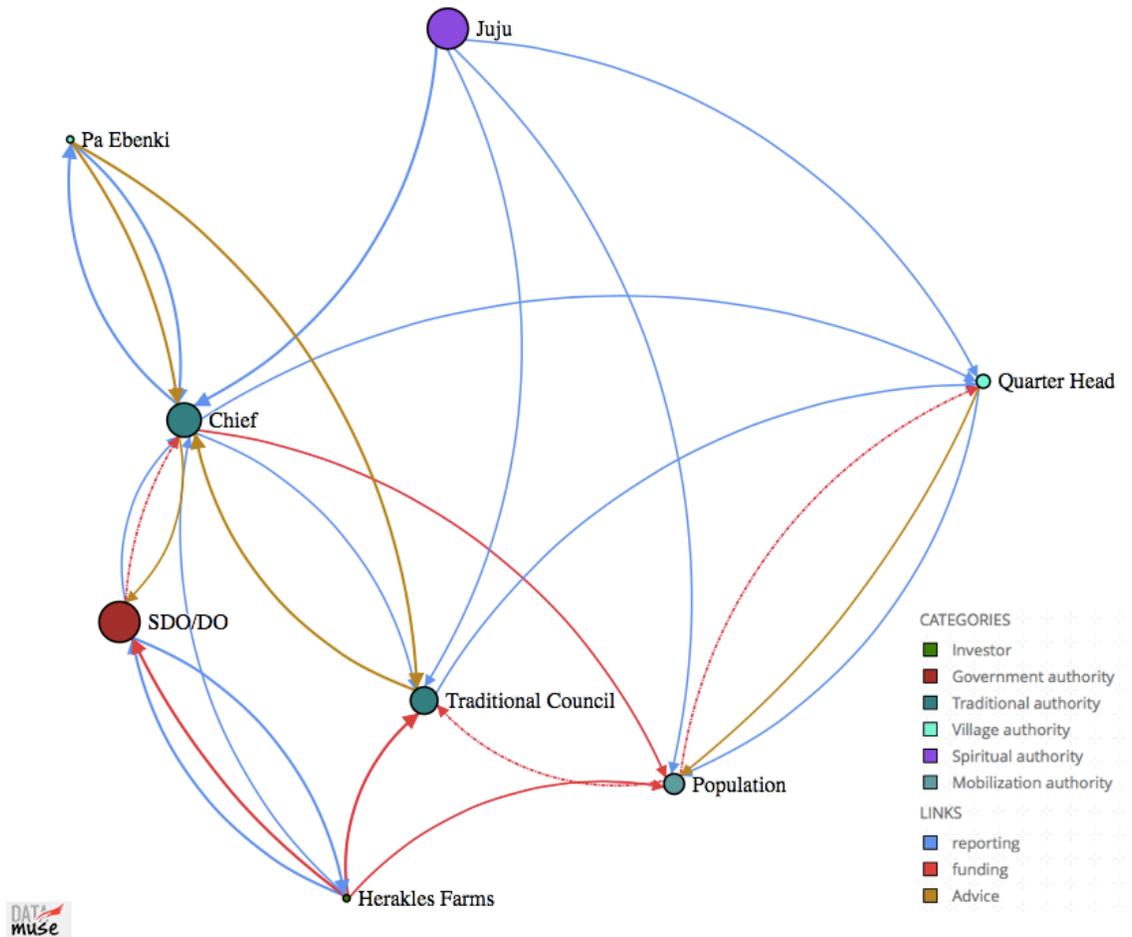


Figure 8. Mapping Influence 2.

In this case (Fig 8.) community members believed an individual who is not the chief controlled decision making. There was also strong influence from the ‘juju’ – a spiritual being that communicates only with a chosen few.

Information related to the transfer is sent to the chief, he then informs his notables and traditional council (if separate), and they are in turn supposed to share this information with members of their families (immediate and extended) and neighborhood. The majority of respondents stated that more often than not this information is not circulated to the rest of the community. A female respondent described;

Information does not get to everybody, because it is not all cases that [village authorities] tell us. The ones we are supposed to know about they will tell us by sending out the town crier to announce it and when we go there they will tell us. Sometimes even when we argue the decision is not changed.

Another female respondent explained,

The town crier goes around to pass the message at about 4am in the morning if a meeting has to hold on a particular day or if [Herakles Farms] has inform the chief that they will be coming to meet them. [The chief] does not send out the town crier for meetings that will benefit him and the traditional council, he has a different way of letting the [Traditional Council] know that they are going to meet.

Threads within Fig 9 Net-Map show how influence (reporting) is concentrated on the chief illustrating that the chief holds the most information in the network since everyone reports to him, while the key players in the decision-making process are the SDO/DO, Herakles Farms and the Chief (represented in the size of their node). This was the only group that had heard about SGSOC-PAV – a forum created to represent all affected villages in the negotiation process.

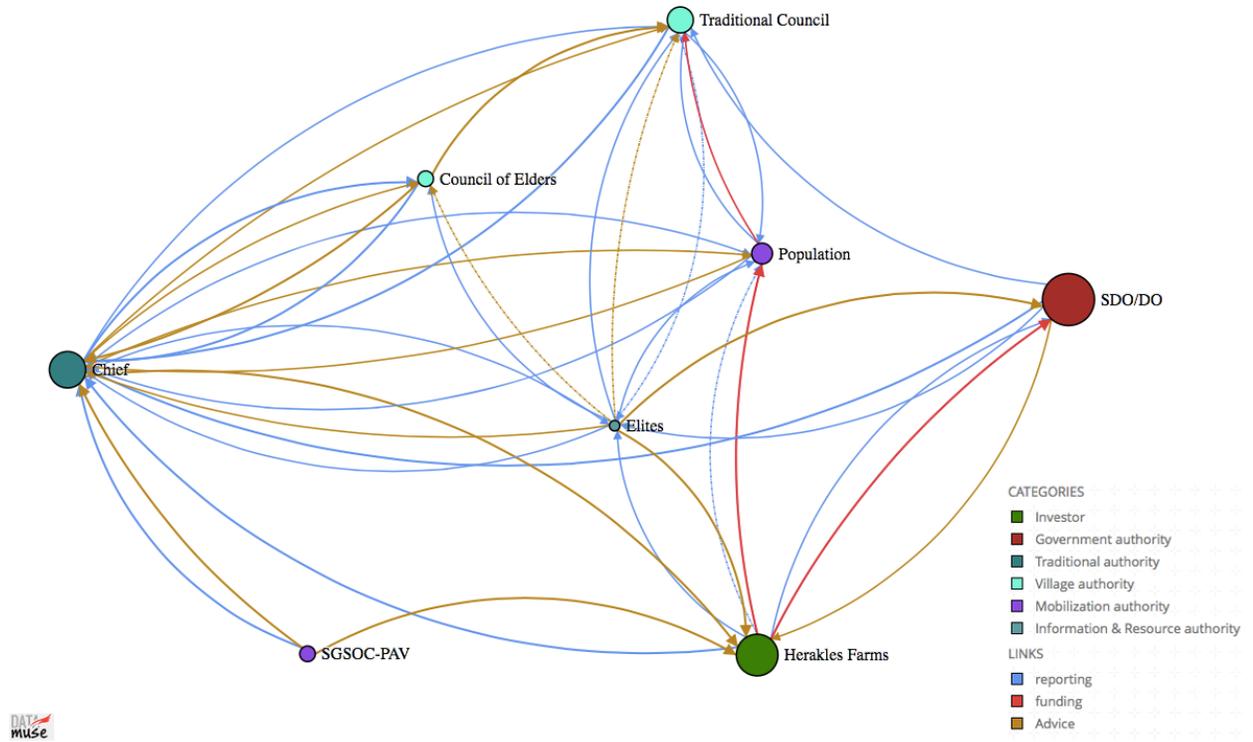


Figure 9. Mapping Influence 3.

Non-traditional council members had little or no information of the negotiations. In describing the compensation process a female respondent explained,

The chief sent village men to the ‘bush’ to go and [evaluate] what had been damaged so that [Herakles Farms] can pay. [The men] went there when the [machines] had already destroyed some of the crops. So they managed to count just the ones they saw. We were asked to bring our damage book and [Herakles Farms] paid. We were paid one after another, without any community discussion. They paid us for the damage but not for the ground rent and the head bush. [Herakles Farms] has been having meetings with the traditional council members. We don’t know how many

meetings they have been having, my husband went there and the chief drove him away.

Without the necessary power relations it is difficult for local community members to influence the negotiation or compensation process. On very rare occasions communities have mobilized as a group and visited their District Officer (DO, local administrator) to influence the process. On some of these occasions, DOs have intervened on behalf of local community members and gotten redress; a female respondent described a situation where a DO intervene to get local people compensated, “it took about three years before they could pay the money because this thing did not start today it started about six years before they paid me. They paid some people and they did not pay others even though they destroyed our crops at the same time.”

The process through which information is gained, shared, and used also depicts the influence of hidden power.

Hidden power – another common theme within the interviews was elite power to influence the discussion and the decision making process. In all communities, there were frequent references to elite involvement in the process or the need for their expertise during the negotiations such as in formulating binding contracts between the investor and the community. One group of respondents complained about the lack of involvement by their elites in the process, while a second group deplored the involvement of their elites, referring to attempts to redirect benefits for personal gain: “They have no role to play concerning this, in the past they have mismanaged community money” (male respondent).

A village authority explained when asked about the negotiation process;

Everybody is fighting for his own personal interest. They [elites] have not come to tell us that when Herakles comes, say this or say that. They are looking first at their own interest and put the interest of the village next. It is their place to come, since they are more enlightened, and meet the local population, make us understand the importance of Herakles, the advantages and disadvantages. Though we are local people we also have our own knowledge, we can ask questions, what about this? or that? then we all agree, so that whenever Herakles comes we will put the message across – one message.

But our elites are not thinking like that, they are thinking in a negative form. Our elites are putting their personal interest first - for money. They claim that they are the mouthpiece of the community and what they say is what the community will accept. They want Herakles to negotiate more with them and less with the villagers. ...We have elites, what is important is identification. Have they identified themselves with the community? Not all the elites are working in this negative form, not all elites are talking directly with Herakles Farms.

Nonetheless, all respondents stated that elite involvement could reinforce community decision making if elites genuinely use their resources and influence for community gain. Hidden power was also expressed through the constant referral to traditional sacred beings (juju) in influencing the process – See Figure above. These ‘jujus’ were supposed to guide the decision making process such as in the ‘breaking of Kola nuts’.<sup>77</sup> The fear of severe re-

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<sup>77</sup> The gods reveal their desires through the Kola nuts.

percussions from these sacred beings could also illustrate invincible power since the mere idea of a curse being put on an individual and a family is sufficient to interrupt the daily activities of a multi-million dollar company.<sup>78</sup>

All of the above indicators demonstrate that the village authorities and elites of each community shape the agenda in community discussions. Information is readily available on the Internet, and shared with the chiefs. Information that is shared could inform the decision making process and facilitate or hamper a consensus. Government authorities wield most of the power within the land acquisition process (backed by law), consequently the spaces for negotiation are initiated and created by the investor who is backed by government and supported by local chiefs.

A male respondent when asked about the negotiation process explained,

Half of the community was for and half was against giving land to [Herakles Farms]. Since then till now we have been waiting for them but they have not come [to negotiate]. They left two months ago and when they came they brought a map that was already plotted and showed us a certain decree signed by the president of the republic that they are supposed to own this portion of land in the community. But they did not show the dimension only the surface area.

The strength of influence of village authorities or the structure of power also plays an important role in determining consensus within these communities. In community A, where there is a dual structure of power with two opposing ‘camps,’ there are a wide variety of social groups (youth, women’s, men’s, religious, tribal, age, and farm groups) with more debate

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<sup>78</sup> Based on researcher observations of a specific event not related to Herakles Farms.

over the risks and opportunities that will impact the village. Most of the village members, especially men, are aware of the negotiation process and feel that they are part of the decision making process. On the other hand, in the other three communities where there was a hierarchical power structure with the chief or chief's representative wielding all or most of the influence in the village, there were fewer social groups in existence within the village, community members had less interface with the investor or government authorities, and felt they were more distanced from the negotiation process. In these cases, there seemed to be community consensus in favor of the land transfer even though most village members were not a part of the decision making process.

### Social Relations

Bonding social capital was abundant in all communities with the availability of village social groups (membership based on age, gender, religion, and tribe), and in one community; a farmer's cooperative and credit union. When asked where villagers get information relevant to the transfer process, a female respondent said; "from our neighbors and also in the market where the Herakles Farms workers come and buy, they tells us what they are doing.... The chief also tells us when he comes to the village since he does not live here." Information is circulated amongst villages through informal networks between villagers, and village social organizations.

Bridging social capital was weaker or non-existent in all communities. There was little indication of 'linking social capital' since a majority of respondents did not know the name of the local government authorities (Divisional Officer, and Chief of Police/Gendarmerie), could not count the number of times they had seen them, and most have

never talked with these authorities because administrative offices are located in towns far away from their villages and these administrators rarely visit these communities. Most of the interaction with authority figures, investor representatives, and other influential stakeholders is limited to the chief and his representatives. Strong bonding capital and weak bridging capital is indicative of the meager information flow capability within these networks. The same limited information is available to the majority of community members while more information lucrative networks are closed to community members or unattainable. Given that most community members have little or no relevant information, it is very difficult for 'ordinary' local people to influence the process. Because all power is in the hands of village chiefs, coupled with the fear of repercussion from ancestors and mystical beings if this power is opposed, community mobilization to influence the process can only occur at the bidding of the chief or exceptionally when the general population is affected negatively and elite capture is obvious.

### Knowledge

Knowledge and information can enhance the opportunities available to local communities by strengthening their bargaining endowment.

A male respondent explained,

During the last [Traditional Council meeting] we had, the deputy mayor and [another] told us that they saw [documents related to Herakles Farms] at a meeting they had in Kumba. They called all the quarter heads in a room and briefed us on all these things - that the land has already been given to [Herakles Farms]. And that the

area they want has already been drawn in that map and in other documents. We asked them this question; how did they know about that land that has been mapped out?

A combination of power and social relations intersect to restrict the amount of relevant information available to the majority of community members. Communities in Ndian division, unlike communities in Kupe Muanenguba, have previous experience of plantation agriculture and the implications to local communities given that PAMOL has existed in Ndi-an since 1910.<sup>79</sup> Previous knowledge might shape the discussion and the demands made by these communities since we believe they have learned from the mistakes of the communities who negotiated with PAMOL. Though these communities might have previous experience with such an investment, this had little or no impact on the outcome since they all favored implementation of the project and were apprehensive about the delay in the project commencing. Also, some civil society organizations have been working in the area to provide information on the land transfer. A female respondent explained how access to information is enhanced through a local NGO:

They have never met with us it is only Mr. Nassako whom through an NGO [SEFE] helps to give us information about what SGSOC is doing. He was the one who took our men to Limbe, gave them food, paid their transport and even kept them in a hotel when they went for the meeting. And the chief was very angry when he saw our men in the meeting and did not allow them to say a word until the meeting ended and since then we had not gotten any information.

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<sup>79</sup> [http://pamol-plantations.com/pamol\\_history.htm](http://pamol-plantations.com/pamol_history.htm)

The Director of Struggle to Economize Future Environment (SEFE) was later arrested for defamation of Herakles Farms and after a year in jail, he was sentenced to three years imprisonment or a fine of \$2000, and damages of \$20,000 to Herakles Farms (Farmland-grabs.org). Some national NGOs have been restricted from entering two of the villages in the study area, and when they were granted access community members were discouraged from attending these informational meetings for fear of negative repercussions.<sup>80</sup> Most of the information (Environment and Social Impact Assessment report, etc.) pertaining to the investment is found online. Unfortunately, the majority of respondents indicated that they did not know what the Internet is. All information relevant to the transfer process, when available, is written only in English; most respondents were illiterate (especially women).

A female respondent said,

[Herakles Farms] usually paste information on the wall, if you don't know how to read how will you know what it is talking about? I can't read it.

Often even when information is made available, local community members lack the educational capability or technical know-how to comprehend fully what the information means, and how it could affect the negotiation process. Sometimes vital information is not fully explained to local people, having severe implications for Free, Prior and Informed Consent (FPIC).

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<sup>80</sup> One national NGO was banned for carrying out sensitization activities within the project affected villages.

A Male respondent said,

[Herakles Farms] brought a map [during one of the meetings] to show all the land that we have, but they did not show the area they wanted. So now we have to decide. The map indicated where the town is and where the forest is too. They did not show us where they wanted, we are just saying that if they come we will show them where they can go.

The mechanisms of power and social relations that exist in these communities illustrates the ‘bundles of power’ that define the community’s bargaining endowment in relation to the land transfer process between Herakles Farms and the project affected villages.

### Conclusion

Large-scale land transactions present opportunities and risks to local communities (von Braun and Meinzen-Dick 2009; Cotula 2009); and the inclusion of local people in the decision making process over the transfer of land rights to private investors is crucial to ensure long term sustainable development (McCarthy 2010). Development research has expanded on the concept of community participation; more recently, emphasis has been focused on community participation in natural resource management (Cornwall 2002; Hickey et al. 2004; Maginnis et al. 2004). We extend this argument by adding that a community’s asset base will influence their capability to negotiate with these investors. Higher levels of community capitals (assets) and access to resources are positively related to a community’s capacity to respond to its access maintenance needs over land.

Our analysis indicates that in a context in which communities have customary use rights, this could lead to uncertainty regarding decision-making authority over transfer of

land. Given the procedures implemented by Herakles Farms, local communities' informed and voluntary consent in the transfer of rights is questionable and meaningful compensation can be problematic. Consultation with the chief and village authorities reflects foremost the strategic interests of these individuals, then possibly the interests of the community, if at all. In this case there are competing interest for power and how it affects the decision making process. Firstly power consolidated in the village authorities and senior government officials generates consensus within the villages that a hierarchical structure exist. The stronger the level of influence of the chief, the more likely the village members are going to have consensus. The more divided power is within a village such as in the example of the community that had a dual power structure, the less likely will there be consensus with villages members being more willing to question and debate over the process. Furthermore, asset vulnerabilities and low asset stock might shape community perceptions of their needs, deriving meanings that would be very different from those in another community with full knowledge of the investment project and possible community integration strategies (outgrower schemes, etc.). Asset deficiencies (low human capital) also hamper the bargaining endowment of local communities because of the technical knowledge used during the negotiation process. Their access to information relevant to the negotiation process is curtailed due to low bonding/bridging social capital, and low capital needs (financial and physical capital). Given this backdrop in order for villages to 'negotiate,' In the case of the villages examined, the majority of local community members favored letting the investor implement its project within their community. Even though there were questions surrounding how the project would be implemented the majority of community members felt it was more development opportunity than risk, given that their village situation could only get better and not worse. Given this back-

drop in order for villages to ‘negotiate’ most effectively, there is a need for information relevant to the land deal to be made available to all community members. Also the creation of infrastructure to monitor and evaluate this land transfer process, provide services for grievance reporting and ensure that redress is provided to affected community members is crucial to ensure effective participation within this process. We conclude that particular distinctions and variations in resource access within local communities shape the quality of village participation in the decision-making process over the transfer of land rights to a land investor. These place-based variations are crucial in understanding the negotiation processes over the transfer of land.

Even though in Cameroon the laws and regulations concerning FPIC are weak and do not refer to ‘consent’ from local communities,<sup>81</sup> we should not overlook the potential for agency from local communities to resist or consent to an interruption of their use rights over land. Rights defined by law, customs and conventions designate power and shape the ability to benefit from a particular resource. Agency, on the other hand, instigates the use of mechanisms such as community mobilization<sup>82</sup> that can influence the decision making process. Inadequate ‘access’ combined with meager community capitals shape local capabilities to act collectively and also shape the meanings they give to their existence, impacting community agency to act or exert power within the negotiation process.

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<sup>81</sup> Cameroon’s forest law (1994) provides an example of a community forest concession model that recognizes use rights of local communities over specific forest types (usually small and degraded areas). To meet the strict safeguards for REDD+, Cameroon requires FPIC of all forest communities potentially affected by REDD+ activities (Carodenuto et al. 2014).

<sup>82</sup>Ribot and Peluso (2003) examined illicit mechanisms as an individual level factor which occurs when individuals cultivate relations with or posing counter threats to those who control access, I extend this mechanism to the community level in relation to community mobilization – threats, violence, and collective action (Nesman 1981).

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## **CHAPTER 3: GENDERED RESOURCE RELATIONS AND CHANGING LAND VALUES: IMPLICATIONS FOR WOMEN'S ACCESS, CONTROL, AND DECISION MAKING OVER NATURAL RESOURCES**

### **Abstract**

The processes by which transfer of agricultural land use right is planned and implemented in the Global South are diverse, based on national contextual factors and involve multiple stakeholders. These processes depend on the statutory provisions, customary laws, and social, political and legal institutions within a particular society. Drawing on empirical data from semi-structured interviews conducted in mid-2014 in four communities in Cameroon, I examine systemic processes that create and reproduce gender inequality within rural communities, shaping negotiation over the transfer of community land rights to a multinational corporation. My research shows that current processes of transferring land-use rights are gendered and that these processes negatively affect women in particular and the communities to which they belong.

**Key Words:** gendered resources; land transfer; land rights; rural development

## Overview

The rate and scale of large-scale land acquisitions (LSLAs) globally have increased exponentially in the past decade, especially in Africa and Southeast Asia (Borras et al. 2010; Cotula 2013; Cotula et al. 2009.). According to the Land Matrix database (Jan. 2014), globally there were 870 large-scale land transactions concluded by November 2013 over 31.8 million hectares – with a potential size of 54.5 million hectares. There are 186 additional deals (transnational deals where there has been an expression of interest, or the deal is under negotiation) with a prospective size of 14.6 million hectares; while another reported 74 deals failed (negotiations failed or contract cancelled) with a projected size of 6.9 million hectares. A large proportion of targeted land, which was formerly under smallholder agriculture, standing volume (forest) or savannah, is converted into commercial large-scale agriculture.

These investments bring with them social, economic and ecological opportunities and risks (Brklacich et al. 1997; Shiva 1997, 2002, Cotula et al. 2009; Byerlee 2013; Spieldoch et al. 2013; German et al. 2013). According to Cotula et al. (2009), land transactions could mean a development opportunity or investment risk for local people depending on the context and processes involved. As a development opportunity, such transactions could mean employment creation, development of social infrastructure such as schools, health care facilities, transportation linkages, and improved access to markets for local communities through access to value addition technology and supply chain networks (Cotula et al. 2009; Byerlee 2013). There are also national level impacts such as GDP growth and increased government revenue in the long-term due to multiplier effect created within country and through international trade. A majority of these agricultural investments, coupled with structural factors such as policy deficiencies regarding land tenure systems and property rights, have generated

changes in land use, rural livelihoods and property relations by transforming the agricultural landscapes – subsistence mixed-cropping to plantation mono-cropping (Byerlee 2013). Investments have also increased economic vulnerability of smallholders and landless households through the elimination of small- and medium-scale farms, and restricted access to critical livelihood resources (Spielloch et al. 2013).

The displacement and resettlement of communities on new lands that are potentially less fertile or topographically inferior for crop production and land conflicts can increase the vulnerability of rural livelihoods, impede rural economic growth, and disrupt livelihood strategies and consequent food insecurity. The transfer of land rights to foreign investors may also result in the subordination of local labor, transforming their roles from landowners/farmers to wage laborers/farm hands on plantations. Such agrarian transformations, in turn, have serious implications for marginal groups such as women and children who are impacted disproportionately by these changes (Dauvergne et al. 2010; Borras et al. 2012; Peters 2013).

### Legal Framework and Land Rights

While most developing countries have ‘progressive’ land rights laws on paper, in practice they lack legal and procedural mechanisms to protect local rights and interests, livelihoods and welfare (Cotula et al. 2009:7). In most countries, rights to own and control land are gender neutral and in some cases specific provisions are made to ensure access to land for both men and women. On the other hand, Cameroon’s laws of succession and marital property allow for patrilineal control over property (USAID 2010). Even though the statutory framework might exist guaranteeing access to land, the reality is usually very different with

social norms and customs interfering with the enjoyment of these rights for women. Consultation with affected communities is required in most recent large-scale land acquisitions to take into consideration their demands concerning where and how such an investment will be executed, and to mitigate adverse effects on project affected populations. However, socio-cultural norms and gender roles within society usually results in women being excluded in the decision making process over land and management of natural resources. The power imbalance within traditional/customary settings effectively excludes most affected people from participating in the land deal consultation process (Behman et al. 2012:50) especially groups such as women, new in-migrants and the youth. According to Nhantumbo and Salomão (2010), in Mozambique community consultations on proposed land acquisitions “tend to be gender biased. Despite being the majority of the workforce in rural lands, women are rarely involved in the consultation processes and they almost never sign the respective reports/documents” (2010:35).

According to Ministry of State Property and Land Tenure’s Land Division (MINDAF), in Cameroon 60% of all formally registered land is found in urban areas with only 125,000 title deeds being issued between 1884 and 2008 (African Development Bank 2009). Between 1980-2010, 86.6 percent of titled land in the South West and North West Regions was held by men, 9.6 percent by women; and 3.8 percent was jointly held (Sone 2011). Land deals pose serious risks for local communities in general, but due to pre-existing gender and land dynamics; women are disproportionately affected within these communities. This paper examines the processes through which women are excluded from the negotiation process over the transfer of land use rights from local communities in Cameroon to a transnational investor. How do local cultural beliefs interact with traditional gender hierarchies to

limit access to decision making processes at the village level? More specifically, what are the daily interactional mechanisms that continue to reinforce exclusion of women from participating in decision-making processes about land transactions?

### Gender, Land Transfer and Women's Land Rights

A growing body of research on large-scale land transactions shows that inclusive decision-making regarding natural resource management and large-scale land transactions enhance positive and sustainable community outcomes (Colchester et al. 2007; Taylor 2007; Robinson 2008; Cotula et al. 2009). Few studies, however, have examined the processes by which women are included in or excluded from the consultations or the implications of women's involvement in these processes (Chu 2011; Daley 2011; Julia and White 2012; Behrman et al. 2012; Piacenza 2012). Four factors, according to Daley (2011), contribute to women's vulnerability during large-scale land transactions. Firstly, women encounter multiple constraints and forms of systemic discrimination in their efforts to access, own, and control land. Governmental authorities, for example, may not uphold women's land rights. Secondly, gendered socio-cultural and political relations contribute to women's vulnerabilities, particularly in everyday tasks, family decision-making, and other decisions that affect their lives and livelihoods. Thirdly, women's relative (cash) income poverty vis-à-vis men increase women's vulnerability. Women's relative income poverty is tied to but not fully determined by the discrimination they face in relation to productive resources and to participation in decision-making, both of which contribute to poverty, but it is an important different dimension of their vulnerability. Fourthly, women's physical vulnerability, as manifested in gender-based and sexual violence against them is an important contributing factor.

Land tenure systems, especially in sub-Saharan Africa, involve nested claims that are based on use rights that have been transferred from one generation to another (Cousins 2009; Whitehead and Tsikata 2003). Cameroon's legal system is based on common and civil law, a bi-jural system reminiscent of its colonial history. Cameroonian statutory provisions guarantee every person the use, enjoyment, and ability to dispose of property (Preamble Constitution; Land Ordinance, Ordinance No. 74-1 of 6 July 1974). The 1996 Constitution mandates equality of the sexes in the right to own property. In theory, this means both men and women can inherit, or purchase and own land in Cameroon. In practice, the reality is very different from these gender neutral non-discriminatory provisions on accessing land. Customary law derived from over 250 ethnic groups with diverse customs and religions accompanies Cameroon's legal system. According to Whitehead and Tsikata (2003), land in sub-Saharan Africa has been historically subject to multiple uses and multiple users, which recognizes the presence of different interests and claims in land vested in different persons. Though women can access land in sub-Saharan Africa, men and women seldom, if at all, have identical types of claims to land. This is as a result of the differentiated positions within society based on gender that organizes access to land (Razani 2003; Whitehead and Tsikata 2003).

According to Lastarria-Cornhiel (1997) individualization of property rights, especially over land in Africa, can lead to the concentration of land in the hands of those who can successfully assert ownership, such as community leaders and male household heads, often to the detriment of the access and use rights of poor rural women or ethnic minorities. Land titling in Cameroon falls under the authority of the Divisional Land and Consultative Board (DLCB) as stipulated in article 16 of Law No. 74/1 of 6<sup>th</sup> July 1974 (1974 Land Ordinance). The Board is under the supervisory control of the Minister of Land and State Properties, and

presided by the Divisional Officer (representative of the Minister of Territorial Administration). The DLC Boards of divisions are comprised of government officials (Divisional Delegates), the village Chief and two notables from the particular area affected by the registration exercise and are usually all men.

According to World Resource Institute (2013) there are 12 steps in the current land titling process in Cameroon. These 12 steps can be organized into three main stages:

1. Preparation of the application and its local publication;
2. Establishment of a local consultative committee, comprised of five local administrative officials and three representatives of local traditional authorities to review the application, resolve any contestation, and initiate a land survey; and
3. The regional Ministry of State Property and Land Tenure (MINDAF) Delegation reviews the application, signs the land survey report, DLCB meeting minutes, and publishes the demarcation notice in the regional Lands Gazette. If approved, the application is transferred to the Lands Registrar and a title is issued.

Given the composition of the DLCB, the land titling process is inadvertently governed by customary law since it relies on traditional rulers and village authorities to provide recommendations on the registration process. Peters (2004:277) comments that customary tenure ignores “considerable social inequality” and “evidence of encroachment by some groups on others for livelihood and/or commercial benefits, of state appropriation and illegal sales by traditional leaders.” Customary law and cultural prescriptions result in land policy that is perpetually discriminatory in shaping women’s access, use, and control of property.

## Local Belief Systems and Exclusionary Forms of Governance

The belief system in most villages in Cameroon incorporates mysticism – traditional and religious beliefs. There are fundamental beliefs regarding leadership structure and power relations within local communities. These beliefs are expressed in a variety of specific practices and behaviors such as the attribution of awe-inspiring powers to certain individuals or households by a spirit or divinity. This ensures that power is handed down from generation to generation and shapes community members' agency to resist exclusionary governance. The concentration of powers in the hands of a few depends on the shared assumption that they possess bodies of esoteric knowledge unavailable to the rest of the population (Haverkort et al. 2002). The investiture of Chief, nobles, and elders within local communities illustrates the underlying belief system of who has decision-making power in local communities. In each community, the Chief lays out the system of governance. These 'laws' are fluid and dynamic, depending on the power needs of his institution. The belief system underlying decision-making in local communities also underlies other core sectors with importance attributed to hierarchical gender roles.

For village notables, power to control outcome in one sphere (adjudication) is not different from that which is applied in another (marriage); that is, there seems to be a coherent and unified belief about the nature of power and who wields it within these communities. To understand why women are not included in the decision making process and why they do not resist disruptions in their access to land, we must appreciate how the belief system institutes structures of power that are based on secrecy and mysticism and are inherently gendered. Because these belief systems render even the idea of acting in a manner that contradicts the laws of local governance established by the Chief, women in these villages may not believe that

questioning their own exclusion from community decision-making processes is a viable option.

We use three frameworks to analyze women's access to land and the processes through which their exclusion from land transactions are perpetuated. The paper integrates the social relational approach articulated by Kabeer (1999) for defining gender relations as based on power, Rocheleau and Edmunds' (1997) approach to the complexity and dynamism of gendered resource tenure regimes, and the framework of Schwalbe et al. (2000) which is especially useful for understanding the daily reproduction of gender inequality and women's marginalization from land transactions.

#### Social Relational Structures and the Reproduction of Gender Inequality through Social Interaction

Kabeer's social relational approach sets out to promote an understanding of the deeply entrenched institutionalized nature of gender inequalities and the power relations that they express. It focuses on the relations of power within and between organizations and how unequal social relations result in unequal distributions of resources, claims and responsibilities. Kabeer (1994) emphasizes five dimensions of institutional social relations that are crucial in reinforcing inequality: rules, resources, people, activities and power. The approach points out that distinct actors and institutions may differentially reproduce relations of inequality across diverse institutional sites including households, families, the community, the market and the state. At the same time, these relations are potentially shaped and mediated differently, across these different sites. Individuals and/or groups who can define and interpret rules, mobilize resources etc. across a range of organizations, exercise most power. In this context, institutions such as market, community, family/kin, state, ensure the production, reinforcement and

reproduction of social relations that result in social differences and inequality within society. Though the Land Ordinance is neutral regarding who should own property, the composition of organizations such as the DLCBs and its procedures inadvertently bias access to land within Cameroon. The spiritual belief systems of these communities shape community members' perceptions of 'viable' options regarding whether they can challenge decisions made under the customary structures of governance. The relative positions that women and men have in community economic, social and political institutions, in turn, shape their interests and structure their opportunities in decision making about access, use, and control over community resources.

We also use a feminist political ecology conceptual framework (Rocheleau, Thomas-Slayter, and Wangari 1996) in examining the critical role of gender in shaping resource access and control, and how this phenomenon interacts with social structures and institutions (such as class and marital status) to shape the negotiation process over the transfer of land rights. We emphasize Rocheleau and Edmunds' (1997) gendered spaces and places approach, which conveys the complex and fluid nature of resource access and control within communities. This approach highlights differences between men and women regarding: (i) rights to own land with formal title; (ii) spaces and places for using trees and forest resources and in exercising some control over management; and (iii) access to trees, forests and their products through several nested dimensions (gendered spaces). Gender differences in access to and use of resources in sub-Saharan Africa are shaped by ideologies, customs and norms regarding 'appropriate' social and political relations between women and men. Based on institutions of adjudication (customary and statutory) and the prevailing social ecological norms,

women and men have differing access to an array of landscape spaces and resources (Rocheleau et al. 1995; Rocheleau and Edmunds 1997; Bassett 2002; Wooten 2003).

We use Schwalbe et al.'s (2000) theorizing of 'generic processes' through which inequality is created and reproduced to illustrate the mechanisms by which women are excluded from decision-making processes regarding the management of local resources, dispossessed of land and access to forest and forest products. Schwalbe et al. (2000) conceptualize four processes (othering, boundary maintenance, emotion management, and subordinate adaptation) as being most central to the creation and maintenance of oppressive situations. These four processes, they argue, are 'essential and generative' in that any situation of inequality will inevitably depend on them for its existence. We will focus on these generic processes as mechanisms by which women are excluded from the land transaction process, lose access to land, forest and its resources.

Othering refers to "the process whereby a dominant group defines into existence an inferior group" (Schwalbe et al. 2000:422). Othering can be direct and blatant, as well as subtle. Schwalbe and his colleagues (2000) identify three sub-processes of othering: oppressive othering, implicit othering, and defensive othering. Oppressive othering entails dominant groups gaining advantage by defining other groups as inferior, reaffirming ideologies of difference, and commodifying subordinates through classification schemes and identity codes. Those in power (e.g., village authorities) can use their resources to present superior self-images that by implication create and denigrate supposedly inferior others. Implicit othering and creating powerful virtual selves occur through obscuring realities, through fostering impressions of competence and trustworthiness, and through fashioning moral identities. Sub-

ordinates in claiming to be exceptions to group stereotypes carry out defensive othering. Thus essentially saying there may be others who are like this but I am different.

To maintain their positions of power and to protect their resources, dominant groups use boundary maintenance. Boundary maintenance shows that differences between groups, in terms of resources and privileges, are not self-sustaining even after they are in place. It takes interactional work to secure the symbolic borders. Boundaries between the powerful and the less powerful are maintained by: i) transmission of cultural capital; ii) operation/controlling of network access; and iii) use (or threat) of interpersonal violence. The transmission of cultural capital entails passing advantageous skills, habits, values, and tastes through socialization in families, schools, and workplaces (Schwalbe et al. 2000). By limiting access to cultural capital, inclusion in and exclusion out of a group and stratification within groups can be justified. Controlling access to key networks can also reproduce inequality. Restricting access within communities to those networks through which information is traded, decisions and deals are made, and rewards are disbursed reinforces inequality. The threat of and use of violence is a more active and aggressive mechanism in maintaining boundaries within collectives.

Subordinate adaptation refers to strategies used by members of a secondary group to adapt to their inferior status. Schwalbe et al. (2000) propose three main strategies that reinforce inequalities; trading power for patronage; forming alternate subcultures; and hustling or dropping out. The first strategy involves accepting inferior status, while seeking ways to gain from relationships with members from the dominant group. The second strategy occurs when collectives or groups with similar subordinate status collaborate to create alternate prestige

hierarchies, and forms of power. While dropping out could mean the withdrawal of participation by people who are fed up with powerlessness and disrespect. All of these strategies aimed to adapt to situations of inequality, in turn foster the existence of divisions between dominant and subordinate groups.

Emotion management refers to the strategies used to deal with the emotions generated due to inequality. Schwalbe et al. (2000) explain how inequality is reproduced intentionally and unintentionally through three types of emotion management: regulating discourse, conditioning emotional subjectivity, and scripting mass events. Regulating discourse is accomplished by using language (both speech and writing) as an ‘emotional anesthetic’ and as a ‘rationalist discourse’ (Schwalbe et al. 2000:435). Emotions such as shame, anger, resentment, and hopelessness generated in the less powerful due to inequality can be dealt with by regulating discourse that could arouse emotions and mobilize action. This strategy involves the careful use of metaphors by village authorities to desensitize subordinates from their negative feelings and encourage them to act to maintain inequality. Conditioned emotional subjectivity refers to an individual’s acquired habit of attributing meaning and making sense of events. Emotional work is used in interpreting events in a way that seems logical or justifies inequality. While ‘scripting’ of emotion inducing events refers the orchestration of meaning (e.g., through rituals), interpretation, or discourse to bring about an intended emotional results.

### Women and Changing Value of Land

There are two arguments concerning women’s land rights that are important in structuring our discussion. The first argument holds that community members hold a bundle of

rights over natural resources and that these rights are hierarchically organized with men having primary rights and women holding secondary rights (Agarwal 1994; Rocheleau et al. 1995; Lastarria-Cornhiel 1997; Kevane 2004). Therefore, when the value of land changes or there is economic transformation within society, women's lesser rights are interrupted and they lose access to land. On the other hand, another argument on women's land rights hold that there is no hierarchical structure in the organization of rights over natural resource management (Gray and Kevane 1999; Razani 2003; Whitehead and Tsikata 2003; Ribot and Peluso 2003). Women and men hold similar rights of access, use, and control over land but during periods of transformation such as national land reforms, women's rights to land are redefined based on fluid social and economic rules and norms within local communities. Moser (1993) has pointed out that state-codified, individual forms of land allocation and resettlement often unintentionally weaken women's rights to land. Recent studies of the gendered dynamics of land tenure have further explored the systematic discrimination that women have experienced in the process of globalization (Tsikata and Golah 2010), and in land reforms (Jacobs 2010). We believe that these two arguments complement each other. Women's land rights vary between regions, countries, and even within countries. There are situations where women have secondary rights to land based on social relations such as through marriage; but there are also circumstances where women possess 'rights' of control, and alienation based on kinship or familial lineage. "The question of who gains access to land and on what terms can only be understood by seeing how control over land is embedded within the broader patterns of social relations" (Toulmin and Quan 2000b:6).

Patterns of resource use are changing under the growing number of large-scale land acquisitions for commercial production, and this is changing the relative access to resources

(land) of women and men. Changes of one type, e.g., in the market value of a particular resource, may affect other aspects of resource management (Leach 1992:17). Changes in the use of land and the values of products can affect ways in which access to resources is divided, with differential effects on women and men. During times of rapid economic transformation, in this case a large-scale land transaction, relations of access and control can seem very elusive to individuals and groups who wield little power within the community. This elusiveness typically gives men more control over natural resources within local communities (Rocheleau et al. 1996). These gendered relations change and are constantly renegotiated at the inter- and intra-household levels, thus leading to fluid interpretations and implementation of the rules of resource access and control (Rocheleau et al. 1996; Piacenza 2012). Piacenza (2012) illustrates how women in Kalangala, Uganda, faced several constraints in accessing arable land during and after the implementation of an oil palm project. The underlying power relations, and women's lack of access to social networks, limited control over family income, and their relative weakness in addressing authority and accessing political circles vis-à-vis men shaped the negotiation over access, control and use of land. This caused most women to rely on intra-household negotiations over land use rights, which were in turn influenced by the woman's social status in the community, and the degree of inequality in terms of asset ownership and participation in household decision-making.

Several studies show that with changing uses for land, particularly with new crops and forms of agriculture, contestations take place between men and women (Davison 1988b; Carney and Watts 1990; Moore and Vaughan 1994). This is a dynamic process of changing rights. When land becomes scarce or rises in value, or when rights are formalized through titling or registration, rights to access and use land can become secondary and tenuous (Gray

and Kevane 1999:16). Changing values of land are the proximate causes of the erosion of women's land rights, and diminishing access to land. As land increases in value, individual men and local village authorities find it in their interest to renegotiate and challenge the direct and indirect ties that support women's rights to land. Although there are examples where women do maintain their land access in these contestations (Piacenza 2012), the weight of evidence suggests that economic changes have resulted in women's diminished access to land. Carney (1988, 1993) and Carney and Watts (1990) have documented a particularly visible example of gender conflicts over land in the Gambia, where men re-labeled as 'household' land farms that had once been women's 'private' fields, thereby wresting control from women of rice lands for a new irrigation project. Here men use the language of custom to dominate a new economically rewarding form of agriculture. Fortin (2011) records similar experiences of women in Cempaka Village, Indonesia, who lost rights to their inherited land when their husbands registered themselves as smallholder farmer candidates using their land.

The desire to establish palm oil plantations on land formerly held and cultivated under customary tenure brings a swift and radical transformation of the social, economic, and political structure of the local community as well as the environment (Colchester et al. 2006; Julia and White 2012; Piacenza 2012). Carney's (1996:183) case study demonstrates how socio-spatial relations and rights to resources are not 'a codification of immemorial tradition' but are continually being renegotiated under changing circumstances. The customary land tenure system is based on history; it is flexible and embedded in local social relations, and conflicting claims can be negotiated on the basis of a series of principles and not on a series of rules (Whitehead and Tsikata 2003). Research has highlighted the power relations and bargaining processes that affect decisions about resource use, and the ways that social and

economic changes (in the commercial value of particular products) can alter the terms on which such negotiations take place (Whitehead 1990; Gray et al. 1999).

## Methods

Drawing on empirical data collected in mid-2014 in four rural communities in Cameroon, Africa, the paper provide insights on the negotiation process over land and the processes through which the changing value of land affects women's access, use and control over land. Data were collected using individual and group interviews, participant observation, and documents related to the land transfer. Data collection processes were guided by feminist political ecological approaches for understanding how micro-politics of gender interact with meso- and macro-level agroecological and political economic processes affecting women's poverty and empowerment (Rocheleau et al. 1996; Kabeer 1999; Razavi 1999; Whitehead and Lockwood 1999:549-552). Data analysis involved deductive logic – coding based on the concepts identified by Schwalbe et al. (2000) for reproducing social inequities in everyday social interactions. Analyses also were conducted inductively, allowing for the identification of new categories and mechanisms derived from the data.

We examine four case studies involving communities in the South West Region of Cameroon, which are in various stages of negotiating the transfer of land use rights to a multinational corporation. The South West region is located in the moist forest zone with monomodal pluviometry. This equatorial zone is home to the Bayang Mbo Sanctuary, the Bakossi Mountains, the Rumpi Hills, and the Korup National Park – four protected areas of High Conservation Value (HCV). Communities are dependent on forest livelihoods – hunting and gathering, and a rural agrarian economy based on forest products – seeds, leaves, barks, and

fruits. Some of the farmers (majority male) grow cocoa and palm trees as cash crop in addition to subsistence farming for staples such as plantains and cassava ('women's crops').

Cameroon has a long history with oil palm plantations with the first commercial plantations established in 1907 under German colonial administration around Mt. Cameroon (South West region) and Edea (South region). The South West region is home to the largest agro-industrial (oil palm) companies in Cameroon – the Cameroon Development Corporation (CDC) and PAMOL Limited (previously of Unilever). Cameroon is the world's 13<sup>th</sup> largest producer of palm oil (Hoyle and Levang 2012) and produces approximately 200,000 MT of palm oil per year and exports 35,000 MT (Achobang et al. 2013). The Cameroonian government has instituted a development plan – Vision 2035, which has given the development of agro-industrial plantations a high level of political and economic priority hoping to promote the creation of employment, and subsequently economic growth and development (Cameroon Vision 2035).

In 2009, the Cameroonian government (represented by the Minister of Economy, Planning and Regional Development)<sup>83</sup> signed a contract with SG Sustainable Oils Cameroon PLC (SGSOC) – a subsidiary of Herakles Farms, an affiliate of Herakles Capital, an American private investment company with an Africa focus (Nguiffo and Schwartz 2012). The contract gave SGSOC claims over 73,086 hectares of land in Ndian and Kupe-Manenguba Divisions of South West Cameroon through a 99-year land lease. The project would produce approximately 400,000 MT of crude palm oil and 40,000 MT of palm kernel oil per year. By December 2012, SGSOC had planted four palm nurseries and cleared over

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<sup>83</sup> Provisions of article 7 of decree no. 76/166 of 27 April 1976 on state lands hold that land leases of below 50 hectares are signed by the Minister in charge of lands and land leases of above 50 hectares are authorized by Presidential Decree

60 hectares of forest. Amid international and domestic criticisms of the socio-ecological implications of the project and the procedures of consultation, acquisition and implementation, the President of Cameroon signed three decrees<sup>84</sup> (November 2013) granting SGSOC a temporal concession of 19,843 hectares of land for three years in the South West region.

### Results and Discussion – Mechanisms of Gender Subordination

There are three types of land use rights within this region - state, community, and family. State land refers to delineated conservation areas such as forest reserves and nature sanctuaries. Community land refers to land that is under the control of the community and is being managed by the Traditional Councils. Family owned land refers to land that historically has been assigned to families within a particular village. This land can be passed from one generation to another; it can be titled or can be sold to non-family members with the consent of male members of the family and approval of the Traditional Council. When asked to describe their village's interactions with Herakles Farms a female community member said;

We only heard from people [from another village] since our village did not like the idea of [Herakles Farms] coming here; most of our lands are hilly and the only [flat] land we have is this place that [Herakles Farms] has taken. We kept this place as a reserve forest that our children can use even if we are not here tomorrow. We were not ready to sell it to anybody but they have already taken it without seeing us.

In every community, there are distinct actors involved in the negotiation processes. Actors can be categorized from most powerful to least powerful: powerful men, less power-

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<sup>84</sup> Decree n. 2013/418 of 25 November 2013 attributes 5,384 hectares in the Mundemba Sub-division, Ndian Division; Decree n. 2013 2013/416 of 25 November 2013 attributes 13,195 hectares in the Nguti Sub-division, in Kupe-Muanenguba Division; Decree n 2013/417 attributes 1,264 hectares in Toko Sub-division, Ndian Division.

ful men, powerful women, and less powerful women. The powerful men are usually village notables and elders who have authority within the village through their affiliations to secret and mystic social groups and access to socioeconomic and political resources. These men have decision-making power within the community and also influence how outside forces interact or impact other community members. They have extensive rights over natural resources within their villages. Less powerful men also have rights to land, but this is limited to their familial designated land assignments. This group includes men with weak social networks, non-natives, and youth. Powerful women are women who are married to, mothers of, and children of village authority figures or members of women's secret and mystic groups. Less powerful women include women with limited social networks, limited political and economic resources, and youth. The negotiation over access to land takes place at three different levels - national, community, and household levels. Women lose out in all three levels because they are not involved in the decision making process. Even when bargaining within the household, they lose out if they have limited access to resources and face inequality in decision making.

In all four communities, women have always had access to land. When asked if they own the land they farm, all women who were interviewed said yes, but when asked if they could sell or lease their land, 90% responded that women could not sell land or they would require permission from male relatives, in-laws or traditional council.

Since I was born here we just use to go into the bush and start working and automatically the place will belong to you. The other [piece of land] is the one my father died

and left. Yes a woman can own land... No, a woman has no right to sell it. But my child can take it and continue. A woman is not allowed to sell land.

Another woman said,

A woman has no power to own land; if you see a woman who owns land it should be somebody that [inherited] from the father. A woman can go into the forest and start working her own 'bush' but it does not mean that she owns the land. She has no right to sell or give it out for anything.

And another responded,

[A]s a woman you have no right to sell land; only men can do that.

Women engage in the cultivation of annual crops, while men engage in planting tree crops, i.e., palm, cocoa, and coffee trees. Women gather fruits and seeds from forest trees and leaves from vines in the forest, and can cut down branches (with permission from a male authority figure) but cannot cut down a whole tree. Men, on the other hand, are able to gather and cut down trees within familial land or with the permission of the Traditional Council if a tree is found on community land. Women can inherit land from their father or husband but can only dispose of it with the consent of a male family member and sometimes the in-laws (if the husband's property).

A widowed respondent said,

...if I have to give [my land] to another person, I will have to consult my husband's people first. If they agree, then I will [sell] but there are conditions.

As previously noted, we focus our results on an analysis of the qualitative data that is guided by Schwalbe et al.'s (2000) theorizing of 'generic processes' through which inequality is created and reproduced in everyday life. These processes include othering, boundary maintenance, subordinate adaptation, and emotion management. As our discussion below illustrates, the exclusion of women from decision-making processes regarding local resource management, their dispossession of land, and their reduced access to forest and forest products involved multiple subtle practices in addition to the overt acts of exclusion that the women experienced.

Change in access and control over natural resources is intentional when men actively take over spaces that were previously utilized by women, restrict women's access or transform the landscape by incorporating agricultural systems that are very different from how women previously used the space. As an old woman explained,

There are a lot of women whose farms are found in this area that the company wants, land that women got after their husbands died and left cocoa farms. They [SGSOC] said they would pay cash. We have a lot of land around [the designated area] and they have taken it. I don't know who gave them. There is nobody who has come to talk to me about the land. We don't have a lot of land. There are other people who have larger farms. The SDO [Senior Divisional Officer] and DO [Divisional Officer] ... are aware that we do not want to give our farmland.

Coupled with these overt acts of dispossession, were many subtle and cumulative actions that helped to solidify men's control while severely limiting women's participation in

decision-making process and, in turn, control over community natural resources. When asked who is involved in the negotiation and compensation process, a female respondent said “They are going to negotiate with the men. When they are through with the men they may want to talk to individuals then maybe they will meet us.”

### Othering

Women who participated in interviews and focus groups reported that land on which they had previously planted food crops or left to fallow was taken over by men in the village who planted palm trees beginning after the drawing up of a Cahier de Charges between the investor and the localities. The men in the village hope to take advantage of the potential market for palm products that would be created by the establishment of a palm plantation nearby. The data collected for this study indicate that processes of ‘othering’ were instrumental to the process whereby village men successfully took over lands previously used by women. Men’s ‘othering’ practices involved the redefinition of personal rights and social identity for locals according to whether they were cast by powerful village men as ‘natives’ or ‘strangers’. These categories were then became a part of local hierarchies of status, influence and power in community decision-making. Othering entails the invention of categories and systems of meaning about what mark people as belonging to these categories. Meanings are created that shape consciousness and behavior, such that inequality is directly or indirectly reproduced (Schwalbe et al. p.423). Within these communities, both men and women engage in selective othering to categorize groups that have less right to participate in the decision-making process. As a female community member said,

How could they say that I am not an indigene of [.....]? Just because of money? So they think they can say I am not a [native] woman and give my land away? ...“Since they say I am not a [native] woman, my father was Dou-ala [non-native], and he ran the estate [PAMOL] here. My mother was [native]. Because my grandfather gave a piece of land for the estate [PAMOL] to build..., now they think they can go back there and build a camp [SGSOC] without asking me? And call me a stranger?

Through the creation of these categories non-natives are locked out of the negotiation process even though they might own land that would be affected by the transfer. Identity codes are formed that make it impossible for members of a subjugated group to signify fully creditable selves. The definition of non-native is fluid; both parents may not be natives of that village, or one parent might not be a native of the village. The label of non-native is used selectively on men and women who are in turn locked out of the negotiations. This has severe repercussions for these individuals or households because a dominant group determines access to land and compensation for loss.

The dominant group within these communities uses the process of othering through the creation of powerful virtual selves. These virtual selves are based on the underlying spiritual belief system of these communities. In some villages, the notables have created a subgroup from the traditional council with extraordinary powers over decision-making. As a female community member explained,

They have a special group that is informed when the investors are coming for a meeting. In every community there are nobles and common peo-

ple. ... Sometimes when the chief is around, it's just the men. Like what I said before about the noble people. Sometimes some of us have no idea about what is going on. We just hear the decisions that have been taken. Like this company some of us are not informed...

This induces feelings of awe and fear that help to legitimate inequality and deter dissent. The links between power and secrecy run deep in these communities, and the necessity of mystification, is an important facet of village power relationships. Other labels have been created within these communities to justify the exclusion of women from the process. A number of respondents explained that women were not invited to meetings 'because they talk a lot' or because they are 'too angry and cannot control' what they will say. A female respondent explained, "They don't tell us everything, they tell us some and some they say that it is only for the men because women talk a lot." Another female respondent from another village said, "Only men attend these meetings [women] are not part of it. I think because women talk a lot, [the men] think that we can say things that are not correct." The categorization that is generated and identity codes developed are recreated, and reinforced through other generic processes such as boundary maintenance.

### Boundary Maintenance

There are two processes through which boundary maintenance occurred in the villages, by controlling network access and the threat and use of violence. Reports of 'boundary maintenance,' for example, are evident when village authorities (principally men) respond to changes in land value without involving women (as a group) in negotiations over resource rights. In each community studied, women's roles in the decision making process were min-

imal or non-existent. Women were left out of the consultation and negotiation process; they were either not invited to consultations, or meeting times and places effectively eliminated the participation of women given their roles within the household and community.

In some cases the ensuring dispossession is unintentional, especially when women's resource use, knowledge and practices are unrecognized, unacknowledged, and by-passed. A female respondent explained concerning their village negotiation, "Because the women were angrier than men, they were not called to the meeting that is why they worked mostly with the men." For example during resource mapping activities in some communities, the invitation specifically called 'men' to attend, essentially excluding women from decisions regarding the land they use. As an interviewee put it,

The meetings are strictly on invitation. If you are not invited you can't go there. The meeting of today [resource mapping meeting] we were not invited. They have never said that 'there is a meeting if any one has something to say they should attend.' They will say the DO [District Officer] has called a meeting and it is strictly on invitation. If they don't invite you how would you go there?

An older woman said,

Only men were called for the meeting that concerned the demarcation of our land, only men were sent out to do the marking [GPS coordinates].

This resulted in a resource use map that did not adequately reflect women's use of land and forest resources. During subsequent validation meetings with the community, the

NGO facilitators had to probe the largely male attended meeting to think in terms of women's resource use. The absence of women in such meetings could lead to women's use of community resources being made 'invisible' by poorly drawn maps. Not only will women lose out, but the whole community loses when using such a map as a bargaining tool with the government or investor. In Julia and White's (2010) study of palm oil deals in Indonesia, 'consultations' over land were conducted exclusively with male chiefs and, as a result, the perspectives and needs of local women were left out of the negotiations. Boundaries are also created and maintained by institutions in ways that privilege those with the most resources. Schwalbe (2015) notes that boundaries can be created through symbolic processes in which shared expectations hold group members accountable for enacting specific behaviors, or risk repercussions from the group. For example, World Bank and IFPRI (2010) reported that preferences of women may be overlooked or ignored because women do not own land or because of the pervasive misconception throughout Africa that 'women don't farm.' In our study sites, a general theme was that 'woman no get palaver for land' meaning women are not concerned with land matters. Thus justifying women's minimal involvement in the consultations and negotiations processes.

Through exclusionary governance, access to the key networks through which information is traded, decisions and deals are made, and rewards are disbursed, is regulated. The chiefs, and notables (which are usually all men) of each village make up the traditional council. The traditional council in all of these villages interacts directly with the investor, and government representatives. There is a network that has been created that is predominantly male which determines what land will be given, how much land, at what price. Members of this network choose who should be invited to participate and who not. To be cut out or left

out of this network is to lose influence and power over the land transfer decision-making process. A young woman described,

We hear them talking about it when they are leaving their meeting, when they are discussing in the bars, when they are talking amongst themselves about what happened in the meeting. That is how we know what was discussed in the meeting... “They do not call these women [the women who have land in the affected area]. The women will only know when the Caterpillar is there to bulldoze the forest, that is when they will know.

In some cases, there were reports of threats and intimidation being used to discourage women’s participation. When people get ‘out of place’ because inequality becomes too much to bear, violence or the threat of violence, and intimidation can be used (Schwalbe et al. 2000). Violence, defined as the application of damaging force to human bodies – may be necessary to protect male power and privilege, and to ensure that boundaries do not break down. An interviewee explained,

When it has gotten to the stage of consultation, when you want to disagree, they will say ‘sit down, SIT DOWN’. They don’t even know what you want to say. Allow everyone to talk, when they do that I feel very inferior and I stop talking.

In this case – degrading remarks, threat of violence, imprisonment, and even punishment by cancelling social benefits to children of particular households has been used to keep women in their place.

They kept saying that they should not take my son [for holiday employment]. People in this village wrote. My son is in the second year at the University of ... studying science and technology. They wrote a report that I originate from [a different village], that my son's father is [a non-native] so he is not supposed to have a scholarship from SGSOC... They cancelled his scholarship; they did not give him a holiday job.

Bending and Taylor (2009) reported the use of intimidation in the acquisition process, while Daley (2011) in the case of Zimbabwe reports that women household heads who do not have access to men's social networks are particularly at risk, especially when the land administration bodies are male dominated. The effect is that it limits women's access to people and places from which they might acquire the resources needed to challenge men for power (Chafe 1977; Gardner 1995).

The next two generic processes – subordinate adaptation and emotion management – illustrate why women or subordinates do not resist exclusionary governance and instead reinforce inequality.

#### Subordinate Adaptation

Instead of challenging these exclusionary processes, women often accept less involvement in exchange for the satisfaction of being called upon once in a while – subordinate adaptation. In two communities, an alternate women's adjudication group had been instituted. These groups were in charge over the adjudication of 'women's matters,' domestic dis-

turbance, quarrelling between women, gossiping etc. Matters of land were left clearly in the hands of the men within the 'men's' Traditional Council.

I am the president of the Women's Council, but I don't take a lot of decisions about anything. Most of the decisions we as women make, we have to go back to our men; husbands, brothers, male in-laws.

In some sense this is reproductive of inequality because now problems are classified as important and non-important, thus women's problems and concerns are not important to be brought up at the Traditional council. This reinforces the subordinate role of these women, and preserves this exclusive structure of decision-making. In some cases the women's group may not challenge the men hoping that they will be integrated into the larger decision making hierarchy. Powerful women can gain additional benefits by agreeing to play the 'rules of the game'; rules that disadvantage all women. This hegemonic bargain between the powerful men and the powerful women within the community circumvents opposition, which in turn perpetuates the role of dominant and subordinate (Kandiyoti 1988).

Through the hegemonic bargain, a few women (powerful women) may have succeeded in creating alternative prestige hierarchies, and forms of power. Thus the adaptation that allowed these women to earn respect can also engender perceptions, habits, and circumstances that virtually ensure the reproduction of inequality. Adaptive subcultures have a reproductive effect in part because they allow psychic needs to be met, despite subordination (Schwalbe et al. p.428). The dominant group often tolerates or even encourages the formation of such adaptive subcultures, since they function to mitigate overt resistance and to stabilize relations of inequality.

Sustaining a system of inequality, one that generates destabilizing feelings of anger, resentment, sympathy, and despair, requires that emotions be managed. This involves manipulating the cognitive processes through which individuals and subordinate groups make sense of events, with dominant groups orchestrating the process and generating meaning and interpretations that justify inequality.

### Emotion Management

Emotion management was evident through regulating discourse. There are fears and worries about the land transfer, 100 percent of the women interviewed opposed the land transfer or had worries based on the uncertainty of transgenerational transfer – transfer of resources (land) to future generations (children, grandchildren, great grandchildren etc.). But a majority of the women are resigned to the inevitable, mainly because of fear of being punished for protesting or social exclusion for being the ‘odd one out’. As a female respondent explained,

When men have decided, we just follow their decision. Who am I to say that I do not like the decision? When a man says it is correct, I do not oppose. If not for the fact that women have been educated now, and are involved in some issues, it is the men who know good and bad things for us. Who am I? You cannot oppose someone who is above you. You cannot oppose the ‘big’ man, even when you know that he is wrong. If someone wants to take your land by force you pray to God, what can you do?

Another woman explained,

... some of us are not informed, if you want to ask for explanations, then they will say, 'you are one of those who are against the company,' whereas you just want information.

Inequality is reproduced as emotions are subtly shaped by symbolic and material culture through the use of discourse that justifies inequality. Discourse is more than talking; it is a way of talking. To regulate discourse a set of formal or informal rules about what can be said, how it can be said, and who can say what to whom, can be imposed (Schwalbe et al. 2000). The discourse in these villages is a rationalist one "for the good of our people." The traditional council uses a language of returns – 'development opportunity', 'for the good of our people' – that keeps individual strategic interests at bay and facilitates the pursuit of this general developmental interest. Consultation meetings are organized and discussion is framed within the general discourse (development opportunities) preferred by the investor and the Traditional council. Individuals who are unwilling to accept this discourse are labeled selfish, discredited and excluded. This discourse has become a powerful tool for reproducing inequality, because it can serve not only to regulate thought and emotion, but also to identify 'others' and thus maintain boundaries as well.

In some cases, even when women were angry about their 'exclusion' from the decision making process, it was counter to cultural prescriptions for them to voice their concerns about ownership, access, and use of land.

We talk about it [land transfer decision] in our women's group meeting. We grumble, we grumble, we always grumble. ... we don't have the opportunity to talk about it to the DO, Mayor, or the Chief. We just grumble and keep it in our heart.

According to Oxfam (2010:4), women often lack the confidence to 'voice' their concerns about ownership, access and use of land. A young female respondent said,

This land transfer has directly affected me so badly that I don't know what to do. Those evil people have put their lines and their mapping thing in my farm and that is the only place where all my farms in this world are found...What is negotiation? they are not doing anything neither have they said anything, they have not said anything to me... Haa! Who am I? Do I have money? Don't you know that in Cameroon those who have money are the people they listen to? They have been holding so many meetings but I have never attended even one because I don't know what I will go and do [at a meeting]?

Even though she clearly has a problem, she prefers to stay back and not express her frustration and anger over her dispossession of 20 ha of land she inherited from her father. Village authorities have not sought to invite her into the negotiation forum especially since her farm is found within the GPS coordinated specified by the presidential decree. Another female whose farm is also affected and did attend a meeting explained,

I attended the first meeting they held and I cried to those white men. I explained that I don't have a place to go and that my family will die if they take that farm from me

but nobody listened to me. Mr. [...] and Dr [...] were all there and the white man who is the manager. Even after I cried they had no interest. [Herakles Farms] has no interest in human beings, they have interest only in planting their palm nuts. I do not go to any more meetings even though they announce it... If I had money I would hire 20 lawyers to fight against [Herakles Farms] but since I don't have money, what can I do?

Scripting mass events entails ritualizing behavior to condition people to respond according to the situation with appropriate emotions. Nhantumbo and Salomao's (2010) study in Mozambique indicates that in consultations, certain topics (such as job creation or resettlement) are positively emphasized, whereas others (such as potential environmental effects) are scarcely discussed. The point is that when mass events are scripted and controlled by the dominant group, emotional responses and connections are crafted in its interest. A misrepresentation of information has potential gender dimensions if perceived benefits of land deals will primarily benefit men (such as job creation in the formal sector) and negative ramifications of the projects that will particularly affect women (that is, increased difficulty in access to water and fuel) are overlooked or downplayed (Behrman et al. 2012).

## Conclusions

No one explanation can perfectly illustrate how gendered process within communities shape outcomes for women especially regarding land. A broader understanding of the socio-political and economic challenges hampering women's participation in decision-making over the management of resources requires a mix of different perspectives from scholars and practitioners. This paper illustrates mechanisms through which women are 'locked out' of the decision making process using Schwalbe et al.'s mechanisms integrated in a context where so-

cio-cultural and religious beliefs play an important role in preventing women from questioning this process of exclusion. Women's exclusion has serious implications for community wellbeing and for women's wellbeing, especially in the face of agrarian transformation following large-scale agricultural land transactions.

Our research shows that current processes of transferring land-use rights are gendered and that these processes negatively affect communities, particularly women. The results of this study indicate that systemic overt forms of gender discrimination as well as unintentional gender subordination operate in a complementary manner. Excluding women from the negotiation process affects the community's bargaining capability since women's knowledge is left out. Women being dispossessed of the land and sole means of livelihood can result in a reduction in food crop production, worsening food insecurity within these communities. Most of the women who were dispossessed were widows and mothers, increasing their vulnerability to poverty. Our analyses show that although there are differences across the four villages studied in the extent to which systemic 'legalized' discrimination and unintentional gender subordination occur, both forms exist simultaneously.

Our results indicate further that the subtle mechanisms of othering, boundary maintenance, emotion management, and subordinate adaptation help to reinforce gendered hierarchies of power while also minimizing women's perceived options for resisting their own subordination. The creation and justification of an 'other' category becomes legitimized and normalized after a period of time. Resulting in a social stratification within these communities with natives at the top of the hierarchy with access to more resources, and non-natives (strangers) at the bottom with fewer resources. Keeping women out of the information loop

relevant to the transfer process reinforces the notion of men being superior and thus sole decision makers within these communities thus justifying why women should be excluded. These mechanisms of exclusion can lead women to adapt by creating separate 'women' only organizations that further impede their access to information especially concerning compensation for loss of land. The development narrative is reinforced within these women's only groups. Their anger and frustration from being physically excluded and their perspectives omitted from the process is expressed with a sense of helplessness and fear of being heard, with hopes that a higher spiritual power will resolve their problem. These generic processes combined to maintain the status quo, recreating the gendered resource relations that exist within these rural communities. I incorporated a new subcategory – hegemonic bargaining to illustrate the heterogeneity within women and how powerful women act to maintain the status quo and further subordinate those who are less powerful. Our findings provide a basis for identifying steps that could be taken to help communities understand how women's direct participation in land transaction negotiations would benefit the community as a whole.

Gender equitable and inclusive local involvement in the management of natural resources, according to past research, has positive implications for sustainable community development. Women have specific indigenous/local technical knowledge of foods, medicinal herbs, fibers, and fuel. These natural resources are often denigrated in local communities as 'women's crops' or materials. The management of women's working spaces and places, in turn, often remain 'invisible' in men's accounts of land use, and subsequently in community maps when women are excluded from mapping processes (Peluso 1995; Rocheleau et al. 1996). Provisions for monetary compensation may also devalue women's spaces, which means that compensation goes directly (and entirely) to husbands or other male community

members. Involving women in each phase of land-transaction negotiations could address each of these problems. Alternatively, if local communities continue to classify areas where women gather uncultivated resources as ‘unused,’ local men may inadvertently justify the transfer of such lands to a multinational agribusiness.

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## **CHAPTER 4: POLICY SPACES FOR LAND NEGOTIATIONS IN CAMEROON: NEGOTIATION FORUMS AS INVITED SPACES**

### **Abstract**

Using data collected in 2014 and 2015 from a survey and semi-structured interviews in southwestern Cameroon, we examine how negotiation is carried out within the Global Sustainable Oils Cameroon Project Affected Villages (SGSOC-PAV). SGSOC-PAV is a policy forum created in 2011 for negotiating the terms of a large-scale land transaction in Cameroon's South West region. We use Cornwall's (2002) categories of 'participatory governance' to understand how this forum shapes implementation of the project. We explore the following questions in the context of SGSOC-PAV: Who is involved? How are decisions made? Who influences decisions within this forum? What is the intensity and quality of community members' participation? What structures are in place for bottom-up and top-down accountability?

Our paper highlights negotiating opportunities for communities in this policy space – pooling bargaining power, prioritizing local decision-making and reinforcing responsibilities, and community empowerment. We argue that negotiations can legitimize investors' demands when policy spaces are manipulated to introduce and promote agendas, which reflect outsiders' interests. We find that land transfer negotiation processes reflect differentials in power within these emerging spaces for decentralized governance. We argue that decision-making within this forum is geared towards legitimizing investor strategy with limited integration of community needs and provide policy recommendations for ensuring veritable participation.

Keywords: Cameroon, land transfer, land deal, participation, policy spaces

## Overview

Foreign investment in land connotes the lease or outright purchase of land by a foreign corporate or state investor for agricultural production (food or cash crop) or extraction (minerals, rare earth, etc.). Large-scale agricultural land investments can involve multiple and nested claims by communal groups, traditional authorities, households and individuals. There are differing processes through which transfer of agricultural land use rights is planned and implemented in the Global South. These processes involve multiple stakeholders depending on the statutory provisions, customary laws, and social, political and legal institutions within a particular society (Lewis 2008; Cotula 2009).

Land contracts define the terms of an investment project, and distribution of benefits, risks, and costs. A land transaction could consist of multiple contracts and relate to bodies of law at the local, national, and international level (Cotula 2011). These contracts are typically signed between a central government agency (land provider) and an investor (acquirer). Even though there are usually only two parties to land deals, local communities also have a stake in the contract since legal transfer of use rights from the State to the land investor means restricting community access to this resource. We study the negotiation process between Cameroon's government and a transnational company, Herakles Farms, over a forested region in the South West region of the country. Herakles Farms, a New York based investment company was operating under Sithe Global Sustainable Oils Cameroon (SGSOC), which was a recognized company in Cameroon. The company planned to establish an oil palm plantation in land concessions in two administrative divisions: Kupe-Muanenguba, and Ndian. In 2013, a presidential decree awarded the company 19,843 hectares (ha) of land on leasehold over a probationary three-year period with the possibility of a 99-year extension if certain condi-

tions<sup>85</sup> were fulfilled during the probation period. In this case, the land deal also involves local people who have use rights based on customary law.

Using data collected in 2014 and 2015 from a survey and semi-structured interviews, we examine how negotiation is carried out within the Global Sustainable Oils Cameroon Project Affected Villages (SGSOC-PAV). SGSOC-PAV is a policy forum created in 2011 for negotiating the terms of the large-scale agricultural land investment between Herakles Farms and affected local villages in Cameroon's South West region. We use Cornwall's (2002) categories of 'participatory governance' to understand how this forum shapes implementation of the project. We explore the following questions in the context of SGSOC-PAV: Who is involved? How are decisions made? Who influences decisions within this forum? What is the intensity and quality of community members' participation? What structures are in place for bottom-up and top-down accountability?

Large-scale agricultural land investments, coupled with structural factors (policy deficiencies regarding land tenure systems and property rights) and personal greed have generated changes in land use, rural livelihoods and property relations (elimination of small- and medium-scale farming, restricted access to natural resources, land tenure conflicts, displacement and resettlement of communities in new areas) (Cotula et al. 2009; Dauvergne and Neville 2010; White et al. 2012). In other instances, large-scale agricultural land investments can enhance know-how for agricultural production (Mackey 2011), technology transfer, access to financial resources, wage employment, and incorporation in agri-food regimes through value chain development, development of transportation infrastructure, health care

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<sup>85</sup> Conditions of the lease extension included, conducting an environmental and Social Impact Assessment (ESIA) in the new concession, the development of social facilities (schools, hospitals etc.), and payment of land rents totaling 200,000,000 FCFA into the divisional treasury.

services, provision of educational services and basic utilities. This is especially true when indigenes are fully informed and consulted during Environmental and Social Impact Assessment (ESIA), participatory mapping of customary lands, and included in negotiating the terms of the land transaction (what quantity of land is involved, where, sale or lease, and for how long). Community participation in the decision making process can generate inclusive incorporation such as cooperative, contract farming, out-grower schemes, that reflect the needs of local people (McCarthy 2010).

This paper is sub-divided into four parts. The first part is on community participation and the social organization of SGSOCPAV, which highlights negotiating opportunities for communities in SGSOCPAV - pooling bargaining power, prioritizing local decision-making and reinforcing responsibilities, and community empowerment. The second part explains my research design and analysis. The third part describes the results, which illustrate the power differentials that exist within this emerging policy space for decentralized governance. I argue that negotiations can legitimize investors' demands when policy spaces are manipulated to introduce and promote agendas, which reflect Herakles Farm's interests. Lastly, I provide recommendations for transforming participation.

### Community Participation and SGSOV PAV

The United Nations (1981:5) defined participation as 'the creation of opportunities to enable all members of a community and the larger society to actively contribute to and influence the development process and to share equitably in the fruits of development'. Agenda 21 (1.3) extends this definition and calls for "broadest public participation and the active involvement of the non-governmental organizations and other groups" in environmental deci-

sion-making. These definitions are vague and only explain what participation should look like. Community participation is defined as the direct involvement of ‘ordinary people’ in local affairs (Midgley 1986:23). This could mean anything that involves people and their involvement could be reflected in many different levels of participation such as informing, consulting, etc.

Arnstein’s (1969) ladder of participation is the best-known illustration of the intentionality of participation. In her approach, participation is illustrated as a graduated scale along an axis of ‘good’ to ‘bad’ (Fig 10), on one extreme there is ‘citizen control’, which is at the top of the hierarchical scale, while at the other extreme ‘non participation’ is depicted by ‘manipulation’ and ‘therapy’. In the middle of this hierarchy she places ‘tokenism’, in which she includes activities such as consultation, informing, and placation. Other similar normative typologies of participation exist such as those of Pretty (1995) and White (1996).

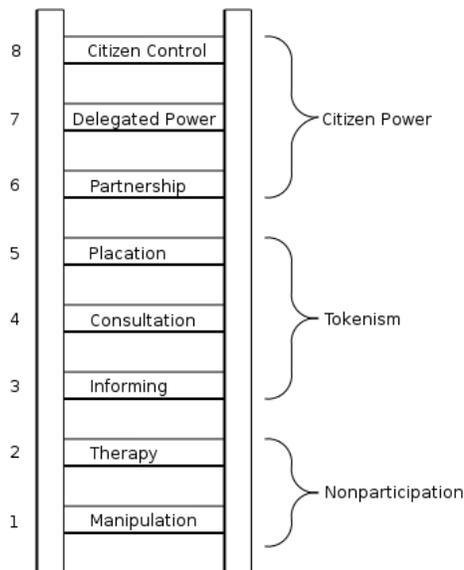


Figure 10. Arnstein’s (1969) ladder of participation

Development practitioners and researchers recommend community driven development and advocate that decisions are made by the people to be affected (Cernea 1985; Chambers 1997, 2014; Bebbington 1999; Roark 2015). Local stakeholders, if involved, are more likely to make decisions that will lead to their sustainable development. The proposition of participation is also backed by a rights-based approach to examining community involvement in decision making over the transfer of land use rights in land deals (Cornwall and Nyamu-Musembi 2004; Colchester et al. 2013). Law No. 96/12 of 5 August 1996 relates to environmental management in Cameroon and is very important in providing insights regarding community participation. According to Njamnshi et al. (2008) this law requires consultation of local communities in decisions relating to the environments and resources that they use. It also requires that relevant information should be made available to these communities in relation to the consultation process over environment and natural resource management decisions. This rights-based approach is also based on a structure of international and regional rules and principles such as the United Nations Declaration on Rights of Indigenous Peoples (UNDRIP),<sup>86</sup> the International Covenant on Economic, Social and Cultural Rights,<sup>87</sup> the United Nations Economic Commission for Africa's (UNECA) Land Policy Initiative that provides best practices in land policy, and the African Union's Framework and Guidelines on Land Policy in Africa, which all mediate national policies to ensure local participation in the decision making over natural resource management.

The intentionality of participation in the land transfer process has been examined by a number of researchers (Nhantumbo and Salomão 2010; Vermeulen and Cotula 2010; Ger-

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<sup>86</sup> UNDRIP was adopted in 2006. Its provisions, especially articles 8, 10, and 32 present a structure of rules protecting the rights of local peoples in relation to their access to natural resources (FPIC) and right to food.

<sup>87</sup> Article 11 requires States to respect, protect and fulfill the right to food.

man et al 2011; Yaro and Tsikata 2013). Concerns have been raised in relation to the quality of participation within the land transfer process (Borras et al. 2010; Oya 2013; Edelman 2013; Scoones et al. 2013), but very little research has focused on the ‘how’ of the process; mechanisms involved within the process to ensure that all stakeholders are similarly involved in influencing decision making have hardly been documented within the issue of large-scale land investments<sup>88</sup>.

#### Collective Action: Community policy spaces

A number of working definitions exist on policy spaces exist. McGee (2004:16) defines it as ‘actual observable opportunities, behaviors, actions and interactions ... sometimes signifying transformative potential’ while Gaventa (2006:26) sees it as ‘opportunities, moments and channels where citizens can act to potentially affect policies, discourses, decisions and relationships that affect their lives and interests.’ In this article policy space refers to the scope local communities have for shaping their own livelihood strategy and their relationship with outside forces: markets.<sup>89</sup> My focus in this paper is to understand the dynamics of participation within a policy space where a few community members represent the villages affected by this land transfer.

While the creation of spaces of participation is powerful in engaging stakeholders, it is not sufficient to ensure effective participation i.e. participation that reflects ‘citizen control’ (Cornwall 2008). The notion of community participation has been criticized for ignoring the contradictory tensions in which most forms of governance are embedded (Swyngedouw

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<sup>88</sup> See Hall et al 2010; McCarthy 2010; Vermeulen and Cotula 2010; Smalley and Corbera 2012; Fairbairn 2013; Nolte and Voget-Kleschin 2014.

<sup>89</sup> A policy space “is about the freedom to choose the best mix of policies possible for oneself, given ones unique social, political, economic, and environmental conditions” (South Centre 2005).

2005), issues of power agency and accountability are not addressed (Newman 2001; Cooke and Kothari 2001), and fundamental inequalities in bargaining positions different partners bring to the table are neglected (Hickey et al. 2004). Cornwall (2002) categorizes these new governance initiatives or policy spaces into closed, invited, and claimed spaces. These new spaces for community participation can be spaces into which communities are invited by various types of authorities; government, supranational agencies or non-governmental organizations. Often, participants are selected to meet a particular need, and the agenda within the space has already been set. Empirical research suggests that the scope for communities to exercise real influence in these spaces has been limited and sometimes masks new forms of control (Cheyins 2011; Cotula et al. 2008; Taylor 2007). Stakeholder involvement mentality could give rise to ‘invited spaces’<sup>90</sup> which are not sufficient to ensure veritable participation because this space is usually marked by considerable differences of status and power among participants. The character embodied by such groups is strikingly different from groups that are created by people themselves – ‘claimed spaces’. These new spaces can also be closed to the general public – ‘closed spaces’, where decisions are made by a set of actors behind closed doors, without any pretense of broadening the boundaries for inclusion.

### Land Acquisition in Cameroon

Cameroon has a long history of large-scale agricultural land investments as far back as 1800s. In Cameroon, 67.8% of the investors in large-scale land transactions are from India, 24.7% from U.S., 4.1% from France, and 3.4% from China (GRAIN 2012). According to data from Ministry of Economy, Planning and Management (MINEPAT) (2013:78) 400,563

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<sup>90</sup> ‘Invited space’ – depicts the origin as an invitation to speak or act. It could be created as a response to popular demand, donor pressure or shifts in policy. Such spaces maybe transient – temporarily opened up for public participation but eventually reverts to being closed again. Alternatively, these spaces could be durable taking on an institutionalized character (Cornwall 2004).

hectares was allocated to domestic and transnational agro-industrial investors before 2005. By 2012, Cameroon had issued mining and drilling permits over approximately 10 million hectares of land (Republic of Cameroon and Extractive Industries Transparency Initiative 2013). These land arrangements overlap each other creating tensions between mining, timber extraction, and agricultural landscapes. Land Matrix data shows that 133,743 hectares of land was allocated to transnational agro-industrial investors between 2006 and 2014 (land deals where a written or verbal contract exist with the State). Cameroon's appeal as a target country for agricultural land investment can be attributed to its agro-ecological diversity, easy access to the Atlantic facilitating exportation, huge opportunities for irrigation, and 'availability' of land.<sup>91</sup> This notwithstanding, there has been an increase in land investments in Cameroon since its development of a National Growth and Employment Strategy (GESp, 2010-2020), which prioritizes diversifying the economy, attraction of FDI, and other accompanying programs<sup>92</sup> aimed to increase land reserves for agro-industrial activities from 400,000 ha in 2012 to 3,000,000 ha in 2017.

### Social organization of SGSOC-PAV

In 2009 Sithe Global Sustainable Oils Cameroon PLC (SGSOC) owned by Herakles Farms, an affiliate of Herakles Capital, an American investment company (henceforth referred to as Herakles Farms) obtained authorization to gain concession over 73,086 hectares (ha) of land for palm oil plantation and refinery in Ndian and Kupe-Manenguba Divisions of South West Cameroon under a 99 year lease. This concession was later reduced to approxi-

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<sup>91</sup> According to FAO Statistics (accessed 06/01/2015), Cameroon has approximately 6.2 million hectares of arable land, with only 20% currently under cultivation (landportal.info).

<sup>92</sup> Support Project for Modernization of Land Registration and Improvement of the Business Climate (PAMOCCA) a pilot project aimed at supporting the Government to strengthen governance in land registration and management through modernization of land registration. Program was launched in 2010 with African Development Fund (ADF) funding. (www.afdb.org).

mately 21,000 ha,<sup>93</sup> with a provisional renewable lease of 3 years and a requirement for the company to consult and negotiate with the affected local communities to arrive at a contract that reflects the needs of all stakeholders. The Land Consultative Boards for the two divisions involved each created a map that defined the legal concession within their administrative unit representing concession blocks (Block “A” Nguti block, and Block “B” Mundemba and Toko block). However, the actual area to be used by Herakles Farms will be determined after Herakles Farms has engaged in negotiations with each village over its current and planned land uses and established what land can be made available for the project.

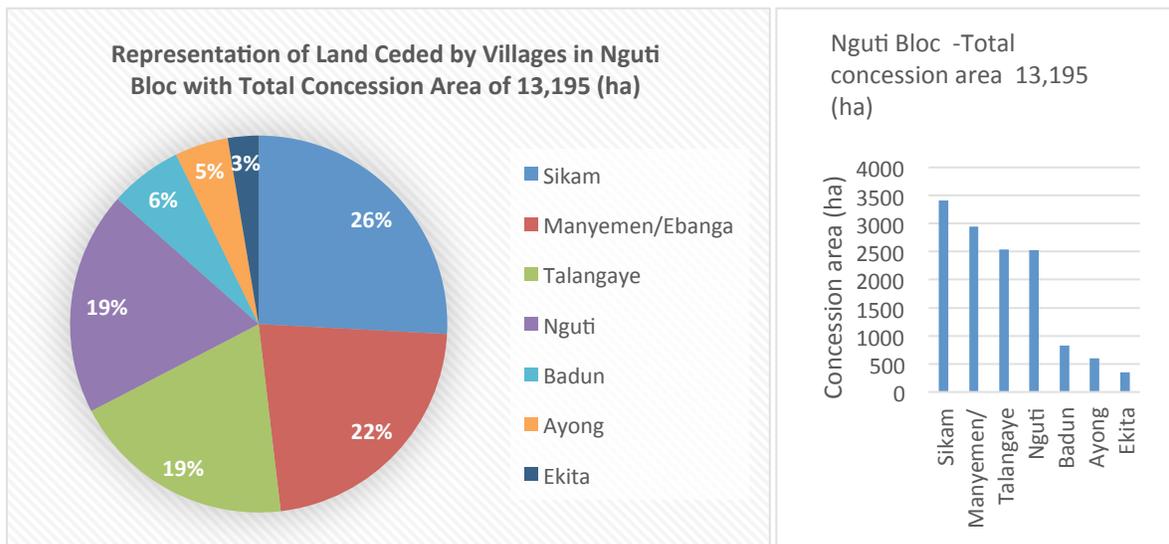


Figure 11. Land Ceded to Herakles Farms by Block ‘A’ – Nguti Block

<sup>93</sup> See Presidential Decrees No 2013/418 of 25 November 2013 granting a provisional land lease to Herakles Farms in Mundemba; No 2013/416 of 25 November granting a provisional land lease to Herakles Farms in Nguti; and No 2013/417 granting a provisional land lease to Herakles Farms in Toko.

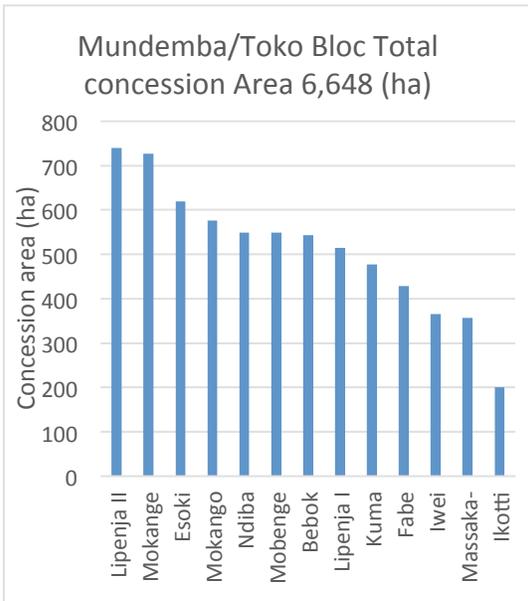
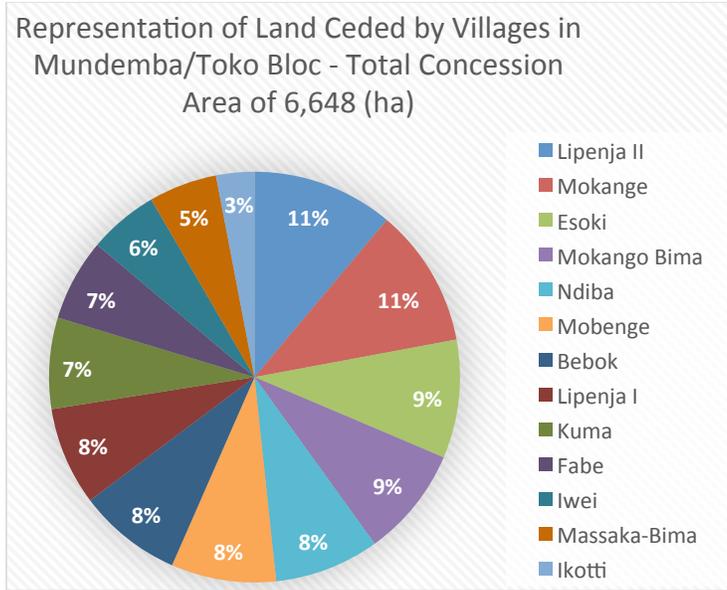


Figure 12. Land Ceded to Herakles Farms by Block ‘B’ – Mundemba/Toko Block

Though the Cameroonian government specifies its role in protecting the interest of the agri-business by ensuring that its citizens do not interfere in the concession area, and pledging to provide security for the company, its personnel and property, Cameroon has made no provision for monitoring and evaluation of this or any large-scale agricultural land

investment to ensure long-term effective and inclusive project implementation. The Global Sustainable Oils Cameroon Project Affected Villages (SGSOC-PAV) was created by local elites, village authorities and Herakles Farms' representatives in 2012 to serve as a platform for a common voice of the 24 villages affected by the company (SGSOC-PAV 2013). The purpose of the association is to “jointly oversee the implementation of the obligations of both parties contained in the Memorandum of Understanding (MoU) signed between the indigenes of Nguti sub-division and SGSOC on 27 July 2010 and the MoU between the indigenes of Mundemba and Toko Sub-Divisions and SGSOC on 30 July 2010” (SGSOC-PAV Articles of Association). According to local media (The Sun 2013), it aims to provide oversight and ensure effective implementation of commitments detailed in the MoUs, common commitment and future agreements entered into between Herakles Farms and the local affected villages. SGSOC-PAV appears to be an innovation because it sets the stage for meaningful discussion with the investor and strives to provide some monitoring of how the agricultural project will be implemented and make sure that it complies with contracts entered into by Herakles Farms and local communities.

SGSOC-PAV is comprised of 24 small villages whose land is involved in the land concession to Herakles Farms and are divided into concession blocks. These villages are located in a forested region with livelihoods dependent on forest products such as leaves, seeds, fruits, and animals for home consumption and commercial use. The designated land concessions are bounded by high conservation value (HCV) forest and wildlife reserves<sup>94</sup> such as Mount Bakossi National Park, and Bayang Mbo Wildlife Sanctuary in Nguti sub-division

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<sup>94</sup> Forest that has one or more of the following attributes: significant concentrations of biodiversity values, large landscape-level forest, contain rare/threatened or endangered ecosystems; provide basic services of nature in critical situations; used to meet basic needs of local communities and/or critical for traditional cultural identity (FSC-STD-01-001 2004)

(Kupe Muanenguba Division); and Korup National Park, and Rumpi Reserve in Toko/Mundemba sub-divisions (Ndian division). Membership in SGSOC-PAV is based on three categories; original members, other members, and Herakles Farms representatives. Original members are from villages where Herakles Farms had operations on the ground as at November 2012 namely Talangaye, Nguti in the Nguti Sub Division and Lipenja 1 and Fabe in the Toko and Mundemba Sub Divisions respectively. Other members are from villages in which Herakles started operations after November 2012.

The association has four main bodies: General Assembly (GA), Executive Board, Board of Governors (BG), and six issue Committees. The GA meets bi-annually and is representative of the two concession blocks. It consists of four representatives from each of the 24 villages – the chief, an adult male, an adult female, and a youth. Representatives are appointed by the chief and could change based on one's relationship with the chief. The Executive Board is comprised of the President, Vice-president and Secretary General of the GA. Based on the by-laws of the association, the President and Vice-President are rotatory elected positions, and represent the two project concession blocks (Block 1 – Nguti, Block 2 – Mundemba/Toko). The Secretary General is an employee of the investor and is appointed by Herakles Farms as liaison person. Meetings of the Executive Board are flexible<sup>95</sup> and occur on a needs basis. The Board of Governors meets quarterly and has 19 representatives from the two concession blocks representing the major tribal groups that crosscut village ties. Board of Governors members are divided into six (6)<sup>96</sup> technical committees that represent the social, economic and infrastructural demands of the association such as legal, education, and infrastruc-

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<sup>95</sup> These meetings are not based on a calendar schedule, can occur instantly, anywhere and without a set agenda.

<sup>96</sup> Development, Land Use Plan, Agriculture & Economic Development, Legal/Administrative, Social Development, and Infrastructure Development committees.

ture (roads, energy, water, etc.). The technical committees lay down the ‘principles and criteria’ for implementation of all 24 commitments in the MoUs (SGSOC-PAV 2013).

The focus of the paper is on the interaction within the Board of Governors, and how coupled with the policy environment shape negotiations with Herakles Farms. Focus on the BG is justified because this is the body within SGSOC-PAV that meets most frequently, is responsible for strategic planning, overall policy and decision-making, implementation of policies, resolutions and decisions of the Annual General Assembly, and thus shapes the negotiation process.

### Research Design and Data collection

Understanding negotiation processes and outcomes requires taking into account the configuration of the negotiation group, relationships among negotiators, and relationships between negotiators and the constituents they represent (Kramer and Messick 1995). Based on Cornwall’s (2004) definition of policy spaces, community consultation and negotiation over the transfer of land rights in SGSOC-PAV could be described as an invited space for local governance since the association was initiated by the investor and community leaders participation was solicited after its creation. By labeling SGSOC-PAV as ‘invited’ space, it draws attention to who is doing the inviting, what are the terms of the invitation, and what does this mean for social actions within that space.

Conrad et al. (2011) evaluated level of public participation in landscape policy processes with specific reference to the European Landscape Convention<sup>97</sup> in Norway and three other European countries. They identified five target areas for effective participation: “i.)

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<sup>97</sup> See Council of Europe (2000).

What is the scope of public participation? ii.) How representative is the public involved? iii.) At what stage of the process is the public involved? iv.) Are efforts made to render participation easy for participants? v.) How much influence does public participation have on the results derived?" (Conrad et al. 2011:29). While they used a five-point score scale to operationalize these evaluation criteria, we used more qualitative dimensions to understand the dynamic of participation within SGSOC-PAV.<sup>98</sup>

Data were collected using individual semi-structured interviews, questionnaires, and documents related to the land transfer. An interview guide with open-ended questions was used for semi-structured interviews, complimented by a short questionnaire comprised of questions related to demographic characteristics. The questionnaire was given to respondents a week in advance, to allow respondents recall events related to BG meetings, and also to keep conversation focused and minimize interview time. Sixteen members of the BG were interviewed, with one refusal, and two members not reachable. Interviews generally lasted between one and two hours. All interviews were recorded. Data collection tools<sup>99</sup> were guided by Cornwall's (2004) participation typology to identify the space; and an adaptation of Conrad et al.'s (2011) five dimensions of good participation: scope, representativeness, timing, comfort and convenience, and influence. Data analysis involved deductive logic – coding based on themes from literature review (Cornwall and Gaventa 2001; Cornwall 2004; Conrad et al. 2011) and also inductive, allowing for the identification of new categories and mechanisms derived from the data such as citizenship, resources, and identity.

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<sup>98</sup> Given the disparity in level of education, we felt that using the five-point score scale would not be very effective in getting information since respondents might understand the questions differently. Also given our study population size of 19, qualitative methods were much more adequate in getting rich data regarding the process of participation.

<sup>99</sup> Interview guide and questionnaire can be obtained from the corresponding author.

## Results

### Defining the Space

SGSOC-PAV was initiated by a few local elites in conjunction with Herakles Farms (investor) to provide a unifying voice for communities affected by the project to participate in the decision making process over the transfer of use rights over land and monitor the implementation of the investment project long-term. Apart from the government creating an enabling environment for the creation of the association, and authorizing meetings, there is very little government involvement in the association even though it is the general overseer of the project. The company is the principal financier of the association, providing funds such as allowances to executive committee members, travel and boarding allowances for all members invited to meetings, meals during meetings, and reimbursements for activities carried out in relation to the association.<sup>100</sup> This dependence on the investor for financial support may have undermined the decision making process within the association.

According to two male respondents:

Our main fundraiser is SGSOC [Herakles Farms] but since they had no finances we had to wait, and PAV has to work with the company, discuss with the company after the discussion in the general assembly, then we will see that they can do this or might not be able to do that.

When asked who crafted the by-laws, which are the rules and regulations enacted by the association to provide a framework for its operation and management, 70% of respondents did not know how, when, and by whom it was created; a male respondent remarked:

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<sup>100</sup> Article 7 of Articles of Association states ‘The Company will pay for the expenses of SGSOC-PAV.’

“They brought a constitution; who drew it, nobody knows – they are saying that it is the board. People don’t want to talk.”

Even though collective action can be defined as the creation of an institution (system of management) by individuals with the aim of preventing a tragic outcome (Ostrom 1990), the establishment of such an association does not guarantee ‘citizen control’, which is the highest rung of participation illustrated by Arnstein (1969). SGSOC-PAV is completely dependent on the company for funding to convene meetings between board members. This means Herakles Farms can prevent or precipitate assemble of members based on the potential agenda of the meeting. Also all draft meeting agendas are generated by Herakles Farms representatives to SGSOC-PAV, and the final copy is circulated during the meeting. In between this process, the draft is submitted to Executive Board members for review and sometimes via email to board members with email access (very few). The extent to which board members are restricted by this dependence on Herakles Farm is unclear, but it is reasonable to assume that there are strong pressures to adopt strategies that are agreeable to the investor. Apart from who controls the budget, we also look at when (timeliness) members were incorporated into the association to determine if the association was created by popular action or through invitation.

#### Timeliness of participation

Timeliness of participation was measured by the stage of the participatory process at which respondent joined the association. Involvement could range from before creation of SGSOC-PAV, to early after creation or later in the process. A majority of respondents (60%) were involved early after creation or at a later stage. Another 30% of members were involved

just before legalization of the association or after the constitution had been created, and the rest were involved before creation and worked with Herakles Farms personnel to develop a proposal for the association. All members (except founding members) joined because the founders invited them and they in turn invited others. A male respondent in his fifties explain how he got involved:

[One of the founders] called and explained to me that he wanted a forum where the affected villages of the project could talk; very old people who are in the shoes for a long time<sup>101</sup>, because sometimes it is like duplicating efforts, time and energy without bringing out something<sup>102</sup>. [He] said we could discuss certain issues and see how we could form a block and maybe counter the bad side of things and try to see the project the other way whether it will have the population at heart. That's when I came in; I said okay, this is a novelty...So we said we should give it a legal framework – backing of some sorts, that's how we came in to have the association.

When an individual joined SGSOC-PAV determined how much influence he/she had over developing its constitution and By-laws. A male member complained, “The article of association of SGSOC-PAV was written by a few people. If they had called all the villages involved, some of the errors in the article of association would have been avoided”. A female member who was recruited after the creation of the association explained that “...[When] I came in [joined] the two chairpersons were already there; I was told that they are the ones who started the association”. Most Board members have a vague or no idea about how SGSOC-PAV was created or the history of the organization.

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<sup>101</sup> [preference given to people with experience in such negotiations].

<sup>102</sup> [very little accomplished or realized].

Frequently, members were invited because someone connected to SGSOC-PAV knew them. Invitations could be intentionally extended to individuals who hold favorable attitudes towards the investment project and its development narrative,<sup>103</sup> with participation being no more than a ‘therapeutic or rubber-stamping exercise’ (Arnstein 1969), however this might not be the case in this association. Though SGSOC-PAV is an invited space, overtime it can evolve to emerge as a claimed space in which citizen control is complete and participation is transformatory. Expanding this space would mean that members recognize themselves as citizens (owing loyalty and entitled to enjoy all legal rights and privileges) rather than as beneficiaries (Cornwall and Coelho 2007).

### Citizenship

According to Conrad et al. (2011), citizenship can be articulated as the ‘right to participate’. All respondents believed that the land transfer process should involve local community members. A majority of the members of the Board of Governors held that as custodians of the land, it was their right to make the final decision regarding whether Herakles Farms could implement its project, even though government had already authorized a provisional lease to the company.

A traditional ruler responded:

The villagers have the right [to participate in the transfer process] because it is their land. Even if the government signed, the company has no right to come and enter [into the forest] because we will fight them...from the time of our forefathers

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<sup>103</sup> There is a complex interplay of narratives underpinning the participation process, promoting or resisting the project, with a dominant development narrative inspired by the Millennium Development Goals, Cameroon’s Vision 2035 and its Growth and Employment Strategy Paper.

when the law was not even there, we were the owners of this land. We are the people who know the in and out of the land up-to-date, so they cannot keep us aside and do things their own way.

Another male respondent said that “Yes, they should [involve local people in the transfer process] because the 1974 ordinance on land tenure states that individuals or communities who have inhabited a given area of land and explored it over the years have ownership rights over that said piece of land”.

All respondents strongly believed that even though the government has the rights to dispose of land, local people should be involved in the decision making process over the transfer of land use rights to an investor since they were the ‘custodians’ of the land.

A male representative said;

PAV is an organization and not an individual. PAV does not also represent a village. I think I am representing a community within PAV [but] help to fill in the vacuum for members within PAV who are not very much educated as some of us. PAV is a registered association that has a legal capacity to sue and be sued on behalf of the communities. [This puts a] check on [instances when] they [Herakles Farms] can go to individual villages to trick them to get what they want. The experiences we had with PAMOL are so fresh in our minds, so we can’t just let them come again and do the same foolishness. ... now we are taking safeguards, ...we have come of age.

All participants strongly believed that it was their legitimate right to participate within this process and be a part of the Board (see representation). Nonetheless, uncertainty over

what constitutes the legal rights and privileges of local communities (tenure system) and division in member allegiance (based on village/tribe) might distort this notion of citizenship.

## Identifying Participation

### Representation

Representativeness of the Board was measured by how members were selected, who elected them, and efforts to ensure a cross-section of population participants (including marginalized groups). On paper, this “association consists of chiefs, women, youths, religious and community leaders, and company representatives. It has approximately 100 members [General assembly] and membership rotates” (Herakles Farms 2013). All clans affected by the project are represented in SGSOC-PAV General assembly consisting of Bima, Ngolo, and Batanga (Mundemba-Toko Block); and Upper Balong, Mbo, and Bakossi (Nguti Block). Based on the association’s article 3(1) of the article of association “each village will send a chief and two representatives to be chosen from among the youth’s, female leaders and religious authority” to constitute the General Assembly.

With its emphasis on democratic and inclusive community participation, it was necessary for SGSOC-PAV to establish legitimate representatives of the project-affected villages in the Board of Directors. Membership to the Board was based on five criteria.<sup>104</sup> The first criterion is representation from Herakles Farms – 3 members. Second criterion for selection to the Board is based on original membership (four members); these are chiefs of villages where Herakles Farms has on-the-ground investments as at November 2012<sup>105</sup> and are desig-

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<sup>104</sup> See Articles of Association Article 4

<sup>105</sup> These villages are: Talangaye, Lipenja I, Fabe and Nguti.

nated permanent members of the Board. A third criterion is being a chief of a clan<sup>106</sup> affected by the project (six members). Each clan affected by the project will nominate a chief to the Board. This means that in some cases a clan chief who belongs to a different village that is not affected by the project might represent a village that is affected by the project. A fourth criterion is elected representatives of youths, women, and men from affected clans/communities (six members). Each block will select one female, one male, and one youth as representatives of these groups within the zone. Final criterion was based on surface area of land ceded to Herakles Farms. A few members (06) of the Board were nominated and chosen through a show of hands in the inaugural General Assembly meeting on March 9<sup>th</sup> 2013. Members were not familiar with the nominees, and therefore voted along clan/tribal lines. Given that chiefs choose General Assembly representatives for their villages (this representation is not permanent depending on relationship with chief), it is unlikely that they could have voted contrary to their chief's vote. Some nominees who were not present during that meeting were contacted by the President or Vice-President and invited to join the board. This makes it hard to sustain the argument that this process was in essence democratic. Unfortunately, this process resulted in a Board of Governors that was socially unbalanced especially in terms of generational representation: 53% of representatives were chiefs, 11% were women, and 16% were representatives/employees of Herakles Farms, with no members below the age of 30.

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<sup>106</sup> Clan is based on tribe and not village. There can be numerous villages that make up a clan. All clan members might share the same tribal language with slight variations based on specific village contexts. These clans are Bima, Ngolo, Batanga, (on the Mundemba – Toko Block) and Upper Balong, Mbo, and Bakossi (on the Nguti Block) (6 members) Additional members will be added as the production area grows.

A male respondent explained representation within the association:

When we were building up the PAV and making proposals of composition for the various governance structures, we did consider the youths, women and the general population to be represented in the sense that those who really use the forest should be included in the representation of the general structure. The chief has to come alongside with a youth, woman and an adult man – these people represent the village. It is the policy making body [General Assembly] that elected members of the governance structure. In the Board of Governors, there are chiefs, elites, women and [Herakles Farms] management. Given that there are 20 villages divided into two blocks, we said that Nguti block will bring eight people, Ndian block should do the same and [Herakles Farms] will bring three. This now represents the three major stakeholders.

We didn't [select] clan by clan. We [selected based on] administrative divisions that is Nguti, Ndian and Ntoko subdivision; we could not [select based on] Balong, Basossi and Mbos [tribes] since they are all represented. We did not take other sociological components such as religion, party affiliation or 'stranger' [non-native] into consideration because we are dealing here with heritage, which has to do with the native land and forest. It is not anything social.

Members were nominated, appointed, or invited into the forum. A female member, explained how she became a member of the Board of Governors;

They had a general meeting in Kumba in 2013 and it was said that they have to nominate one woman from the Nguti block and one from Mundemba block.

Among the few women who were there, I am the only one who was a little bit literate and that's how the chairperson appointed me. That is how I became a member in the Board of Governors in PAV.

Given that provisions were made for only two female members (one from each block), attention should be paid to the fact that both female representatives have minimal levels of education (clear power implication), and live in their villages (making BG attendance very difficult given inadequate transportation services), thus not necessarily representative of the female population from these project affected communities.

At least three members of the Board of Governors were appointed in absentia. One male member said; "... my case is different because I was elected in absentia by the chiefs". Another female member explained that "I was voted in absentia which means that [it was] based on my character traits and the trust vested in me by the community members".

Community members on the Executive Board were 'elected'<sup>107</sup> while the company representative was appointed. Even though membership in the forum rotates, Chiefs of villages<sup>108</sup> in which Herakles Farms had started operations were designated permanent members of the Board of Governors. Even though additional members would be added as the production area expands, the President and Vice-president would be selected strictly from chiefs who were 'original members' of the association and designation will rotate only amongst members from the two original zones.

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<sup>107</sup> Their membership and position of authority within the organization was pre-determined given their involvement with the organization pre- and post-creation of SGSOC-PAV

<sup>108</sup> Talangaye (upper balong), Lipenja 1 (Batanga), Fabe (Bima), and Nguti (Mbo).

SGSOC-PAV is set up to represent a bottom-up accountability structure, with the Herakles Farms at the top and the association at the bottom to induce pressure for sustainable implementation of the palm project. Unfortunately, there seems to be no built-in mechanism to ensure top-bottom interventions, with SGSOC-PAV at the top and local communities at the bottom to ensure external control through positive and negative sanctions from below. Usually communication with local communities is through the chief, who in turn delivers to the traditional council of his village, and a message is sent to the village through a town crier convening a general meeting. A male respondent explained, “I make sure every details of what happened [in SGSOC-PAV] is told to the community and we exchanged ideas. Some of the community members propose points for the agenda of subsequent PAV meetings”. Unfortunately, there are breaks in this loop, with information never or rarely reaching some village members. When asked if they had heard of SGSOC-PAV, 82% of respondents in four of the 21 project-affected villages said that they had not.

A village authority explained,

There is a communication deficit between SGSOC-PAV and the villages. The people responsible for that deficit are the chiefs because they are not playing their role. The reason for their representation is not only because of their position as custodians of our land but they should be able to communicate the decisions taken in the board to their communities. Also there is not much to go and tell the people for now because the negotiation process is still stagnant and such information will not be welcome by the village population.

Another village authority said,

When I come back from any meeting I call the traditional council and the family heads to sit down and I explain everything to them. But you know villagers are very funny, they will not call their respective families to tell them what is happening. So when I saw that, I decided to talk to the women leaders and the youth leader so that whatever is discussed they will go and tell their various groups.

There is no systematic process to relay decisions made in the forum to local communities, and in turn convey feedback from local communities. Combining bottom-up and top-down accountability strategies could enhance the effectiveness of the association by not only pressuring for inclusive plantation models that are sustainable long-term, but also minimizing the likelihood of cooptation of Board members.

#### Scope of Participation

Scope of participation depends on the mission/objectives of the association and this could range from informing the participants, consulting with participants, to active participation in decision-making. Based on survey responses, all respondents agreed that they were informed on the benefits of the project, the project implementation process, and encouraged to mobilize their different communities (outgrower schemes and cooperative formation).

However, respondents were given limited data on physical location of proposed site, most respondents were not informed on the legal procedures of land transfer, and risks of the project.

Respondents also made explicit that there were heated arguments between elites on how the company was implementing its project, displaying that SGSOC-PAV members also actively participated in the decision-making process.



Figure 13. Measuring Information made Available to Board of Governors to Facilitate Participation.

A male respondent said:

Every community is very vocal. For instance, when shall planting start? No, everybody is vocal. The company has been hiding issues; that's why they are going through restructuring. We addressed the new shareholders when they said we had wasted their time and money; they came here to plant and want to start planting - without formalizing their agreement with the communities. It is not because there is a

decree listing out a number of land concessions, No! No! They must go to the community and sit on the table and talk, then sign. So everybody is vocal on this point.

Though the initial goal of the association was to provide a forum to inform communities about the daily running of the project, and represent ‘a credible Voice of the 24 villages,’<sup>109</sup> it has quickly transformed into a divided space with local representatives voicing concerns on how decisions affect their communities, engaging in backdoor negotiations between members, and between individual villages and the investor on decisions regarding when, where, and how implementation was going to take place.

A male respondent provided an example of how communities negotiate in their respective blocks with Herakles Farms.

For example, the amount of land given by Toko and Mundemba sub-division [Block B] compared to the land given by Nguti sub-division [Block A]. The amount of land given [by Block B] is not even up to a third of the total amount of land that Nguti sub-division has given. In the course of discussion, Ndian people were saying that the headquarters should be built in Ndian and we in the Nguti sub-division were insisting that it should be built in Nguti. We have to put the land factor into consideration but with the pressure [from Block B] and many other things, some issues are discussed at the back. And suddenly everything changed, its official that the headquarters will be built in Nguti subdivision.

Another male respondent explained negotiations between Board members, “I may discuss with the chief of [another village in his block] and say this is what I want, that is

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<sup>109</sup> SGSOC-PAV official communication to the President of Cameroon, May 2013.

backdoor because I didn't discuss it in the open." Other members might be dissatisfied with the process and initiate direct communication with the company,

The community that gives a large amount of land cannot be compensated the same as the one that gave a small amount. That is why we need to go back to the community for finalization [of the negotiation process].

Someone who has given more than the other should have different demands. I told them that I am going to be a lifetime member in SGSOC-PAV because I can't give more land than any other person and I am not on the Board. When they [Herakles Farms] met with me, we discussed and they communicated with America. So if I tell them that I need 100 ha palm plantation, I should sit and know that I have it I don't need to go and begin to follow them up. When I said this, they called America, explained that without [my village] the project can't continue and recommended that my demands should be accepted but they will start with less than 100 ha first.

Other Board members encourage their elites to talk directly with Herakles Farms especially if their village authority has very limited influence over the decision making process.

A female respondent said,

We have one elite who is in the Whiteman's country. I don't know but I think the chief is talking with him but I don't know what they talk about but he will be coming anytime from now. When he comes I will like to tell him that he should talk to SGSOC since he is a big man too. I think if he talks to them they will listen to him.

Board members can organize and govern themselves to obtain continuous joint benefits when all face ‘temptation to free-ride, shirk, or otherwise act opportunistically’ (Ostrom 1990:29). Given that these communities are in an interdependent situation, Board members should learn to identify as one group in order to ensure substantive participation and maximize the long-term benefits of the project.

### Identifying Influence

The most significant threat to such community development actions is elite capture (Dasgupta and Beard 2007). In this case, there is a low incidence of elite capture – this refers to controlling benefits to be derived, and more of elite control since the major players within this forum are elites from the 21 affected villages. Members of the Board represent a mish-mash of highly educated and illiterate, village leaders and non-leaders, national politicians, lawyers, financial analysts, and small-scale farmers, primary school teachers. Nevertheless, participants enter into this forum from unequal positions of power (see table 2 below): unequal socioeconomic and political positions, dissimilar access to economic resources, varying levels of knowledge of protocols and procedures, and different literacy rates. According to Cornwall (2002) a holistic analysis of the process of participation highlights the relations of power and constructions of citizenship that permeates any site for public engagement.

Table 2. Socio-economic indicators of all PAV community members (excludes Herakles Farms reps.)

Characteristic	Number of Participants
Sex	14 males
	2 females
Age	8 > 50 yrs. (max. 70 years)
	8 < 49 yrs. (min. 39 years)
Education	8 members had greater than some college (4 had graduate degrees, 3 had BAs, and 1 had a diploma)
	8 members had high school or less (1 had high school, 6 had secondary school, and 1 had primary school)
Income (monthly)	5 members > 500,000frs (\$1000)
	6 members between 200,000 – 499,000frs (\$400 – \$999)
	2 members between 100,000 – 199,000frs (\$200 - \$399)
	3 members between 50,000 – 99,000frs (\$100 - \$199)

Spaces are not neutral but highlight the power relations that surround and enter them (Cornwall 2002). Sources of elite power may include land holdings, lineage, employment, political party affiliation, educational attainment, or tenure in the community. Villages that had offered the largest amount of land<sup>110</sup> to Herakles Farms were guaranteed a seat on the Board, but this did not mean that their representatives were most influential within PAV because influence depended on factors such as level of education, economic status, political affiliations, and access to information. The disparities in level of education among members

<sup>110</sup> Sikam (3.110 ha), Manyamen/Ebanga (2.720 ha), Talangaye (2.538 ha), Nguti (2.532 ha). See Appendix X for parcel distribution across 2 blocks.

portrayed in the table above has implications on access to information, how people understand the proceedings, reflects who participates, how often, and under what terms.

A female member responded: “I know that in the meeting everyone speaks at his or her own level [meaning socioeconomic status], so I only speak at my own level.”

For some members their level of education, economic status, knowledge about the project, and degree of comfort speaking in public and in English, might create a drawback to participating.

Another male respondent explained:

Within SGSOC-PAV, I realized there are a group of people like [the Chair] who when talking [other members] sit quiet<sup>111</sup> and that worries me a lot. Sometimes it is very difficult for somebody who usually speaks in pidgin to express ideas ... maybe for some their English is very poor and you cannot [understand] what they are saying; thus, another may want to translate and the sense will be lost. Like the chief who tried to explain to the investor [who cannot understand pidgin] how much he had suffered for the nursery and the implication on his reputation now that the nursery was being moved [away from his village] to Talangaye. The people of his village are protesting and [angry about this move], he tries to express this in English, which was an embarrassment.

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<sup>111</sup> [Do not oppose].

Even though Board members are not expected to speak in English, interactions generally occur in English because of the lopsidedness in terms of power generated by one party speaking English and another Pidgin.

A male respondent clarified: “There is no straight cut language; you can speak in pidgin if that’s the best mode that you can express your opinion for people to understand. But most of the time they might want to speak in English, and they will get their ideas distorted and nobody will comprehend exactly what is being said.”

Given the disparity in educational level and English proficiency, some respondents prefer to share their thoughts with more vocal and literate members (from their Block) rather than speak out during meetings. Particular board members have taken on the role of designated spokesperson, either speaking for other Board members or assisting in clarifying their message – when they do speak for themselves. This can award designated spokespersons with substantial amount of leverage over the process and the possibility to assert his/her preferences.

A large body of literature shows that participatory processes could easily be dominated by elites since these spaces are usually built on pre-existing power structures, thus reinforcing them (Chhotray 2004; Mosse 2005). When asked who had the most influence, all members agreed on the Chair; because he had a lot of previous experience, he was the principal founder of the association, his village had offered the second largest piece of land, and

he was charismatic (retired MD, Chief, and politician). The Chair called meetings, the Chair drew the agenda, and the Chair moderated discussions within PAV.<sup>112</sup>

A male respondent stated that:

[The Chair] has a lot of influence and by right he is the pioneer landlord. If he says [the company] will not work in his village, they will obey him. Again, he went into the project wholeheartedly, without mixing words he is the most influential in PAV.

Another male respondent, said that “The board chairman decides the person who speaks and the person must lift up his/her hand before talking; we don’t speak disorderly”.

A female respondent explains further “You can only put up your hand and when you are called before you can talk, if not you are not permitted to talk”.

This can result in a situation where particular individuals who have a different perspective on how the project should be implement, who may not necessarily agree with the Chair, might not be allowed to talk, or might be allotted very little time to voice discontentment, if at all.

Another male respondent explained, “Hearing is one thing, writing it down is another. There are some SGSOC-PAV members who can come up with a suggestion and they will not even write it down in the minutes of the Board... Someone might bring up an idea and the high table [Executive Board members] might not write it down.”

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<sup>112</sup> Meetings were called after consulting with Herakles Farms and the agenda was drawn after consulting the Herakles Farms representative to PAV.

Though the membership composition and procedures of operation reflect everyday inequalities, re-inscribing existing relationships, and hierarchies, this does not undermine the possibility of deliberative decision-making that takes place within the forum. There are a number of members who see participation not as an end in itself, but as a means to an end – sustainable development of all communities affected by the project. However in order for all members to participate equally, processes of popular education and mobilization are needed to enhance the skills and confidence of marginalized groups to engage in SGSOC-PAV fully (Cornwall and Coelho 2007).

### Resources

Most (80%) of respondents agreed that the association needs technical and financial support to improve participation. SGSOC-PAV's dependence of Herakles Farms seriously undermines its ability to evaluate objectively the implementation of the project. There are decisions that involve expertise in law, agronomy, agricultural economics, engineering, GIS and spatial analysis; unfortunately, the association has very limited resources to hire technical support. There is discussion of setting up farmer cooperatives in all project-affected villages to institute an out-grower scheme proposed by Herakles Farms but a large majority of the communities are lagging in setting up these institutions. This is largely due to lack of knowledge or expertise in setting up such a scheme, and other deficiencies in managing such as project. Also the lack of technical know-how of all members to fully understand the terms of any contract with the investor, and also understand technical information presented by the company such as spatial drawings, puts the association on a disadvantage in fully carrying out their stated objectives.

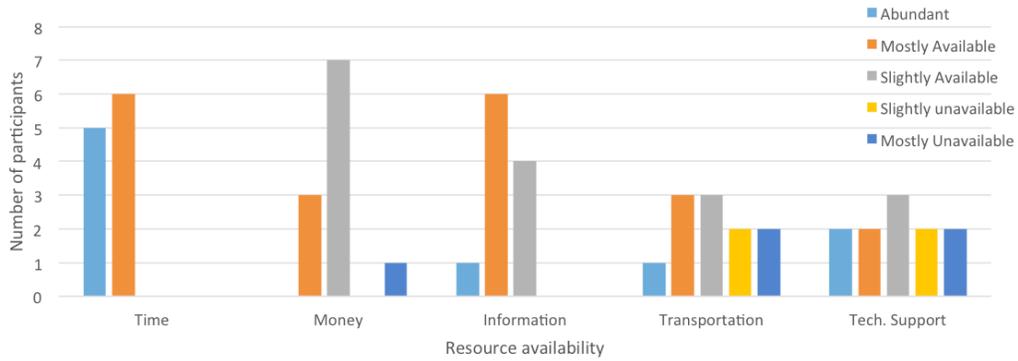


Figure 14. Representation of Resource Availability in SGSOC-PAV Board of Governors.

Majority of respondents agreed that technical support was unavailable, while there was least variation of responses in terms of availability of Time with respondents showing abundant or mostly available of that resource. Given the fact that a few of the members actually live in their villages with limited access to transportation, viable roads, or telecommunication, while a majority of members do not have access to internet, the distribution of information concerning the project across all members is restricted.

On the other hand, the members of the association with expertise in some of these disciplines have volunteered their services to facilitate group discussion and decision making. Olowu (2003:46) argues that local elites have “resources, knowledge, influence and networks” and are therefore crucial to local governance structures.

A female respondent said “In PAV we have a lawyer, when there is anything he tries to put us right because it is his field”.

Another male respondent explained:

Mr. [...] is a finance expert. He helps to make a survey of the financial cost of running PAV and the available finances for carrying local development by [Herakles Farms] in PAV. We also have Chief [...], who is an engineer by profession who can help us very much in the aspect of constructing roads given that he is the head of infrastructure committee in PAV.

Local elites possess know-how and can enrich the participation process (Dasgupta and Beard 2007). The problem of lack of information is minimal in this situation because elites have access to a variety of avenues from which they can source information such as personal relationships with government administrators, investor representatives, and media, and are based on their previous experience. Unfortunately, almost all Board members work full-time with limited time to spend on researching and designing solutions for SGSOC-PAV.

## Conclusion

SGSOC-PAV is a relatively new association and an innovative method to ensure continuous monitoring and evaluation of project implementation, which is lacking in most cases related to large-scale land acquisition for agricultural purposes. The members of SGSOC-PAV symbolize communities affected by Herakles Farms large-scale land acquisition. The main purpose of the association is to oversee the implementation of specific provisions in the Common Commitments signed between the State of Cameroon represented by the Senior Divisional Officers (SDOs) for Ndian, Kupe Manenguba and Herakles Farms in 2011 and other past and future agreements between Herakles Farms and these communities. The end goal of

intergroup negotiations also reflects the individual/institutional interests of negotiators, which may be divergent and not reflective of local concerns. Thus, understanding how individuals interact within this forum and mechanisms affecting this interaction is key in comprehending the land transfer process and outcomes.

We found that SGSOC-PAV is an invited space, given that the association was created jointly with Herakles Farms and other members invited into it. Also Herakles Farms is the sole financier of the association and has a strong presence in setting the agenda and distributing information (date, time, place of meeting and previous minutes) with possible implications on what types of decisions can be made within the forum and for whose benefit. The majority of SGSOC-PAV members were satisfied with their participation in the association and the decisions derived amongst its members. This satisfaction – placed against a backdrop of power differentials, and differentiated access to information relevant to the project, coupled with a lack of group identity – reduces the bargaining potential of the association. Participation within the Board of Directors could be characterized as ‘tokenism’, representing consultation and placation of community members rather than citizen power, which involves partnership, delegated power and citizen control in driving the decision making process. In this situation, the problem is not elite capture but most probably a lack of resources and training to strengthen the decision making process.

Though Board membership is rotatory and ‘open to chiefs, elites, state actors, state sector heads, and any other persons of the civil society with relevant competence willing to freely offer their expertise’, specific mechanisms have to be put in place to facilitate the rep-

resentation of marginalized groups – such as allocating a specific number of seats for women, youth, representatives of civil society organizations, and possibly government actors.

Simply setting up structures of participation is insufficient to create viable governance institutions - policy spaces (Cornwall 2004; Cornwall and Coelho 2007; Leach et al. 2010). A lot depends on the motivations of Board members and what ‘participation’ means to them (Cornwall and Coelho 2007:9). Participation in community development is costly in terms of time but the members of this forum have pledged to invest time and its resultant ‘opportunity cost’. The association now has to strive to strengthen citizenship by fostering group identity. The members belong to many different tribes, which belong to different clans that are divided into two blocks in relation to Herakles Farms’ agricultural project. At this stage of the process, members still organize their demands along tribal lines, which could be further reinforced by the division into two blocks. If members start identifying as a larger group – project affected villages (who possibly face the same future prospects), individuals might come to think that their membership in the group is personally significant and thus enhancing the quality of participation.

Lastly, SGSOC-PAV appears to lack a clear accountability mechanism. There is a disconnect between what is discussed in the forum and what filters down to community members. Since most of the members of the Board of Governors live in towns rather than the rural communities that they represent, it is challenging for information to get transmitted to the villages in which the project is actually taking place. That this association has no formal links with the government is a weakness since the government provides the legal backing for exerting control over the land transfer and project implementation process.

Though SGSOC-PAV is plagued with a number of weaknesses, this does not discount the fact that this is a first step towards making local voices heard within this process. Ostrom (1990) and Cornwall (2004) accept that these policy spaces are not static temporally and spatially. The boundaries between these spaces are flexible and permeable as a space could transform from being an invited space sponsored by the government (or investor, as in this case) to a claimed space driven by popular urging for collaboration or compromise, or to articulate dissent (Cornwall 2004). SGSOC-PAV provides local communities with direct access to the investor. It also brings all village authorities into the forum. They can, in turn, be held accountable whenever they put their own strategic interests before those of their communities. Though underlying power structures shape participation, communities could mobilize local people facing the same fate to act together (Nesman 1981:4). In this case, local communities have mobilized and created a top-down accountability forum through outside financing. Similarly mobilization could result in enforced collectives, violent revolution, or simply everyday acts of resistance (Scott 1985) if the representatives within this forum fail to project the interest of their people (Nesman 1981; Scott 1985; Cornwall 2002).

In order to improve this multistakeholder forum participants need to be trained on how to participate, what are the tools that exist to guide this process and how should they be implemented such as the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT) and a range of other voluntary guidelines and principles directly related to land deals. Coupled with training, the organization can also be made autonomous from the investor and the government with a funding stream that is outside the control of these two actors. This can also provide the opportunity for the SGSOC-PAV sub-groups to be located in every community to provide a

feedback mechanism and hold PAV officers accountable. Donor intervention to enhance capacity building and support the organization long term would be crucial in making this forum more effective.

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## **CHAPTER 5: CONCLUSION, IMPLICATIONS AND RECOMMENDATIONS FOR FUTURE RESEARCH**

During the past decade, there has been an exponential increase in the rate and scale of large-scale agricultural land investments globally, and especially in Africa and Southeast Asia (Borras and Franco 2010; Cotula 2009, 2013). These investments are accompanied by opportunities and risks from a social and ecological point of view (Brklacich et al. 1997; Shiva 1997, 2002). This study examined the conditions under which communities have adequate information and institutional capabilities to effectively negotiate terms in land transactions or refuse a land deal. In Cameroon, the State owns and can dispose of most land and only 3% of land is formally registered and owned by private individuals (Egbe 2001). In a context of uncertainty regarding decision-making authority over acquisition of agricultural and forest land, local communities' informed and voluntary consent in the transfer of rights to investors is questionable and meaningful compensation is uncertain. This study used qualitative methods that yielded important insights regarding social relations at the household and community levels given community capabilities, access to information, and the underlying power relations within local communities, and across the private business sector and government.

There are important arguments in favor of and countering large-scale agricultural land deals (Cotula 2009). The extreme pros versus cons of the 'land grab' argument may obscure some of the key socio-structural and politico-economic institutions and processes that define interactions at household and community levels (Oya 2013a; Edelman, Borras and Oya 2013). Thus, there is a need to reflect, challenge and reframe existing narratives, portraying differentiation that exists within the local context and their interaction with government and private business sector. The central research question in this study concerns how variations in

community structures, capabilities and relationships shape land negotiations to implement a transfer of land use rights involving the Cameroonian government, communities, and Herakles Farms in Ndian and Kupe-Muanenguba divisions in Southwestern Cameroon. The main objectives were to: a) Identify key social dimensions – social networks and knowledge – associated with land deal negotiations and assess how they affect these processes; b) Determine the extent to which land deal negotiation processes reflect differentials in power within emerging spaces for decentralized governance; and c) Identify social dimensions and power relations that are associated with a greater degree of access maintenance.

Globally, debates over large-scale land transactions for biofuel production have been prompted by concerns with biodiversity conservation and climate change. The highly differentiated character of local communities gives rise to a wide range of attitudes towards land transactions (Borras et al. 2011; Pye 2010; McCarthy 2010; Fernandes, Welch and Gonçalves 2010). Contrary to the assumption of homogeneity, local people are affected and experience diverse reactions to the socio-political process of ‘land grabbing.’ Responses of local people are influenced by socio-ecological factors such as land tenure system, topography, perceived value of the land, access to information, local institutions, authority, and local politics (Smalley et al. 2012). Empirical research has to probe deeply to examine intra-household and community relationships to understand the roots of local support and opposition and reveal differences between and within specific land deals (Borras et al. 2012).

The main empirical findings are chapter specific and were summarized within the respective empirical chapters: Chapter 2, “Community Factors, Negotiation Process and Land Acquisition in South West Cameroon;” Chapter 3, “Gendered Resource Relations and

Changing Land Values: Implications for Women's Access, Control, and Decision Making over Natural Resources;” and Chapter 4, “Policy Spaces for Land Negotiations in Cameroon: Negotiation Forums as Invited Spaces.” This section synthesizes my findings to answer the study's central question: how do variations in community structures, capabilities and relationships shape land negotiations to implement a transfer of land use rights involving the Cameroonian government, communities, and Herakles Farms in Ndian and Kupe-Muanenguba divisions in Southwestern Cameroon?

Firstly, my analysis indicates that the land investor is complying with the procedures and guidelines for community consultation and negotiations as specified by Cameroonian law. Nonetheless, in a context of uncertainty regarding decision making authority over the transfer of land, low or non-existent community assets, and deficiencies in structural and relational mechanisms, local communities free, prior, and informed consent in the transfer of land use rights is questionable. Particular distinctions and variations in resource access within local communities shape the inclusiveness and quality of village participation.

Secondly, current processes of transferring land-use rights are gendered and these processes negatively affect women in particular and the communities to which they belong. In examining land negotiation processes we found that women's rights to land were being redefined and they were intentionally and inadvertently being dispossessed of land through ‘othering’, ‘boundary maintenance’, ‘emotion management’ (Schwalbe et al. 2000). The types of negotiations which occur within households (renegotiation of access and use of resources), within and between communities (redefinition of rights over resources) and the dif-

ferent claims that women and men make in order to pursue their interests, are central to patterns of large-scale agricultural land investment and its impacts on local communities.

Lastly, I highlight negotiating opportunities for communities in a new and innovative policy forum – SGSOC Project Affected Villages association (SGSOC-PAV). Opportunities such as pooling bargaining power, prioritizing local decision making and reinforcing responsibilities and community empowerment. Unfortunately, negotiation forums can serve as legitimizing spaces for investor demands when participation is coopted. I found that negotiation processes reflect differentials in power within these emerging spaces of decentralized governance and propose policy recommendations for ensuring veritable participation at the community level.

These findings have important theoretical implications. The quality of local participation in the management and decision-making regarding the transfer of land rights is key in fostering beneficial and sustainable community impacts (Colchester et al. 2007; Taylor 1997; Robbinson 2008; Cotula 2009). To understand how various mechanisms, processes and social relations create ‘bundles of power’ that define community participation in relation to agricultural land investments, I extended theories of power (Lukes 1974; Gaventa 1980) by including the theory of access (Ribot and Peluso 2003) integrated with a capitals and capabilities framework (Bebbington 1999). I also examined the generic process through which marginalized groups, especially women, are excluded from the decision making process over the transfer of land use rights. International guidelines and voluntary standards have been created to direct the land investment and transfer process. These standards call for decision making over the transfer of land to be relegated to local communities to engender a win-win outcome

for all stakeholders. However, my analysis showed that realization of this benefit is improbable, given deficiencies in community assets that influence how local people perceive these investments and exclusionary procedures that limit the voices of all stakeholders from being heard. My analysis provides insights on how these standards do not translate into actual practice or are weakened by socioeconomic and political realities in rural communities. The goal is to breach the gap between scholarship and practice, using theory to explain occurrences that have been alluded to by practitioners within this issue area, and providing evidence to substantiate.

I examined local dynamics pre-production, focusing on the effect of socio-ecological and political differentiation on the negotiation process over the transfer of land. My focus was on key elements of decision making processes against a standard of inclusive participatory multi-stakeholder processes that represent diverse individual and community interests. Raising awareness of these issues could stimulate policy makers to move beyond the limitations of ‘one-size-fits-all’ solutions, which are represented within international voluntary standards and take stock of community assets and vulnerabilities to devise context-specific measures to shape socio-political interactions of state and non-state actors involved within this process.

Much research has been done on the weaknesses of participation, especially on the nature of local power relations and the exclusionary situation of consultation and decision making process over land investments. Yet, there is still the tendency to call for participation of local people without an accompanying training on empowerment and capacity building to ensure that accountability mechanisms are pro-active and responsive. In analyzing the socio-

economic processes and political dynamics in the local context that affect response to and implementation of large-scale land transactions, I provide policy makers with evidence to enhance their understanding of the implications for use rights transfer regarding systematic changes needed to address vulnerabilities at the local level. Creating effective monitoring and accountability structures would start with democratizing the decision making process, training and empowering local community members by providing them with relevant information and building an enhanced sense of citizenship (decision making authority over the process). This would mean international and national agencies providing long-term and continuous support to create/strengthen social organizations such as SGSOC-PAV to enhance autonomy and capability to genuinely represent the interests of local communities. Assistance should also enhance the capacity of local communities to define and communicate their priorities during negotiation of terms of incorporation that are legally binding and consistent with local needs. Cameroon's REDD+ Secretariat is developing national FPIC guidelines with the support of national and international environmental Non-Governmental Organizations (NGOs) and development partners (Carodenuto et al. 2014). Though these guidelines aim to set the standard for how potentially affected local communities are consulted during the development and implementation of the REDD+ strategy, it could also be extended to establish the standard on how affected communities are consulted during a potential large-scale land transaction.

Future research ought to examine effective arrangements in which local people are able to voice concerns and seek redress. Understanding how local communities are organizing to safeguard free, prior and informed consent (pre-investment) and continuous monitoring (post-implementation) can ensure replication in other communities, generating mobiliza-

tion for bottom-up accountability structures that protect and promote the interests of local people.

Research should focus on smaller pieces of the land deal puzzle such as procedures of displacement and resettlement, dynamics of compensation, and fulfillment of long-term company commitments. Research on these issues would be particularly valuable by using a gendered perspective and recognizing other marginalized groups such as youths, in-migrants, and migratory populations (pastoralists) that are usually left out of land transaction processes. This research also provides a basis for identifying steps that can be taken to help communities to understand how women's direct participation in land transaction negotiations would benefit the community as a whole.

More research should focus on issues not possible to examine in this study such as domestic investment (dynamics of investments by nationals), and negotiation and consultation processes over land investments demands that are non-agricultural such as tourism and extractives. This study did not examine differences in outcomes such as consent or resistance. More research should be done to identify the factors (characteristics and processes) which might 'explain' how and why some communities resisted and succeeded, while others (such as the villages examined) were in favor.

This research examines key elements of decision-making processes against a standard of inclusive participatory multi-stakeholder processes that represent diverse stakeholder interests. The results will provide insights regarding the social context of the negotiation processes for policy makers and other stakeholders.

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## APPENDIX A: HUMAN SUBJECTS QUALITY ASSURANCE REVIEW

**IOWA STATE UNIVERSITY**  
OF SCIENCE AND TECHNOLOGY

Institutional Review Board  
Office for Responsible Research  
Vice President for Research  
1138 Pearson Hall  
Ames, Iowa 50011-2207  
515 294-4566  
FAX 515 294-4267

**Date:** 6/16/2014

**To:** Juliana Nnoko Mewanu **CC:** Dr. Robert E Mazur  
103 East Hall 318 East Hall

**From:** Office for Responsible Research

**Title:** Who is Not at the Table? Land Deal Negotiations in Southwestern Cameroon

**IRB ID:** 14-299

**Approval Date:** 6/16/2014 **Date for Continuing Review:** 6/2/2016

**Submission Type:** New **Review Type:** Full Committee

The project referenced above has received approval from the Institutional Review Board (IRB) at Iowa State University according to the dates shown above. Please refer to the IRB ID number shown above in all correspondence regarding this study.

To ensure compliance with federal regulations (45 CFR 46 & 21 CFR 56), please be sure to:

- **Use only the approved study materials** in your research, including the recruitment materials and informed consent documents that have the IRB approval stamp.
- **Retain signed informed consent documents for 3 years after the close of the study**, when documented consent is required.
- **Obtain IRB approval prior to implementing any changes** to the study by submitting a Modification Form for Non-Exempt Research or Amendment for Personnel Changes form, as necessary.
- **Immediately inform the IRB of (1) all serious and/or unexpected adverse experiences** involving risks to subjects or others; and (2) **any other unanticipated problems involving risks** to subjects or others.
- **Stop all research activity if IRB approval lapses**, unless continuation is necessary to prevent harm to research participants. Research activity can resume once IRB approval is reestablished.
- **Complete a new continuing review form** at least three to four weeks prior to the **date for continuing review** as noted above to provide sufficient time for the IRB to review and approve continuation of the study. We will send a courtesy reminder as this date approaches.

Please be aware that IRB approval means that you have met the requirements of federal regulations and ISU policies governing human subjects research. **Approval from other entities may also be needed.** For example, access to data from private records (e.g. student, medical, or employment records, etc.) that are protected by FERPA, HIPAA, or other confidentiality policies requires permission from the holders of those records. Similarly, for research conducted in institutions other than ISU (e.g., schools, other colleges or universities, medical facilities, companies, etc.), investigators must obtain permission from the institution(s) as required by their policies. **IRB approval in no way implies or guarantees that permission from these other entities will be granted.**

Upon completion of the project, please submit a Project Closure Form to the Office for Responsible Research, 1138 Pearson Hall, to officially close the project.

Please don't hesitate to contact us if you have questions or concerns at 515-294-4566 or IRB@iastate.edu.

**IOWA STATE UNIVERSITY**  
OF SCIENCE AND TECHNOLOGY

Institutional Review Board  
Office for Responsible Research  
Vice President for Research  
1138 Pearson Hall  
Ames, Iowa 50011-2107  
515 294-4566  
FAX 515 294-4267

**Date:** 5/27/2015

**To:** Juliana Nnoko Mewanu  
103 East Hall

**CC:** Dr. Robert E Mazur  
318 East Hall

**From:** Office for Responsible Research

**Title:** Who is Not at the Table? Land Deal Negotiations in Southwestern Cameroon

**IRB ID:** 14-299

**Approval Date:** 5/27/2015      **Date for Continuing Review:** 6/2/2016

**Submission Type:** Continuing Review      **Review Type:** Expedited

The project referenced above has received approval from the Institutional Review Board (IRB) at Iowa State University according to the dates shown above. Please refer to the IRB ID number shown above in all correspondence regarding this study.

To ensure compliance with federal regulations (45 CFR 46 & 21 CFR 56), please be sure to:

- **Use only the approved study materials** in your research, including the recruitment materials and informed consent documents that have the IRB approval stamp.
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REPUBLIQUE DU CAMEROUN  
Paix - Travail - Patrie

REGION DU SUD OUEST

SERVICES DU GOUVERNEUR

SECRETARIAT GENERAL

DIVISION DES AFFAIRES ECONOMIQUES  
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SOUTH WEST REGION

GOVERNOR'S OFFICE

GENERAL SECRETARIAT

DIVISION OF ECONOMIC SOCIAL AND  
CULTURAL AFFAIRS

N° 413 /L/G/GSW. 4 /SG/DAESC

Buea, the 27 MAY 2014  
le

The Governor of the South West Region  
Le Gouverneur de la Région du Sud-Ouest

To:

To whom it may concern

Subject: Authorization for research.

I, the undersigned Governor of the South West Region hereby authorize **Juliana MALOA NNOKO-MEWANU**, a PhD candidate in Sociology and Sustainable Agriculture at Iowa State University, Ames, Iowa, U.S.A to carry out a three (03) month academic research in the South West Region, Cameroon on her doctoral dissertation titled " *Who is not at the table? Land deal negotiations in South West Cameroon*".

In testimony whereof, this authorization has been issued to serve wherever and whenever need be./-



FOR THE GOVERNOR  
AND BY DELEGATION  
THE SECRETARY GENERAL  
*Adikum Clement Fon*  
Administrateur Civil Principal  
Hors Echelle

## **APPENDIX B: LETTERS OF INTRODUCTION**

Letter of Introduction – Community Meeting

**“Who is Not at the Table? Land Deal Negotiations in Southwestern Cameroon”**

**Principal Investigator: Juliana Nnoko-Mewanu (Iowa State University – Tel. xxxx)**

Faculty Supervisor: Dr. Robert Mazur (Iowa State University – Tel. xxxx)

### **Participation:**

We are here today to discuss a new research project that will provide insights on community networks and relations that influence the transfer of land use rights negotiation processes for stakeholders and policy makers. Community members who participate in the study will be asked to discuss with the researcher the networks available to them to obtain information relevant to the negotiation process. These are the principal topics: types of networks and groups within the community; the interconnectedness or closeness of community members; influence and authority; and access to relevant information.

The interview will be audio recorded if the participant consents.

Village residents who are 18 years and older are eligible to participate. Those who do participate may take part in two 1½ hour focus group discussion in which ten women and ten youths will meet separately with the researcher to discuss those issues about your local community negotiation process. Thirty household heads will be invited to have a 1-hour interview conducted at their homes about the types of networks they belong to and their access to relevant information. Five smaller groups of three community members will meet with the researcher to create drawings that represent who has influence and authority at multiple levels – national, local, community; and types of networks that exist within the village and how the village is connected to people and institutions outside the village.

### **Risk of Social Harm**

Results from this study will be widely shared through publication of articles, presentations at various conferences, and so on. Although measures will be taken to keep your identity confidential, those familiar with

the community maybe able to identify you based on your comments or if they overhear the discussion, such as during a group meeting. You should be aware that the topic we are discussing is a sensitive one. Others may disagree with your opinion. This might cause conflict or compromise your position in the community.

### **Voluntary**

Your participation in this study is voluntary. Feel free to ask any questions at any time. You may refuse to answer any question and may stop at any time without penalty. You can also refuse that the researcher does not audio record the interview or ask the researcher to stop recording at any time. There is no immediate direct benefit to you from participating in this study. Information gained about how negotiation processes are influenced may benefit society by improving the understanding of this practice and may also enhance the capacity of local communities to define and communicate their priorities during the negotiation over transfer of land use rights.

### **Confidentiality**

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### **Consent**

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Letter of Introduction – Head of Household

**“Who is Not at the Table? Land Deal Negotiations in Southwestern Cameroon”**

**Principal Investigator: Juliana Nnoko-Mewanu (Iowa State University – Tel. xxxx)**

Faculty Supervisor: Dr. Robert Mazur (Iowa State University – Tel. xxxx)

**Participation:**

We are here today to discuss a new research project that will provide insights on community networks and relations that influence the transfer of land use rights negotiation processes for stakeholders and policy makers. Community members who participate in the study will be asked to discuss with the researcher the networks available to them to obtain information relevant to the negotiation process. These are the principal topics: types of networks and groups within the community; the interconnectedness or closeness of community members; influence and authority; and access to relevant information.

The interview will be audio recorded if the participant consents.

As a community member and head of household you are eligible to be included in the study. You are hereby invited to participate in a 1-hour interview conducted at your home about the types of networks you belong to and your access to relevant information.

**Risk of Social Harm**

Results from this study will be widely shared through publication of articles, presentations at various conferences, and so on. Although measures will be taken to keep your identity confidential, those familiar with the community maybe able to identify you based on your comments or if they overhear the discussion, such as during a group meeting. You should be aware that the topic we are discussing is a sensitive one. Others may disagree with your opinion. This might cause conflict or compromise your position in the community.

**Voluntary**

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Letter of Introduction – Key Informants

**“Who is Not at the Table? Land Deal Negotiations in Southwestern Cameroon”**

**Principal Investigator: Juliana Nnoko-Mewanu (Iowa State University – Tel. xxxx)**

Faculty Supervisor: Dr. Robert Mazur (Iowa State University – Tel. xxxx)

**Participation:**

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The interview will be audio recorded if the participant consents.

As someone who is knowledgeable about the transfer of land rights negotiation process, you are eligible to be included in the study. This part of the research will involve a 1-hour interview conducted in your office or at your home about community participation in the transfer of land use rights. A total of five key informants will be interviewed in this community.

**Risk of Social Harm**

Results from this study will be widely shared through publication of articles, presentations at various conferences, and so on. Although measures will be taken to keep your identity confidential, those familiar with the community maybe able to identify you based on your comments or if they overhear the discussion, such as during a group meeting. You should be aware that the topic we are discussing is a sensitive one. Others may disagree with your opinion. This might cause conflict or compromise your position in the community.

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**Confidentiality**

Individual information obtained through this study will be kept confidential to the extent permitted by applicable laws and regulations and will not be made publicly available. The information will be stored in a closed cabinet. The interviews will be transcribed by a transcription service at the University of Buea's Department of Journalism and Mass Communication (JMC). The principal investigators' faculty supervisor and Iowa State University's Institutional Review Board (a committee that reviews and approves research studies with human subjects) may inspect and/or copy records for quality assurance and analysis. These records may contain private information. If you have any questions about the rights of research subjects or research-related injury, please contact the IRB Administrator, (515) 294-4566, [IRB@iastate.edu](mailto:IRB@iastate.edu), or Director, (515) 294-3115, Office for Responsible Research, Iowa State University, Ames, Iowa 50011, USA.

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Letter of Introduction – Small group members (Net-Mapping)

**“Who is Not at the Table? Land Deal Negotiations in Southwestern Cameroon”**

**Principal Investigator: Juliana Nnoko-Mewanu (Iowa State University – Tel. xxx)**

Faculty Supervisor: Dr. Robert Mazur (Iowa State University – Tel. xxxx)

**Participation:**

We are here today to discuss a new research project that will provide insights on community networks and relations that influence the transfer of land use rights negotiation processes for stakeholders and policy makers. Community members who participate in the study will be asked to discuss with the researcher the networks available to them to obtain information relevant to the negotiation process. These are the principal topics: types of networks and groups within the community; the interconnectedness or closeness of community members; influence and authority; and access to relevant information.

The interview will be audio recorded if the participant consents.

As a community member and head of household you are eligible to be included in the study. Five smaller groups of three community members will meet with the researcher to draw the influence and authority structures, and types of networks that exist within the village and how the village is connected to institutions outside the village. You are hereby invited to participate in a 1-hour small group interview conducted at a private venue. During this interview, you and two friends will draw on paper with colored pens to demonstrate the structure of decision making within your village, the social networks that exist within and outside your village, and how these relationships shape the negotiation process in your village. I will provide the paper and pens, and guide you through the process of drawing these network maps.

**Risk of Social Harm**

Results from this study will be widely shared through publication of articles, presentations at various conferences, and so on. Although measures will be taken to keep your identity confidential, those familiar with

the community maybe able to identify you based on your comments or if they overhear the discussion, such as during a group meeting. You should be aware that the topic we are discussing is a sensitive one. Others may disagree with your opinion. This might cause conflict or compromise your position in the community.

### **Voluntary**

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Letter of Introduction – Focus Group Discussion

**“Who is Not at the Table? Land Deal Negotiations in Southwestern Cameroon”**

**Principal Investigator: Juliana Nnoko-Mewanu (Iowa State University – Tel. xxx)**

Faculty Supervisor: Dr. Robert Mazur (Iowa State University – Tel. xxxx)

**Participation:**

We are here today to discuss a new research project that will provide insights on community networks and relations that influence the transfer of land use rights negotiation processes for stakeholders and policy makers. Community members who participate in the study will be asked to discuss with the researcher the networks available to them to obtain information relevant to the negotiation process. These are the principal topics: types of networks and groups within the community; the interconnectedness or closeness of community members; influence and authority; and access to relevant information.

These interviews will be audio recorded if the participants consents.

As a woman/youth 18years and older, and resident in this village, you are eligible to be included in the study. This part of the research will involve a 1½ hour focus group discussion in which ten women and ten youths will meet separately with the researcher to discuss those issues about your local community negotiation process.

**Risk of Social Harm**

Results from this study will be widely shared through publication of articles, presentations at various conferences, and so on. Although measures will be taken to keep your identity confidential, those familiar with the community maybe able to identify you based on your comments or if they overhear the discussion, such as during a group meeting. You should be aware that the topic we are discussing is a sensitive one. Others may disagree with your opinion. This might cause conflict or compromise your position in the community.

**Voluntary**

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**Consent**

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Letter of Introduction – Community Meeting (pidgin english letter of introduction)

**“Who is Not at the Table? Land Deal Negotiations in Southwestern Cameroon”**

**Principal Investigation: Juliana Nnoko-Mewanu (Iowa State University)**

Faculty Supervisor: Dr. Robert Mazur (Iowa State University)

**Participation:**

We dey here today na say make I tell wonna about the work wey I want do am for dis village. I want for tok for wonna about the discussion wey this village ei dey get em with Herakle Farms or SG SOC. People dem wey go gree for tok for me we go tok na about the connection dem wey people dem get em for this village – that is, who wey wonna know and how that person or people dem dey help wonna get information concerning Herakle their project. The main thing dem wey we go discuss na about; the kinna group dem wey dem dey for this village; who wey wonna know or how wonna connect with people dem for outside wonna village; na who dem dey tok people dem hear for this village; and last thing na for know how wonna dey get get news wey ei concern Herakles Farms.

I go like for tok with people dem wey dem dey stay for this village wey dem dey 18 years and older. I go do two group meeting wey ei go take about 1 1/2 hour – one with woman dem and the second one with young boy and girl dem; wey we go tok about how the arrangement between wonna village and Herakle Farms dey waka. I go tok for thirty other people dem wey na dem stand like head for their family for know the group, and association dem wey dem join, and the connection wey dem get for inside this village and also for outside. This one na for know how this people dem dey get important news wey ei fit help dem for tok for this arrangement. For last end, I go meetup with five small group dem wey dem go get about two or three people for dey. Me and this people dem for the different groups dem we go draw how dem dey see the connection dem for this village, and also who dey tok people dem hear for inside and outside this village.

**Voluntary:**

I no dey force any person make ei tok for me. Wanna fit ask me question anytime and person too fit deny for answer any question wey I fit ask em or stop say ei no want continue wit the discussion wey me and ei fit dey get em. No bad thing no dey wey ei fit happen for any person wey ei gree for tok for me. Person too no got gain something directly if ei tok for me, na just say the information wey I go get em from wanna I go write book wey ei fit turn ei benefit this whole village because ei fit help Big people dem for understand wetin dey happen for village level, and ei fit soso help this village for another kind arrangement wey dem go get for do with maybe another people dem or for future.

**Confidentiality:**

All man wey ei go tok with me I go keep ei information for under lock and key as how law for whiteman contry ei tok. Na only me, my teacher for school, and some small group of people dem wey dem dey call em say Iowa State University ei Institutional Review Board (na dem dey check say I no go play play with the tory wey wanna go tell me) go fit read the thing wey wanna go tell me for this village. If wanna get any question about wetin wey concern the thing wey I dey do, or fit anything ei hambuck any person for this village because of wetin I cam do for here, abeg make wanna contact that small group wey I don tell wanna about for this number (515) 294-4566, IRB@iastate.edu or the Director wey na ei dey control this kind work wey I cam do for here for this number (515) 294-3115, all dem na for Iowa State University, Ames, Iowa, U.S.A. or wanna fit call me for this number xxxx for tell me wetin don happen.

**Consent:**

Person wey ei go like for tok for me for this my work, ei go get for gree say me a don read ei this letter, and say you understand all thing wey ei dey inside.

## APPENDIX C: INTERVIEW GUIDES AND QUESTIONNAIRE

### Questions for Discussion with Village Head of Households

Village/Community Name \_\_\_\_\_

#### Identifying Benefits from Land:

- i. Personal history: How long have you lived here? Highest level of education? What do you do for a living? How has community life changed from 5 years ago? How has it changed from last year?
- ii. How do you use the village forest? Do you eat forest products (e.g., bush meat, seeds, barks, leaves)? Do you sell forest products? Where do you get firewood?
- iii. How do you use water? Are there rules/laws about how to use water?
- iv. Do you farm (if primary occupation is not farming)? Do you own land or rent? If you own, do you have title? If not, would you like to have title? How do you get title? (If rental, from whom?)

#### Information

##### Acquiring Knowledge

- i. Where do you get your information? (Probe: how often do you listen to the radio? What program do you usually listen to? How often do you watch television? What do you usually watch? Which newspaper have you read or had read to you in the last month?)
- ii. How do you get information about government policies? How do you get information about decisions made by the Traditional Council?
- iii. How often do you travel to a neighboring village, town – or further away? What means of transportation do you use? [Probe: where did you go to during your last two trips out of the village?]

### Managing Knowledge

- i. Tell me about the SG Sustainable Oils Company project? How do you know this?
- ii. What do you know about the land negotiations in your village? Where are the negotiations carried out? Who is involved in the negotiations? What is the negotiation about? Has a contract been signed?
- iii. When was the village first contacted? By whom? Was the village consulted during the Environmental and Social Impact Assessment? Please discuss. Have you read the ESIA report?

### Leveraging Knowledge

- i. What are the benefits of this deal? What are the costs? Is it good or bad for the community as a whole? For specific groups? Why? How are you supporting/resisting this deal?
- ii. How do you feel about the possibility of being displaced and resettled? How would/will you be affected?

### Participation

- i. Have you or anyone in your household been involved in the negotiations with Herakles Farms at any time? When were you or household member involved? Are you currently involved? [if currently, involved ask Village authority questions too]
- ii. What determines who participates and who does not in these negotiations?
- iii. Have you participated in any mapping exercise? Who was involved in the mapping? What does this mean for villagers? Was your farm or the farm of someone you know involved in this mapping?

### Power Relations

#### Access to power authorities

- i. What is the name of the District Officer? Where is the office? When was the last time you saw him/her?
- ii. If you had a problem, who would you see to solve it? Would you use the courts? Where is the closest court?

#### Agenda Setting

- i. What are the key issues and concerns for you and your village? How? by whom? when?
- ii. Do you believe that there are barriers which prevent/affect meaningful community participation in these negotiations? Please, explain.

#### Decision-making

- i. How are decisions made in the village? Who are members of the Traditional Council (TC)?
- ii. If not a member, how do you 'influence' decisions that are made? Have you talked with any member of the TC in the last week? Month? Please explain.
- iii. Which other institutions affect decisions at the village level? Do you have access to these institutions?
- iv. Can you give me an example of when you or someone you know made a proposal and it was accepted? Or not?
- v. Have you, or anyone you know, worked with Herakles Farms? If so, how was he/she contacted? Were they paid? Is the person still working with Herakles? If not, how long were they employed?

### Shaping of Perceived Needs

- i. Tell me about land in your village? How is land divided? By whom? Who owns the land which has not been divided to villagers?
- ii. In your opinion, does the village have the right to make the decision on rights transfer over the forest? Please, explain.
- iii. How can the village keep their right to the forest and still have Herakles operate in your village?

### Social Capital

#### Groups and Networks

- i. Please tell me about any social groups that exist in this village? membership? history? [Probe for farmer group or cooperatives, traders associations, professional associations – teachers, neighborhood/village committee, religious or spiritual groups, political groups, cultural groups or association, youth group, NGO, sports group, and finance, credit or savings groups].
- ii. Do you or member of your household belong to any group, association or organization? Who can become a member? How do you become a member? How long have you/person been a member?
- iii. Which two groups/associations/organizations are most important to you? Do you/person actively participate in the group's decision making?
- iv. How are leaders selected? What is the main benefit from joining this group? Do these groups have overlapping membership? Do they work or interact with other groups with similar goals in/outside the village? Do they work/interact with other groups with dissimilar goals in/outside the village?
- v. Are there any civil society organizations (non-governmental, international organizations) that exist or are working in this area? How long in the area? What are your impressions about these CSOs? How do you and other villagers interact with CSOs?

- vi. Is there a cooperative in this village? Are you a member? If not, why? Who makes decisions in the cooperative about distribution of resources (cash, seed, fertilizers, training etc)?
- vii. Is there a Credit Union in your village? If not, where is the closest? Are you a member? Have you ever borrowed from this credit union (or any other)? Do you plan to borrow in the future? What would you use as collateral?

#### Trust and Solidarity

- i. Can you trust these groups/associations to not make decisions that will adversely affect you?
- ii. Tell me about trust and solidarity in your community? [PROBE] Who are the people you interact with these days? [close friends] If you needed a small amount of money (4000frs - \$8) How would you get it? How many people beyond household can you turn to who would be willing to provide this money? Can you trust people who live in the village to make decisions that will not adversely affect you? [PROBE: different ethnic, status, gender, age].
- iii. Has the level of trust increased or decreased since Herakles came to this village? Please explain.

## Questions for Discussion with Focus Groups

Village/Community Name \_\_\_\_\_

Focus Group Discussion (with women and youth)

- i. How do people get the rights to land in your village? Who has rights to land in the village?  
And who does not?
- ii. How do you use the forest?
- iii. What do you know about the land investor and the project overall?
- iv. How will this land transaction affect economic life in the community? How will it affect social life?
- v. What is the implication for the quantity of food that will be grown here?
- vi. Can the negotiations be done differently? How? Please explain.
- vii. How can you impact the negotiation process?
- viii. What are your aspirations in regards to land for the future?

## Questions for Discussion with Key Informants – Village Authority

Village/Community Name \_\_\_\_\_

- i. What are the major economic and social concerns of your households? What are the major concerns of the village?
- ii. Tell me about the negotiations with Herakles Farms/SGSOC.

### Power relations

- i. How was the village contacted?
- ii. Who are the people involved in the negotiations? Are you selected or is it voluntary? How do you get selected to participate in the negotiations? Who is the leader? Why is/are these person(s) the leader(s)? Can anyone be a leader in these negotiations? Do participants change overtime? Or are the people involved the same from the beginning?
- iii. How are the meetings structured? How often do meetings occur? How often do you attend? When was the last meeting you attended? Where? Was there a time when you did not attend these meetings?
- iv. Do you have a budget for this process? Where is the budget allocation from?
- v. How are decisions made within the group? Can you describe a situation when you or another person suggested something and it was accepted? And a situation when you suggested something and it was overlooked?
- vi. Are the meetings supervised/facilitated? By whom? Please explain. [PROBE: Who do you give accounts to? How do you involve other villagers in this process?]
- vii. What is Herakles Farms offering? What are your demands? What are other alternatives to agreement?
- viii. Are there any traditional rules or norms on how decision should be reached?
- ix. Will the agreement reached be final or can it be changed?
- x. In your opinion, do you think the village has a legal right to say no to this transaction?  
[PROBE: What would happen if you say NO? What would happen if the village says NO?]

## Knowledge

- i. Where do you get information relevant to the land negotiation?
- ii. In your opinion, do you think you have enough information about the project to make a valid decision?
- iii. How do you share information about this transaction with others in the village? Are there some types of information that are not shared with the village or particular constituents?
- iv. Do you know anyone who works for Herakles Farms?

## Questions for Discussion with Key Informants – Government Official

Village/Community Name \_\_\_\_\_

- i. In your knowledge, what are the steps that have been taken by Herakles Farms to lease the land?
- ii. What is the legal backing of this lease?
- iii. What are the benefits of this investment to the Cameroonian government?
- iv. Have you been to any of the affected communities?

### Power Relations

- i. How are the community consultations being organized? How many times?
- ii. How will this project likely impact the community? (positively and negatively)
- iii. Have you talked to the local communities about some of the costs of this project?
- iv. Do the local communities have the right to say no? [PROBE: What would happen if a local community says NO?]
- v. If a local community is against this transfer, what are the tools available to them to resist? Are there villages that are against this transfer? Is an outside organization, group, or association helping them?

### Participation

- i. What, if any, are the current processes and protocols used to facilitate community participation in land negotiations and consultation?
- ii. Are there barriers to local people's involvement in the process? If so, please explain. How would you recommend they be overcome?
- iii. Do you think it is important/useful to include local communities in the negotiation process over the transfer of land rights?
- iv. Can you recommend appropriate processes or mechanisms, which will increase the effectiveness of local participation in the process?

- v. Are you aware of any other land deal that is ongoing or concluded in Cameroon? Please discuss.
- vi. Do you know anyone who works for Herakles Farms?
- vii. Do you know anyone from Nguti/Fabe?

## Questions for Discussion with Key Informants – Herakle Farms - SGSOC Representative

- i. How did Herakles make the decision of locating in the Southwest Region and specifically in Kupe and Ndian?
- ii. To your knowledge, what kind of authorizations and contracts does Herakles farms have to date?
- iii. How do you make contact with a village for negotiations?
- iv. How are the community consultations being organized? At what phase of the project is Herakles now? How many villages is Herakles in negotiation with?
- v. Why are you negotiating with local communities when you have authorization from the government?
- vi. What are the types of demands being made by the villages?
- vii. What are the types of agreements that have been made by Herakles Farms and local communities? Are these agreements contractual?
- viii. How is the project being financed?
- ix. Are there barriers to local people involvement in the process? If so, please explain. How would you recommend they be overcome?
- x. Do you think it is important/useful to include local communities in the processes concerning land investments? How, ideally?
- xi. What opportunities are available for the involvement of local communities in the transfer of land rights to Herakles farms?
- xii. What are the costs? benefits?
- xiii. Can you recommend appropriate processes or mechanisms, which will increase the amount of information local communities have of your project?
- xiv. What would happen if a local community says NO?

## Questions for Discussion with Key Informants – NGO Representative

Village/Community Name \_\_\_\_\_

- i. What is your organizations role in Nguti/Fabe? In the negotiation process? Please describe.
- ii. What do you know about Herakles Farms? How?
- iii. How is the Cameroonian government benefiting from this investment?
- iv. In your opinion, is the land lease legal? Why?

### Power Relations

- i. To the best of your knowledge, how are the community consultations being organized? Who is involved in the negotiations? What are the demands? What has been agreed?
- ii. How will the project likely impact the community?
- iii. Are there villages that are resisting this land transaction? How are they resisting?
- iv. Do the local communities have the right to say no?
- v. Do you think it is important/useful to include local communities in the negotiation process over the transfer of land rights?
- vi. What would happen if a local community says NO? What would happen if they ALL said NO?

### Participation

- i. What opportunities are available for the involvement of local communities in the transfer of land rights to Herakles farms? What are the costs?
- ii. Are there barriers to local people involvement in the process? If so, please explain. How can these barriers be overcome?
- iii. Can you recommend appropriate processes or mechanisms, which will increase the effectiveness of local participation in the process?

### Information

- i. Are you aware of any other land deal that is ongoing or concluded in Cameroon? Please discuss.
- ii. Do you know anyone who works for Herakles Farms? Do you know how it is being financed?

## Net-Mapping – Qualitative Data Protocol (with permission from Dr. Eva Schiffer)

### Net-Map Field Guide: Who influences the decision making process

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#### Pre-Interview

- Write the date, question, and interview partner's name at the top of a flip chart page.
- Write the names of the links in the corner of the flipchart page, using the color to correspond with links (reporting [blue], funding [red], advice [gold]).

#### Overview of Research/Intervention:

- Introduce project and organization (Who are you?)
- Introduce Net-Map intervention (Why are we doing this? What are our goals and what do we hope to learn from you? Briefly describe the steps of Net-Map)
- Introduce main concepts and terms used (What do we mean when we say the decision making process?)

Brief introduction:

I am a PhD student in the Sociology Department and Sustainable Agriculture Program at Iowa State University, Ames, Iowa, U.S.A. I am here today to discuss a new research project that will provide insights on community networks and relations that influence the transfer of land use rights negotiation processes. My main purpose is to determine how the decision making process over the transfer of land is made, who and what institutions have influence over this process. I will ask about the individuals and institutions involved in the decision making process and ask you to rank their level of influence over this process. The decision making process involves all interactions with the investor, government, traditional authorities, and general community related to the land transfer (such as community meetings, council meetings, traditional council meetings, etc.).

**Overall Question: "Who influences the decision making?"**

**Step 1: Determine Actors**

**Who plays a role in the decision making process?**

- Ask the interview partner to list organizations and individuals who are involved in the decision making process those who could influence it.
- Write names on sticky-notes, using different colors for different actor categories
- Explain that the different color sticky-notes depict the actor categories:
  - o Investor (Green)
  - o Government authority (Brown)
  - o Traditional authority (Dark Green)
  - o Village authority (Fushia)
  - o Spiritual authority (Purple)
  - o Mobilization authority (Magenta)
- Place actors on flipchart sheet, **in no particular order**. (You can put actors you know to be most 'active' in the center of the map, but do not spend time doing this with the interview partner.)

**Step 2: Drawing links between actors**

**For the following links, who provides \_\_\_\_\_ to whom?**

- **Link 1 (Blue)**
- **Link 2 (Red)**
- **Link 3 (Gold)**

Draw arrows between actors using a different color for each link. Draw one link at a time (e.g., finish all of link 1 before starting on link 2), but let them draw additional links later if they remember something.

Links should be ONLY drawn when related to the decision making process!

- Reporting (blue) – this represents information flow from one actor to another. This depicts who gets relevant information and through which information streams.
- Funding (red) – this includes monetary and non-monetary transfers between actors such as bags of rice, boxes of fresh fish, cows etc.
- Advice (gold) – this represents which actor is aiding another, who guides who in the decision making process.

You can alter the terminology to make the interview partner comfortable.

### Step 3: Attribute influence

**How strongly can each actor influence the decision making process?**

- Define influence:
  - Ask the interview partner “what are different ways someone could influence the decision making process?” Tell them other possible ways of influencing if they leave things out.
    - Ways of influencing include, but are not limited to: formal supervision, funding, technical information, advice, advocacy and pressure, but might go beyond the links mentioned above, e.g. influence because one is respected.
- Attribute influence:
  - First ask the influence level of each actor quickly, starting with the most influential actor(s).

Then go back and ask them to explain each one. Ask the respondent to discuss “Where does their influence come from and how do they use it?”, for each actor. In particular, get explanations about all actors that are very high, very low, or seem a bit inconsistent or unclear where their influence comes from. In group interviews: Note different views in disagreements.

- For instance, “Actor x and y are the highest influence, where does their influence come from?” “Why is Actor w higher than Actor z if actor w doesn’t have many links?” “These two actors have the same level of influence – what happens if they disagree?”
  - DO NOT PROMPT THEM TO CHANGE THE INFLUENCE. JUST ASK QUESTIONS UNTIL YOU UNDERSTAND THEIR ANSWER OR THEY CHANGE IT.
- Last, review the entire board, starting by stating the influence level of the actor with the highest level all the way down to the lowest.
  - The purpose of doing this in three stages is to allow the interview partner to reflect on his/her answers and possibly make changes upon noticing inconsistencies.
- THIS SECTION GENERATES RICH INFORMATION; BE SURE TO TAKE DETAILED NOTES HERE.

#### Step 4: What is the primary goal of each actor?

For each actor, determine their **primary goal with regards to the decision making process**

- **Pre-define goals and determine symbols or letters to indicate the goals**
- Define the primary goal of each actor on the board. Each actor should only have 1 primary goal. If the interview partner insists that the actor has more than 1 primary goal you can add 2, but ask them to explain how/why they split their focus.
  - If the interview partner does not know the primary goal of the actor, tell we are interested in their impression of what it is. If they are not comfortable doing this, then don’t write a goal for that actor.

#### **Discussion:**

**This depends on the content and goals of the Net-Mapping. Define questions as needed, to dig deeper into the “How?” and “Why?”, learn about opportunities and bottlenecks, develop future strategies or understand past performance. Limit this section to not more than 3 questions. Take detailed notes of answers.**

## Community Involvement and Participation in the Project Affected Villages Association Interview Guide

### Identifying Space

1. How is PAV structured?
  - a. Where does PAV get its funding?
  - b. Is PAV affiliated to any other organizations?
  - c. How are Executives selected?
2. What has actually been accomplished?
3. Which other types of stakeholders (individuals) are involved in this process? (lawyers, government officials, etc.)
  - a. What is their role?
  - b. What do other stakeholders expect to achieve?
4. Which agencies (Private sector, NGO etc) are involved in the process?
  - a. How? (specify name of administrative agency)

### Citizenship

1. Do you feel that the land transfer process should involve local community members?
  - a. Why?
  - b. How could this best be enhanced?
2. Do you feel that the opinions of the different communities are presently being heard in the PAV process?
  - a. Why?
  - b. How could this best be enhanced?
3. Do you feel that the government generally values input from local participants in this process?
  - a. How could this best be enhanced?

## Representation

4. Do you think member selection in PAV is representative of actual community social characteristics?
  - a. Were there any individuals or groups that play a prominent role in the participatory process?  
If so, explain
5. In your opinion how can representation of community characteristics be enhanced within PAV?
6. In your opinion, what part of the participation process in PAV works well?
7. In your opinion, are there changes that you would like to see in this process?
8. Do you think all PAV members are involved or represented in this participatory process?
  - a. If yes, at what stages were they involved?
  - b. If no, how could degree of involvement be enhanced?
9. Are the results of PAV meetings ever reported back to the public? Yes/No
  - a. If No, are there suggestions that you wish to make to ensure that the communities affected hear about the process?
  - b. If yes, how are results reported?
10. In your opinion, have there been differences among the desires of PAV participants?

## Identifying Influence

### Influence

11. Who decides meeting locations?
  - a. Who sets the agenda for meetings?
  - b. Who takes meeting minutes?
  - c. How are those minutes accessible/shared?
12. Who has more influence within PAV?
  - a. If more than one person, what happens when they disagree?
13. How easy is it for participants to contribute to discussion in the meetings?
14. Is anything done to obtain opinions from participants who are absent during a meeting? If so, how?

15. Is the internet used in the participation process? If so, how?
16. Who has the 'last word' in PAV?

#### Agenda

17. How are the rules, constitution, and procedures of decision making set within PAV?
18. In your opinion, do you think that these rules and procedures are fair or biased towards certain stakeholders represented within PAV?
  - a. Please explain.

#### Socio-Political Context

19. How could difficulties be overcome?
20. How could opportunities be enhanced?

# IOWA STATE UNIVERSITY

Department of Sociology

## Community Involvement and Participation in the Project Affected Villages Association

I. Community Economy: The first set of questions is on your impression of your community.

1. Where do you live: \_\_\_\_\_
  - a. How long have you lived in your current residence? (in years) \_\_\_\_\_
2. Name of Village you are representing in PAV? \_\_\_\_\_
3. Have you lived at any point during your lifetime in your village (community) named in #2 above?  
Yes/No
  - a. How much time did you spend in your village (community) in the last year (2014)?
    - i. Less than 60 days
    - ii. 60 – 120 days
    - iii. More than 120 days
4. How much land 'belonging' to your community is being acquired? \_\_\_\_\_ ha
  - a. What proportion of total land under acquisition 'belongs' to your village?
    - i. Less than 5%
    - ii. 5% - 15%
    - iii. More than 15%
  - b. Describe land involved in acquisition
    - i. National forest
    - ii. Community forest
    - iii. Cultivated land
    - iv. Built land
5. Does your village get any revenue from forest royalties? Yes/No
  - a. If yes, please provide an approximate cash amount \_\_\_\_\_ F, Monthly/Quarterly/Yearly

6. How would you characterize your village's (community's) economy over the PAST 5 years?
- a. Improving greatly \_\_\_\_\_
  - b. Improving \_\_\_\_\_
  - c. Unchanged \_\_\_\_\_
  - d. Declining \_\_\_\_\_
  - e. Declining greatly \_\_\_\_\_
  - f. Don't know \_\_\_\_\_
7. How would you characterize your expectation of this village's (community's) economic future over the NEXT 5 years?
- a. Will improve greatly \_\_\_\_\_
  - b. Will improve somehow \_\_\_\_\_
  - c. Will remain the same \_\_\_\_\_
  - d. Will decline somehow \_\_\_\_\_
  - e. Will decline greatly \_\_\_\_\_
  - f. Don't know \_\_\_\_\_

## II. Assets: Please tell us about the availability and accessibility of the following assets in community.

Key indicator	Asset code	Abundant (6)	Mostly available (5)	Slightly available (4)	Slightly unavailable (3)	Mostly unavailable (2)	Non-existent (0)
Educational Facilities	AS1 <sup>1</sup>						
Vocational training facilities	AS1 <sup>2</sup>						
Health facilities (hospitals, health units, Red cross)	AS1 <sup>3</sup>						
Revenue from community forest	AS2 <sup>1</sup>						
Subsidies (legislative/divisional)	AS2 <sup>2</sup>						
Formal Credit facilities (banks, credit unions)	AS2 <sup>3</sup>						
Informal credit facilities (njangis)	AS2 <sup>4</sup>						
Farmer Cooperatives	AS2 <sup>5</sup>						
Water Supply	AS3 <sup>1</sup>						
Sanitation (Toilets)	AS3 <sup>2</sup>						
Energy (electricity, solar, diesel)	AS3 <sup>3</sup>						
Secure shelter/buildings	AS3 <sup>4</sup>						
Roads (connecting to major town)	AS3 <sup>5</sup>						
Telephone network	AS3 <sup>6</sup>						
Land (quality/quantity)	AS4 <sup>1</sup>						
Forest/forest product	AS4 <sup>2</sup>						
Wildlife & biodiversity (Sanctuaries/reserves)	AS4 <sup>3</sup>						
Water & aquatic resources	AS4 <sup>4</sup>						
Leadership/representation	AS5 <sup>1</sup>						
Tradition of reciprocal exchange	AS5 <sup>2</sup>						
Community work groups	AS5 <sup>3</sup>						

**III. Participation:** The next set of questions measures your participation in PAV.

8. At what stage of the participatory process were you involved? Explain answer
- a. Before creation \_\_\_\_\_
  - b. Early after creation \_\_\_\_\_
  - c. Later after creation \_\_\_\_\_
9. How would you categorize your level of involvement in PAV?
- a. Extremely involved \_\_\_\_\_
  - b. Involved \_\_\_\_\_
  - c. Moderate \_\_\_\_\_
  - d. Minimal \_\_\_\_\_
  - e. Not at all involved \_\_\_\_\_
10. How are people selected to participate in PAV?
- a. Election \_\_\_\_\_
  - b. Appointment ( By \_\_\_\_\_ )
  - c. What are their claims to legitimacy to speak for others?  
\_\_\_\_\_
11. How many PAV meetings have you attended since inception?
- i. A few
  - ii. Most
  - iii. All
- a. How often did you attend meetings the last year?
    - i. A few
    - ii. Most
    - iii. All
  - b. How do you hear about these meetings?
    - i. Media (TV, Radio, Newspaper)
    - ii. Internal comms. (phone calls, circular, emails)
    - iii. Friends

12. What is your level of involvement in the PAV?

- i. Executive board member
- ii. Committee member
- iii. Member

13. Which of the following participation measures are used? **(check all that apply)**

- a. Information about the benefits of the project
- b. Information about the risks of the project
- c. Information/orientation about the project and implementation process
- d. Data about the physical location of proposed site
- e. Data about community views or interest group views
- f. Information about the legal procedures of transfer
- g. Encouragement to participate in certain measures without reciprocity
- h. Asked for advice
- i. Information about continuous monitoring and evaluation
- j. Encouraged self-mobilization amongst communities

14. In your opinion do you feel that your voice is heard during the decision making process in PAV?

- a. Yes/No

i. Please Explain

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15. How would you characterize your level of involvement in the decision making process in PAV?

- a. No involvement
- b. Little involvement
- c. Somewhat involved
- d. A great deal involved

16. Please rate the availability of each of these resources during the participation Process (Circle the appropriate number)

	<b>Abundant</b>	<b>Mostly available</b>	<b>Slightly available</b>	<b>Slightly unavailable</b>	<b>Mostly unavailable</b>
<b>Time</b>	1	2	3	4	5
<b>Money</b>	1	2	3	4	5
<b>Information</b>	1	2	3	4	5
<b>Transportation</b>	1	2	3	4	5
<b>Tech. support</b>	1	2	3	4	5

17. Please rate how satisfied you are with the results/outcomes of PAV?

- a. Thrilled
- b. Mostly satisfied
- c. Slightly satisfied
- d. Slightly unsatisfied
- e. Mostly unsatisfied

i. How could the process be enhanced/improved?

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18. Please rate on a scale of 1 to 7 (where 1 means lowest intensity and 7 means highest intensity) your emotions about your involvement in PAV?

	<b>Frustrated</b>	<b>Mostly dis-satisfied</b>	<b>Slightly dis-satisfied</b>	<b>Slightly satisfied</b>	<b>Mostly satisfied</b>
<b>Decision making</b>	1	2	3	5	6
<b>Agenda setting</b>	1	2	3	5	6
<b>Stakeholder Interaction</b>	1	2	3	5	6

III. Demographics: We need to ask a few questions about your background. This information, as with all information provided in this survey, will be used for statistical analysis only and will remain strictly confidential.

- 19. How old are you? \_\_\_\_\_
- 20. Male / Female
- 21. What is your marital status? \_\_\_\_\_
- 22. What is your highest level of education? \_\_\_\_\_
- 23. What is your occupation? \_\_\_\_\_
- 24. If applicable, what is your spouse/s or partner’s occupation? Please indicate occupation, retired or deceased if applicable: \_\_\_\_\_
- 25. What category best describes your total annual household income before taxes?
  - a. Less than 50,000F \_\_\_\_\_
  - b. 50,000F to 99,000F \_\_\_\_\_
  - c. 100,000F to 149,000F \_\_\_\_\_
  - d. 150,000F to 199,000F \_\_\_\_\_
  - e. 200,000F and over \_\_\_\_\_

26. Do you have children? Yes / No

- a. How many? \_\_\_\_\_
- b. Are there any children living at home? Yes / No / Not applicable
  - i. If Yes, how many children are living at home? \_\_\_\_\_

Thank You for your cooperation ☺

If you have additional comments, please use the back page.

**Department of Sociology**

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## Gendered Resource Relations and Changing Land Value Questionnaire

Name \_\_\_\_\_ Village \_\_\_\_\_, Age \_\_\_\_\_

No. Children \_\_\_\_\_

1. Can you tell me about how land is managed in your village?
  - a. Can women own land? (Under what circumstances?). if not, why not?
  - b. Do you own land? Do you share ownership of the land? If so, with whom?
    - i. How did you acquire your land?
2. Do you farm?
  - a. If yes, how much land did you use in the current or most recent season?
  - b. What is the family's main source of income?
3. If you own land does this mean you can sell, lease, or bequest without prior permission from another person?
  - a. If no, how did you gain access to this land?
4. Does this transfer, directly affect your land, or the land of someone you know?
  - a. How are you negotiating? How are they negotiating?
  - b. Who are you negotiating with specifically? Are there others involved in this process?
  - c. Is there talk of compensation? If yes, please specify.
5. Are you or someone you know involved in the negotiation/consultation process over the transfer of land to SGSOC?
  - a. Do you know of how many meetings have been held?
    - i. If yes, how many and how did you find out about these meetings?
6. Have you been invited to these meetings? If yes, who invited you? if no, Why?
  - a. Are there other public spaces (market, church etc) where people interact casually where you can gain information about this land transfer? If yes, please explain.
7. Are there other women involved in this process? If no, Why?
  - a. Who is allowed to talk, who is not?
  - b. Who makes the decisions?

8. What do you think about how people who have decision-making power in the village share information with other people in the village?
  - a. How do they not share information with other people in the village?
  - b. Are there other information networks that exist in your village? (e.g. within the family, social groups, cooperative etc?)
  - c. Do you belong to these networks? Do you gain information from these networks? If so, how? If not, Why?
9. Do you have misgivings concerning this process?
  - a. If yes, about what?
  - b. If yes, have you ever voiced these misgivings?
    - i. If yes, to whom?
    - ii. If no, why not?
10. What are you doing, if anything, to change/influence the process? If you are doing nothing, can you explain why you do not feel compelled to try to influence the process?

## **APPENDIX D: ARTICLES OF ASSOCIATION SGSOC\_PAV**

### **ARTICLE 1: Name, Purpose, Objectives and Membership**

#### **1.1. Name:**

The name of the Association is SGSOC-Project Affected Villages Association (SGSOC-PAV). Unless stated to the contrary within this document, words and expressions used shall have the same meaning as set out in the articles of the SGSOC-PAV.

#### **1.2. Purpose:**

At the creation, SG Sustainable Oils Cameroon Limited (SGSOC-The Company) and the Project Affected Villages (PAV) have agreed to set up an Association that shall jointly oversee the implementation of the obligations of both parties contained in the Memorandum of Understanding (MoU) signed between the indigenes of Nguti Sub Division and SGSOC on 27 July 2010 and the MoU between the indigenes of Mundemba and Toko Sub-Divisions and SGSOC on 30 July 2010. SGSOC-PAV will also oversee the implementation of specific provisions regarding the PAV in the Common Commitment concluded by the State of Cameroon represented by the Senior Divisional Officer for Ndian and SGSOC on the 31<sup>st</sup> of August 2011 and the Common Commitment signed between the Government of Cameroon represented by the Senior Divisional Officer of Kupe Muanengoba and SGSOC on the 15<sup>th</sup> of September 2011 and other past and future agreements between SGSOC and the PAV.

#### **1.3. Objectives:**

The objectives for which the Association is established include:

##### **1.3.1 Implementation of the different programs**

1.3.1.1. Have oversight and ensure effective implementation of the commitments in the MoU, Common Commitment, Business plan of July 2008 and establishment convention of 17<sup>th</sup> September 2009.

1.3.1.2. The list of the obligations of the MoU and Common Commitments are an integral part of these Articles of Association [attached].

1.3.1.3. Issues that are specific to one village are subject to the Association's review and opinions and are under the guidance of the Chief and Council of the particular village and The Company.

1.3.1.4. In addition to the items listed in the MoU, Common Commitments and future agreements, SGSOC-PAV will review and discuss the following topics:

**1.3.2. Communication:**

1.3.2.1. The Association will periodically communicate information and data obtained from monitoring and evaluating the project activities.

1.3.2.2. Raise awareness amongst PAV members on the Company's project activities.

**1.3.3. Coordination:**

1.3.3.1. SGSOC-PAV will support in coordinating projects to:

1.3.3.1.1. Ensure community participation;

1.3.3.1.2. Access to information;

1.3.3.1.3. Community capacity building.

**1.3.4. Engagement :** SGSOC-PAV will among others support in ensuring:

1.3.4.1. High Conservation Value areas protection (Areas with endangered species);

1.3.4.2. Crime prevention;

1.3.4.3. Oversight, gate keeping and educating the PAV's;

1.3.4.4. Interaction with other government programs that will help in implementing this objective.

**1.4. Membership**

1.4.1. All villages where SGSOC has its operations on the ground shall willingly be members.

1.4.2. Categories of membership

#### 1.4.2.1 Original members

Villages where SGSOC has operations on the ground as of November 2012 namely Talangaye, Nguti in the Nguti Sub Division and Lipenja 1 and Fabe in the Toko and Mundemba Sub Divisions respectively.

#### 1.4.2.2. Other members

Villages where SGSOC has operations after November 2012

#### 1.4.2.3. SGSOC Representatives

### **ARTICLE 2: Head Office:**

The registered head office of SGSOC-PAV [the Association] will be situated in Limbe, Fako Division, South West Region, Republic of Cameroon. The postal address shall be: C/O PO Box 64 Limbe. Telephone: 33332346 Fax: 33332375. The registered office may be transferred to any other place in the Republic of Cameroon by a decision of the Board of Governors.

### **ARTICLE 3: Organization and Functioning:**

#### **3.1. General Assembly: AGM**

##### **3.1.1. Composition:**

The Annual General Assembly shall comprise of representatives of the Chiefs, youths, female leaders and religious authority of the PAVs and representatives of The Company. Other stakeholders may be invited depending on their competence as need be. The AGM will be made up of 100 delegates. This number may be reviewed annually as the project expands. Each village will send a chief and two representatives to be chosen from among the youth's, female leaders and religious authority.

##### 3.1.2. The Chairperson and Vice

The Chairperson and Vice shall be Chiefs selected [produced] from the original members and will rotate within the two original zones.

### **3.1.3. Roles and Functions**

3.1.3.1. It shall define the general orientations, vision, missions, goals and policies of SGSOC-PAV.

3.1.3.2. It shall examine and approve annual reports of the Board of Governors.

3.1.3.3. It shall nominate and approve members of the Board of Governors

3.1.3.4. It shall approve the annual financial and management accounts of SGSOC-PAV

3.1.3.5. It shall approve the appointment of auditors of SGSOC-PAV

### **3.1.4 Meetings:**

3.1.4.1. It shall meet once a year preferably in the second week of March.

3.1.4.2. A minimum of 14 day notice shall be given to delegates.

## **3.2. Board of Governors**

### **3.2.1 Membership**

3.2.1.1. The Board of Governors shall comprise of Chiefs, The Company Representatives, Community Youths, Elders and Female leaders.

3.2.1.2. The Board will comprise of 19 members.

### **3.2.2. Composition**

3.2.2.1. The Chairperson shall be a chief from the original members

3.2.2.2. The Vice Chairperson shall be a chief from the original members

3.2.2.3. A secretary

3.2.2.4. Other members as provided for in 3.2.1.1.

### **3.2.3. Roles and Functions**

3.2.2.1. It shall be responsible for the strategic planning of SGSOC-PAV

3.2.2.2. It shall be responsible for the SGSOC-PAV overall policy and decision-making.

3.2.2.3. It shall ensure the implementation of the policies, resolutions and decisions of the AGM.

3.2.2.4. It shall develop and approve annual Plans of Actions and SGSOC-PAV objectives and purpose.

3.2.2.5. It shall approve the annual budget and shall examine and approve annual financial and management accounts of SGSOC-PAV.

### **3.2.3 Meetings**

3.2.3.1. It shall meet six times each year; once every two months during the first year of establishment. The timing may change as the project expands.

3.2.3.2. Extra ordinary meetings may be called as the need arises.

3.2.3.3. Meeting dates shall be arranged at the beginning of the calendar year and shall be on the second Saturday of every other month beginning from January. Except in emergency cases, will the dates of the meetings be changed.

### **3.2.5. Duration of Mandate**

**3.2.5.1.** Chairperson and Vice: Five years and rotate every two years between Block A and Block B

3.2.5.2. Representatives of The Company Permanent

3.2.5.3. Elected representatives: Rotate every Two years

**3.3. Executive Committee (ExCo)**

**3.3.1 Composition**

The ExCo shall [will] comprise of the chairperson (a chief) vice chair (a chief) and the Company's representative of the Board of Governors:

**3.3.2 Role and Functions**

3.3.2.1. The committee will run the day to day activities of the organization;

3.3.2.2. The Committee will provide administrative support and procedural guidelines for the Board;

3.3.2.3. The committee will manage personnel, human and financial resources of the association;

3.3.2.4. The committee will manage the assets of the association;

3.3.2.5. Educate the communities;

3.3.2.6. Establish partnerships with other organizations and stakeholders related to the association;

3.3.2.7. Ensure regularity of agreements between SGSOC and communities

**3.3.3 Meetings:**

The committee will have regular meetings as the need arises.

**ARTICLE 4: Selection Criteria of members of the Board of Governors:**

4.1. Five criteria guide the selection of the nineteen (19) members of the Board:

4.1.1. Original members (4 members): These are Chiefs of villages where The Company has on-the-ground investments as at November 2012 and who are permanent members on the Board of Governors see 3.2.2.1. and 3.2.2.2. These villages are: Talangaye, Lipenja I, Fabe and Nguti.

4.1.2. Surface area of land contributed/ceded to the company

4.1.3. Representative Chiefs of clans: Each clan in the PAV will nominate a Chief who will sit on the Board. These clans are Bima, Ngolo, Batanga, (on the Mundemba – Toko Block) and Upper Balong, Mbo, and Bakossi (on the Nguti Block) (6 members) Additional members will be added as the production area grows. These shall rotate every two years except otherwise agreed by the board of Governors.

4.1.4. Representatives of The Company (3 members)

4.1.5. Elected representatives of youth, men and women: (6 members): Each Block of the PAVs will select 1 youth, 1 female and 1 male to sit on the Board. These shall rotate every two years except otherwise agreed by the Board of Governors.

**ARTICLE 5: Duration of the Association:**

The SGSOC-PAV shall have a life span consistent with the operation of The Company.

**ARTICLE 6: Decision Making Process:**

6.1. Resolutions, recommendations and decisions of the Board of Governors and General Assembly will be arrived at preferably by consensus, failing which a vote will be conducted and a simple majority will prevail. In case of a tie, the chairperson will have the casting vote.

6.2. These, however, cannot violate the rights of the state of Cameroon, the Company nor those of the PAV's as enshrined in the treaties to which Cameroon is signatory, the law of Cameroon, the establishment

convention, the common commitments, the business plan of the company and the MoU and any future agreements with SGSOC.

**ARTICLE 7: Committee Members Expenses:** The Company will pay for the expenses of SGSOC-PAV [this association].

**ARTICLE 8: Meeting Venue and Quorum:**

**8.1. Venue:**

A venue convenient to all will be selected.

**8.2. Quorums:**

8.2.1. General Assembly: (50 +1 members) ;

8.2.2. Board of Governors: 2/3 of members

**ARTICLE 9: Transitional Provisions:**

9.1. The organs called into being by these articles of association will elaborate the procedures, the guidelines, the regulations, the tools and methods necessary for the implementation of SGSOC-PAV objectives.

9.2. The initial Board of Governors and the Executive Committee shall not be renewed for 10 years. They shall during this period set up the necessary and appropriate organizational procedures, the guidelines, the regulations, the tools, processes and methods after which they can be renewed as provided for in the articles of association without prejudice to article 3.2.5.1.

**ARTICLE 10; Amendment procedure of the provisions:**

Any amendments to the provisions of this article of association shall be presented by the Board of Governors to the General Assembly which shall deliberate in accordance with article 6.

## KEY

SGSOC-PAV:	SG Sustainable Oils Cameroon Limited Project Affected Villages
PAV:	Project Affected Villages
MoU:	Memorandum of Understanding
AGM:	Annual General Meeting
ExCo:	Executive committee