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Space for pluralism? Examining the Malibya land grab

Nicolette Larder

Recent years have seen a flood of pseudo-facts and falsely precise data on land deals. This has led some to call for a more careful approach to the study of land deals that moves away from the current hectare-centric focus towards a grounded case-study methodology. Heeding such calls, this contribution draws on fieldwork undertaken in Mali during 2011 to examine a well-known land deal, the Malibya project, which involved a contract for the transfer of control of 100,000 hectares of land within the *Office du Niger*. Locally and globally, the deal was denounced following the destruction of homes and gardens as a result of a canal development associated with project. In contrast, the Malian government has argued such projects are vital for expanded irrigation infrastructure and thus securing food self-sufficiency for Mali. Somewhere in between are the farmers of the *Office du Niger*, some of whom argue for the cessation of the project and others of whom argue the expansion of irrigation in the zone could benefit farmers, particularly those without sufficient access to land. This paper explores the differing viewpoints of the actors involved and the role the land-grabbing frame has played in mobilising these different responses.

Keywords: land grabbing; social movements; agriculture; land access; La Vía Campesina; food sovereignty; West Africa; Mali

1. Introduction

A significant number of contributions published in the pages of this journal have examined the recent global rush on agricultural land, the drivers of which have been located in the convergence of multiple food, fuel, climate and finance crises (Cotula 2012; McMichael 2012). The growing literature on land grabbing has examined the phenomenon from a variety of perspectives and drawn on case studies of land grabbing from a range of geographical locations. It is now established that the land-grabbing term, in its contemporary usage, began with the release of Barcelona-based non-governmental organisation (NGO) GRAIN's publication of the 2008 report *SEIZED* (GRAIN 2008). The subsequent take-up and reproduction of the land-grabbing terminology in both public discourse and academic publications was swift. Prior to 2009 there were only a few sporadic references to 'land grabbing' in academic journals, but by 2013 numerous special journal issues had appeared, hundreds of working and peer-reviewed papers had been published, and at least two well-attended global conferences had taken place. In public discourse, land grabbing seemed to emerge from nowhere to suddenly become the most pressing issue facing agrarian society globally: major media publications such as the *New York Times* and the *Guardian* ran stories on 'the great land rush', international civil society organisations with both environmental and social orientations started campaigns against land grabbing

and national governments announced plans for registers of foreign-owned land and changes to rules about foreign ownership of land.

As a propaganda tool, the term 'land grabbing' has been successful in raising awareness around the potential negative impacts of increased flows of finance capital into land. Although it is difficult to quantify the extent of the frame's success, one need only reflect on the pervasiveness of the term to get an idea of its importance for problematising the post-2008 land-control shifts. The point of departure for this paper are the recent calls for greater scrutiny of issues of land grabbing, in recognition that 'competing definitions of land grabbing reveal and obscure aspects of the phenomenon, and serve different ends' (Margulis, McKeon, and Borras 2013, 15).

This contribution examines one of the early, and now iconic, cases used to underscore the land-grabbing narrative, the Malibya Project. Malibya, the lexical compounding of Mali and Libya, is the operating name of a company set up under the auspices of the Libya Sovereign Wealth fund.¹ Building on previous studies of land deals in Mali, this paper is devoted to an exploration of the politics of land access, agricultural investment and local responses to the Malibya project. My findings in part contest assumptions and claims made by organised ranks of civil society movements that are part of the broader (international) land-grabbing resistance movement about the nature of 'local' responses to land grabbing. Based on fieldwork undertaken in Mali in 2011, I argue that the current construction of the Malibya project has obscured local responses to the project, and that such local responses do not actually neatly fit within the dominant civil-society framing of land grabbing. Such a finding supports Borras and Franco's (2013) argument that local people do not respond to land grabbing uniformly and that diverse localised responses to land deals, including calls for incorporation, 'are probably more common than the popular literature would acknowledge' (Borras and Franco 2013, 1730).

At the same time, this paper suggests the land-grabbing frame has opened space for articulation of a variety of responses to the Malibya project. While these responses may not necessarily be represented within the simplified version of land grabbing, the frame has nevertheless created political space on a number of fronts including calls for inclusion by subsections of the smallholder farmer population. As a result, this paper argues that despite its somewhat oversimplified framing, as a political tool land grabbing matters, although in sometimes-unpredictable ways.

This essay first gives an overview of the Malibya case. This is followed by an exploration of the political character of the Malian-based response to the Malibya project. It demonstrates that peasants have responded to the Malibya project with both calls against their expulsion from their land and, at the same time, calls for inclusion into the project. This paper suggests the land-grabbing frame has created space for smallholders to articulate different and sometimes-competing claims related to the Malibya project. As a result, land grabbing emerges as a dynamic collective-action frame whose efficacy is evident in the opportunities it has created in the political structure for smallholders to voice their concerns and responses to land deals. The hope is that this will help inform further political strategising of social movements struggling for social justice.

¹Malibya is an operating company of the Libyan African Investment Portfolio, an asset of the Libyan Investment Authority (LIA), Libya's sovereign wealth fund. The LIA was created by Safi Gaddafi in 2006 to invest the country's oil wealth and, although the fund was reported to have lost USD 1 billion following the global financial crisis, the fund is currently valued at around USD 65 billion (Okpamen 2014).

2. Plurality in peasant responses

Sociological scholarship on social movements suggests movements employ various political tools when seeking to elicit change. Significant among these tools is the collective action frame. Framing theory emerged following the cultural turn when studies of movement's actions shifted somewhat away from networks, structures, resources and organisations towards aspects of culture, meanings, narratives and symbols (Friedland and Mohr 2004; Johnston and Klandermans 2003). Goffman (1974) first theorised frames as a set of basic, social frameworks, which groups use collectively to make sense of the world. Like the media and the state, social movement organisations play a key role in the construction of frames through the active production of new meaning, and the structuring and interpretation of existing meanings (Snow and Benford 1988, 198). Through the process of framing, social movement organisations occupy a key role as signifying agents that concentrate meaning for movement participants, antagonists and observers (Snow and Benford 1988).

It is possible to identify a number of broad frames that have collectively developed in response to recent shifts in land control. These include the 'win-win' frame of land deals embraced by proponents of large-scale corporatised agriculture (see for example Deininger et al. 2011) and the radical critique of land deals evident within the land-grabbing narrative. Embedded in both frames are a range of assumptions and particular ideological positions. Scholars have highlighted the usefulness of land grabbing because it emphasises unjust power relations (Margulis, McKeon, and Borrás 2013). However, like all broad frames, it also has the power to obscure aspects of the problem. Scholars have long recognised social movements represent diverse interests and invariably exclude the concerns of portions of the group they purport to represent. A case in point was the calls to recognise gender-based difference within agrarian reform and sustainable agriculture movements (see for example Chiappe and Butler Flora 1998; Deere 2003; Sachs 1992).

The land-grabbing narrative is rooted in a critical stance against corporatisation and industrialisation of the food system and puts forward a solution in the form of food sovereignty and the rights of 'local' people (McMichael forthcoming). Implicit in the land-grabbing narrative is the idea that local people, wherever they are, struggle against and oppose land grabbing on the grounds that it displaces people from their communities, threatens cultures and destroys local economies. On the surface, responses to land grabbing appear uniform, largely in line with what the popular media reports, which tends to be similar to claims by civil society organisations. However, embedded in this consistent response is an assumption that 'local' people harbour identical aspirations and goals for the future. This conceals the heterogeneity of perceptions and experiences of shifting land control. Such differences are 'based on a whole range of variable and relative economic, political, social and cultural factors, conditions and calculations that are often not well understood and in any case would require much deeper inquiry than is often given' (Borrás and Franco 2013, 1724).

In a timely reminder about the nature of responses to land grabbing, Borrás and Franco (2013, 1730) suggested 'there are at least three intersections of political contestations within and between the state and social forces around current land grabbing ... poor people versus corporate actors, poor people versus the state, and poor people versus poor people'. As a cursory review of documentation will attest, in the majority, the response to land grabbing has been dominated by agendas against those purchasing and leasing lands and against states accused of facilitating land grabs, through either adherence to a developmentalist agenda or weak governance. This tendency to overlook certain responses may be the result, as Friedmann and McNair (2008, 409–10) explain, of agrarian scholarship focusing on resistance to displacement over and above the 'concrete actions and feasible projects'

peasants take to protect their farming cultures. Also at play here is the process of social movement framing, which by its very nature simplifies and codes aspects of the world in order to effect some change (Snow and Benford 1992). In other words, frames necessarily omit some truths in order to increase their efficacy. In the case of Mali, arguably missing from the land-grabbing frame are intra- and inter-class contestations occurring at the local level (Bernstein 2010), and articulations of pre-existing land access problems (Grigsby 2004). While these political differences may not meet the framing and agenda-setting needs of international civil society organisations, they nevertheless remain important for engaged scholarship that seeks to understand the nature of response to shifting land and labour control.

A second and perhaps more pertinent theoretical insight for this paper is the question of efficacy of social movement framing. Efficacy has been theorised in various stages: getting issues on the agenda, gaining discursive commitments from policy actors and states, causing procedural change at domestic and international levels, affecting policy and influencing behaviour change in target groups (Keck and Sikkink 1998). Many theories of success focus on variations of these stages (see for example Moyer 1987; Starr 2010).

Central to the success of social movement frames, political opportunity structures are the 'consistent but not necessarily formal or permanent dimensions of the political environment that provides incentives for people to undertake collective action by affecting their expectations for success or failure' (Tarrow in Meyer and Minkoff 2004, 1459). Operationalisations of the political opportunity structure theory differ substantially (Meyer and Minkoff 2004). This work draws on Schurman and Munro's (2009) theorisation that the external openings and closures actors face and construct in mobilisation are political and cultural; in other words, opportunities for success include those provided through exploitation of standard political opportunities and in the characteristics of and relationships between actors involved, including the state and those outside it. In short, movement success is judged on the basis of 'how the movement matters' in setting in motion processes of change.

3. The Malibya project

In late 2008, civil society organisations began to report on the marked increase of large-scale leases of agricultural land in the *Office du Niger*. The *Office du Niger* is the governing body of an irrigated rice-growing zone in the Ségou region of central Mali (Figure 1). The zone, which draws water from the Niger River, was set up by the French in the 1930s and came under the control of the Malian government after independence in 1960. Information on *Office* land under contract to foreign entities is not systematically recorded by the Malian government, but external reports estimated between 162,000 and 871,000 hectares of land in the zone was leased between 2005 and 2011 (Diallo and Mushinzimana 2009; Djiré, Keita, and Diawara 2012; Oakland Institute 2011). One of the most heavily interrogated deals was the 2008 agreement between the Malian and Libyan governments.

Under this project, the Malian government leased 100,000 hectares of land to the Malibya development company.² The contract, signed by both parties, provides the official

²Malibya is an operating company of the Libyan African Investment Portfolio, an asset of the the Libyan Investment Authority (LIA), Libya's sovereign wealth fund. The LIA was created by Safi Gaddafi in 2006 to invest the country's oil wealth and, although the fund was reported to have lost US\$1 billion following the global financial crisis, the fund is currently valued at around US\$65 billion (Okpamen 2014).

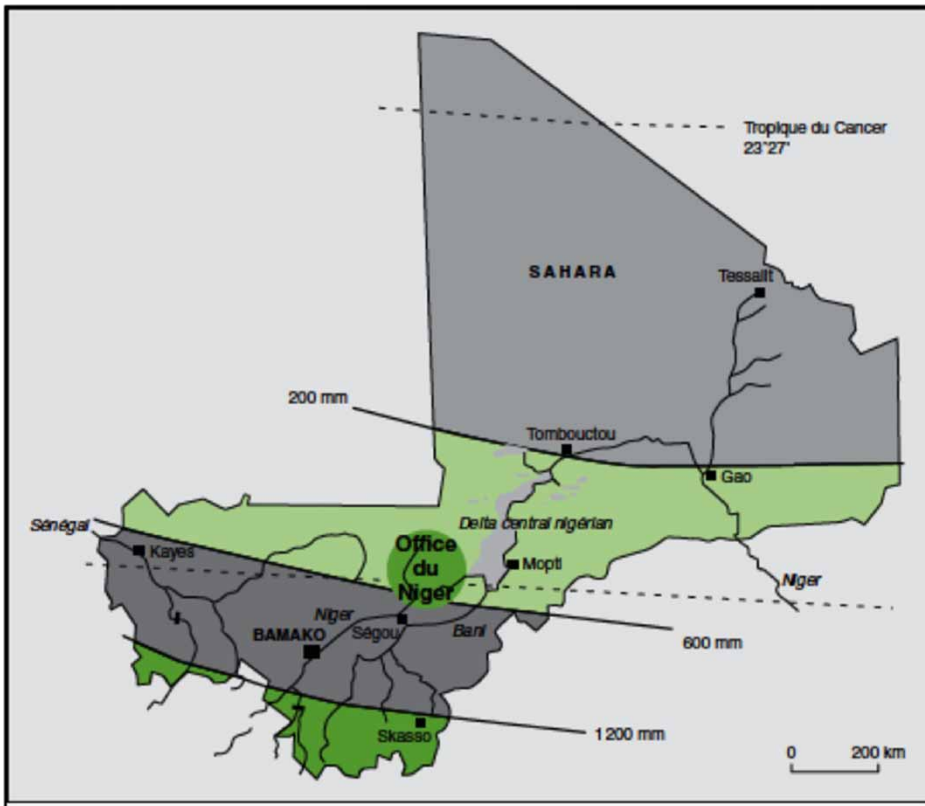


Figure 1. Location of the *Office du Niger*, Mali.
Source: Coulibaly et al. (2006).

view of the project's goals and details. The stated principle objective for use of the land is to be agriculture, herding and the transformation of agricultural products. The area of land designated to Malibya was not specified in the contract and gave the company rights to a site or sites of its choosing in the delta region of the Niger River. Under the contract, any pre-existing rights to control of land were invalidated. Rights to water use were also granted upon payment of an annual fee per hectare of irrigated land. The original contract made no mention of critical issues such as landholders' existing rights to land or future employment opportunities.

Land within the *Office du Niger* can not be owned and is leased to users based on one of five types of leasehold permit through which land tenure in the zone is administered: annual contract; farm permit; lease for a house plot; ordinary lease (30 years); and long lease (50 years) (Kater, Dembélé, and Dicko 2000). Annual contracts are normally applied for by family farmers, who lease irrigated land for the period of one year, renewable upon the lessor meeting the conditions of the lease. Under the annual lease agreement, the contract may be terminated by either party at the end of the season, but the contract will be terminated if the lessor either fails to maintain the irrigation channels or fails to pay the lease fee for the land/water (Republic of Mali 2010). The 100,000 hectares of land was leased to Malibya at no cost for a term of 50 years, the maximum lease term available in the *Office du Niger*, and renewable upon agreement of both parties. The first stage of the

Malibya project involved the development of a 40-km-long canal and bitumen road, neither of which are specific designated land uses within the zone. The canal extends between the villages of Kolongo and Boky-Wèrè and was built in 2008 by the Malibya-funded China Geo-Engineering Corporation International, a corporation of the Chinese government. The canal was developed along a *fala*, a pre-existing natural waterway that had supplied water to market garden lands along the length of the canal. Some smallholder farms living alongside the *fala* suffered loss of productive land due to construction of the canal, particularly in Kolongo, where the canal's development led to the subsumption of the village's main market garden lands (Figures 2 and 3). In addition, around 150 households were forced to relocate from Kolongo as a result of the canal's construction, only some with compensation.

Access to, and use of, land as set out in legal contracts is underpinned by various non-paper, socially based mechanisms (Benjamin 2006; Benjaminsen and Sjaastad 2003), and one of the critical norms governing land use and control within the *Office du Niger* is the historical notion of undesigned land. Although in theory leases can be applied to all land in the zone, in practice they have been reserved to govern irrigated land and land for village construction, and, as in the case of Malibya, to provide secure long-term access to large leaseholders in certain cases. As a result, there are large areas of land within the zone outside the irrigated portions and villages that are under the ultimate control of the *Office*, but are without governance mechanisms for legal use rights. 'Undesignated' is the official view of such lands and is somewhat akin to the 'vacant' lands rhetoric used by governments in other contexts to justify transfers of land control (see for example Ariza-Montobbio et al. 2010). The *Office du Niger* suggests it is this undesigned land that has been allocated to Malibya (Figure 4). In the official view of the *Office du Niger*, this section of land was always



Figure 2. Main area of market gardening in Kolongo, 2006. Source: Google Earth (2012a).



Figure 3. Main area of market gardening in Kolongo, 2010.
Source: Google Earth (2012b).

planned for irrigated production and any use of this land for purposes other than irrigation is 'illegal'. For example, when asked about the customary rights governing market gardens destroyed in the development of the Malibya canal, both a key staff member from the *Office du Niger* and the Chief of Kolongo village claimed land holders had been warned that the land around the *fala* was designated for development, that they were using it without permission and that it could be resumed at any time.

As the case of the market garden land in Kolongo illustrates, undesignated does not mean unproductive or unused. The view of such lands as undesignated has its roots in the historical development of land policy within Mali and the *Office du Niger*. At the time of colonisation in Mali, the French recognised customary land as having use rights only, applying the concept of vacant and ownerless lands to indigenous-owned land under Article 539 of the French civil code of 1804 (Benjaminsen and Sjaastad 2003; Djiré 2007). This conceptual view of national land ownership continued after independence (Becker 2001). While systems were put in place gradually to record customary rights through various orders and decrees (Djiré 2007, 1), in contemporary Mali, secure access to land is gained primarily through a system of land registration and titling (although it is in peri-urban areas around the capital Bamako that registration is most likely to occur; Djiré 2007, 1). The state is still able to expropriate such lands, although this is more problematic than if they were not registered (Benjaminsen 2008, 30). The process of registration and titling is by no means unproblematic given the highly prohibitive costs associated with registering land, the fact that the majority of land title owners are absentee land owners and urban elites, and the corruption surrounding the practice of registering lands (Benjaminsen 2008; Benjaminsen and Sjaastad 2003; Djiré 2007).



Figure 4. The ‘undesigned’ block of land allocated to Malibya is at the top right of the image picture.

Source: Photo by the author.

Notions of vacant and ownerless lands were also applied to the land that became part of the zone of the *Office du Niger*. Today, all land within the zone is legally owned by the *Office*, which, technically, has recourse alone to legal decisions about how land is used. Unlike the rest of Mali, farmers in the zone are not able to register lands with the state, and officials continue to employ phrases such as ‘we install farmers on newly irrigated lands’, which serve to further emphasise the state’s power over land in the zone. This material fact is reproduced in the discourse employed by farmers living in the zone, who were noted to make comments such as:

these lands still belong to the government so to the *Office du Niger*. If there is a public need they will use it without problem. But when you want the owner of this land now, it’s my father. Maybe after it can be the *Office* or the government ... We hope this does not happen but ...

The attitude of the *Office du Niger* towards land holders contrasts strongly with provisions set out in the country’s agricultural law, the *Loi Orientation d’Agricole (LOA 2006)*. The LOA, which set out the vision for Mali’s agricultural future, has been seen by civil society and peasants’ rights organisations both in Mali and internationally as a major step forward for the rights of smallholder farmers in Mali, due to two inclusions. First is the recognition given to family farmers in the document, particularly the requirement for a national land policy that recognises customary land rights. The groundwork for the development of this policy was being undertaken at the time of this research in 2011 by the Malian-based *Institut de Recherche et de Promotion des Alternatives de Développement en*

Afrique. However, discussions with experts and state officials in Mali raise questions about how the registration of customary title within the *Office du Niger* will work. For example, a land expert in Mali suggested the *Office du Niger* will likely be exempt from the land registration process because of its special legal status as a ‘state within the state’. If registration of customary lands does not go ahead within the zone, the LOA will provide little security of tenure for farmers in the zone.

The second important inclusion within the LOA was the concept of food sovereignty. Food sovereignty was given a central place in the document, with the law stating that ‘the aim [of the LOA] is to guarantee food sovereignty ...’ (Article 3) and devoting one chapter to setting out the path to food sovereignty in the Malian context. The legal recognition of food sovereignty was seen as a significant step forward for agrarian reform. Potentially problematic for the shift towards food sovereignty were findings from discussions with Malian government officials, who were often noted to conflate food sovereignty with food self-sufficiency, a long-time goal of the Malian government, rather than recognising the radical food sovereignty project put forward by peasants’ rights organisations.

4. Responding to Malibya

Within Mali, the main opposition to the Malibya project has come from the Malian-based peasants’ rights group *Coordination Nationale des Organisation Paysannes de Mali* (CNOP), which has been central in the construction and spread of the politicised land-grabbing frame within the country. Formed in 2003, CNOP’s agenda lies in the defence of peasants’ interests, and the organisation represents 11 regional farming groups from around Mali. In turn, CNOP is affiliated in West Africa with the *Réseau des organisations paysannes and de producteurs de l’Afrique du l’Ouest* (ROPPA), and internationally with La Via Campesina. In response to the Malibya project, CNOP have undertaken a number of actions including hosting national and international anti-land-grabbing events and conducting and publishing research findings on the impacts of development associated with land deals. In the case of Malibya, CNOP linked Libya’s involvement in agriculture to the country’s dependence on food imports, arguing Libya was following other Arab countries in seeking to overcome dependence on global rice markets by implementing a food security strategy using extraterritorial lands (Coulibaly and Monjane 2009). The group problematised land grabbing on the basis that it results in foreign control of sovereign land, competition for water and loss of seed diversity through the importation of hybrid rice varieties and genetically modified organism (GMO) rice. In a report published by CNOP, the impacts of land grabbing at the local level were used to contextualise these broader implications of shifting land control by drawing on first-hand observations of localised impacts, including: lack of an environmental and social impact analysis; lack of clear information for those affected; obstruction of livestock routes; creation of localised pollution; and destruction of houses, villages, orchards, market gardens and cemeteries, without full compensation. The response by peasants’ rights groups to land grabs like Malibya is summarised in a declaration by the Global Alliance Against Land Grabbing, which said:

In Mali, the government has a policy of promoting private investments in agriculture and it has transferred close to 800,000 hectares of land to private investors. The land belongs to communities that have been living on it for generations, if not centuries, whereas the Malian state was only created in the 1960s. The same situation can be found in many other countries that do not recognize customary law. To dispossess communities of their land is a violation of both their

customary and historical rights. To be able to benefit from a safe access to land and to have control over land and natural resources are rights that are inextricably linked to the rights recognized by the Universal Declaration of Human Rights as well as many other regional and international conventions on human rights, such as, for instance, the right to self-determination, the right to an adequate standard of living, or the right to housing, food, health, culture, property and participation. We note with grave concern that states are not respecting their rights in this regard and that they consider the interests of the business world as more important than the rights of people. (La Vía Campesina 2012, 18)

This response is typical of the way the land-grabbing frame has developed in Mali, and reflects the kind of statements made in publications by civil society organisations and other peasants' rights groups within the broader anti-land-grabbing movement (see for example FIAN 2010; GRAIN 2008).

5. Rationalising Malibya

As evidenced in other African nations, claims of land grabbing have been strongly refuted by the state (see Lavers' 2012 findings in Ethiopia). Instead, the Malian government has welcomed the rejuvenation of investment interest in the *Office du Niger* zone. Discussions with key government officials in the agricultural sector in Mali and documentation produced by the *Office du Niger* and the government more generally suggest the Malian government has adopted an almost totalising discourse of investment as not only positive, but necessary for the *Office du Niger*. Moreover, the Malibya deal was seen by many in Mali as a positive strengthening of ties between Gaddafi's Libya and the country, and many Malians I spoke with were supportive of the flow of money from Libya for such infrastructure projects. This idea of mutual benefit for both countries was outlined in the contract signed for the Malibya project, which stated: 'In the framework of reinforcing the economic integration between Mali and Libya for the realisation of strategic projects that are in the common interest of the two countries, they are agreed on the necessity of an agricultural investment project ...' (La Grande Jamahiriya arabe Libyenne populaire et socialiste and La République du Mali 2008).

Discussions with Malian government officials indicate they perceive the project as the coming together of long-term plans for the *Office du Niger*. The irrigated portions of the *Office du Niger* zone have grown in fits and starts over time. Throughout its history, those in charge of the *Office*, first the French and then the Malians, have sought to expand the superficies of the *Office* to reach the maximum capacity its original architects proposed it could cover: 960,000 hectares. That Libya is planning to irrigate 100,000 hectares fits with the consistent view within the Malian government of the *Office du Niger* as having great, but unrealised, potential. As an official in the *Office du Niger* said:

The Libyans, they are redeveloping 100,000 hectares. Since 1932, the *Office* ... at 80 years old next year ... from 1932 until today, the agency has not set up 100,000 hectares. The State of Mali – it has not developed 100,000 hectares. Because to develop one hectare it takes four million [CFA].³ One hectare, four million. The Libyans, they are trying to develop 100,000 hectares! What we could not do for 80 years, they are trying to do.

The official here refers to the fact that at present, less than 100,000 hectares of land has been irrigated in the zone since its creation in the 1930s. Libya's commitment to irrigating

³Approximately USD 6800.

100,000 hectares would therefore increase by more than 100 percent the land under irrigation. The proposal by the Libyans to develop and irrigate this amount of land was seen as a significant coup for the zone and the country more broadly and fits with the perception government officials hold that the Malian state is incapable of increasing the irrigated superficies in the zone due to lack of finances.

Much of the early planning and groundwork to install irrigation in the zone of the *Office du Niger* was conducted by the French, who planned to irrigate an area in the order of 960,000 hectares. Initially, plans were for the production of cotton, although this was later extended to rice and, in spite of the initial plan, by the time of independence total irrigated surfaces were less than 20,000 hectares. Following the drought from 1972 to 1974 and in continued pursuit of food self-sufficiency plans, by the late 1970s, the government of Mali began to solicit foreign donors to fund the rehabilitation of degraded lands and canals in the *Office du Niger* zone (Aw and Diemer 2005; Dougnon and Coulibaly 2007). Ongoing inter-regional and international policies for development fed the reinvigoration for expansion and improvement in the zone. Both the French and Dutch governments, along with the World Bank, funded the majority of repair and expansion work in the zone from the early 1980s until the mid-1990s, although the German, American and Malian governments also contributed financially (World Bank 1999). Financial assistance was guaranteed on condition of deep institutional and economic reform. In the decades following these reforms, the *Office du Niger* was hailed a 'success', and many saw these reforms as having been central in this regard (see for example Diarra, Staatz, and Dembélé 2000; IPRTID 2003; Plusquellec 2002). Success here was described mainly as a measure of increased yields, but also related to the opening up of the zone to a 'buoyant' private sector, population growth, diversification and intensification (Aw and Diemer 2005; Gabre-Madhin and Haggblade 2004).

Despite the apparent success of these structural reforms through the 1980s, calls for ongoing reform continued into the 1990s. This time, reform was seen as necessary for poverty reduction: in a country where the primary sector was the major contributor to gross domestic product (GDP), increased production was necessary for economic growth, and growth had become central to poverty reduction. As a result of this focus on poverty, in 1999 the International Monetary Fund (IMF) necessitated all loan recipients (of which Mali was one) put in place a Poverty Reduction Strategy Paper (PRSP). By early 2012, over 150 countries had PRSPs in place (IMF 2012a). The PRSPs were closely linked to the United Nations (UN)'s Millennium Development Goals (MDGs). One of the focal points of the two-pillar strategy adopted by the international community for the achievement of the MDGs was policy change in low-income countries, and the poverty reduction strategies, instituted as they were by the IMF with its agenda for structural reform, were closely aligned to the PRSPs (IMF 2012b). In Mali, the result of the PRSP process was the development of the Growth and Poverty Reduction Strategy Paper, published in 2002, which provided the basis for assistance from technical and financial partners, as well as debt relief (IMF 2008, 13). The overall goal of the plan was twofold: boosting the productive sector and consolidating public-sector reforms, both underpinned by 13 'priority areas of intervention', the first of which was food security and rural development (IMF 2008). As a result of this need to grow agriculture, the Malian government has engaged in a number of additional policy development actions. For example, Mali developed several strategies for increasing national rice production in the late 2000s, including *Operation Riz* in 2008 and the *National Strategy for the Development of Rice Growing* in 2009 (Republic of Mali 2009). Under these plans, the government hopes to double or even triple the amount of rice produced nationally, with the aim of turning Mali into a major

exporter of rice. The strategies focus mainly on increasing high-yield production systems, which involves widespread deployment of New Rice for Africa (NERICA) seed, annual extension of land under irrigated rice cultivation and improvement in post-harvest techniques.

In the last two decades, modernisation has increasingly been facilitated through investment by the private sector in the form of foreign direct investment. In Mali, the desire for foreign investment has seen the government take steps aimed at improving the legal context within which foreign investment in the agricultural sector occurs. The first of these was the creation of the *Code des Investissements*, passed in 1991 (amended in 2005), which sets out the tax benefits, guarantees and conditions for approval of foreign investment in the country (Republic of Mali 1991). International financial institutions saw this code as central to facilitating a positive climate for foreign private investment (UNCTAD, ITE, and IIA 2006). More recently, the *Centre Nationale pour Promotion des Investissements* was replaced, on advice from the World Bank, with the *Agence pour la Promotion des Investissements au Mali* (API). As its name suggests, the purpose of the agency is to promote investment in four opportunity-sectors which fit with Mali's comparative advantages: agriculture, live-stock, mining and tourism.

More specific to agriculture, the LOA includes provisions for easing costs and simplifying procedures for national and foreign actors wishing to invest in agricultural development in Mali to obtain land titles and leases, 'in the framework of investment promotion, of capitalization and growth in agricultural production' (Republic of Mali 2006, Article 82). A key government official charged with administering the LOA confirmed that the law had been developed to 'help secure and provide assurance to investors'.

These kinds of policy and political shifts have translated into a frame employed by Malian government agencies and their staff reflective of the policy changes. For example, the need to increase agricultural production to grow the economy was evidenced in interviews with officials in various government ministries. When asked why there is a need for foreign investment in the agricultural sector in Mali, an official in the Ministry of Agriculture responded:

... because we are, the country, we are classed in the less-developed countries and our primary sector in the last year contributed much to the GDP, roughly 40 percent ... agriculture is the backbone of our economy and agriculture it has, until now, been uncertain. That is to say, it suffers a lot, particularly related to climate and the percentages of irrigated lands are very low, so there is close to almost no gain ... so we need investors ... anything that improves GDP.

As seen in this statement, the perceived need for investment is closely linked to the ability to farm on irrigated lands. This is particularly true for the *Office du Niger* zone. While the major gains in yield returns following the reforms of the 1980s and 1990s, as outlined above, were cause for success, the leveling-off of yields along with an increasing population (both from in-migration and from natural population growth) led to increased pressure on irrigated land.

Current estimates of the total population of the zone and size of the irrigated rice-producing portions of the land vary between 350,000 to 400,000 people living in around 200 villages, and from 80,000 hectares up to 130,000 hectares (Diawara 2011; Dougnon and Coulibaly 2007; Kater, Dembélé, and Dicko 2000). Following the major gains in yield returns following the reforms of the 1980s and 1990s, the leveling-off of yields, along with population growth associated with in-migration following the drought of the 1970s, has increased pressure for access to irrigated land in the zone in recent decades (Coulibaly, Bélières, and Yénizé

2006). The amount of irrigated land has not kept pace with population growth, leading families to subdivide plots such that the number of plots grew from 12,900 in 1999 to 35,000 in 2011. Currently, each family has on average access to 3.7 hectares of irrigated land, although some families farm on as little as 0.25 hectares (Monimart and Tan 2011).

These pressures have led to calls for further extension of the irrigated surfaces of the zone, which translated into a plan adopted by the *Office du Niger* in 2008 to irrigate 200,000 hectares of land in the zone by 2020 (equal to a 200 percent increase on 2008 irrigated surfaces; Coulibaly, Bélières, and Yénizié 2006). The extension of irrigated surfaces remains of paramount concern for government officials. Such plans link to those outlined earlier to significantly increase rice production to make Mali a rice-exporting nation. Officials interviewed as part of this research argued for investment on the grounds that the government does not have the financial means necessary to expand irrigation infrastructure within the zone.

The state's cultural construction of its inability to 'do agriculture' has had a profound effect on its response to the charge of land grabbing. While the movement against land grabbing seeks to promote peasants' rights to land and the value of agrarianism, the state follows the somewhat typical narrative of a need for investment based on underdeveloped and non-industrialised farming systems. In effect, these are the kinds of arguments embedded in the 'win-win' frame of 'agricultural investment' already critiqued in the academic literature (Borras and Franco 2012; Da Vià 2011).

Outside of arguments around the logic used to promote expansion of industrial agriculture, the Malian government's response is perhaps telling of the kinds of openings and closures facing the anti-land-grabbing movement in Mali. While the movement has had some success in getting issues on the agenda, there has been little movement in terms of commitments to or follow-through on procedural and policy change. At the same time, the actions of the movement have exposed the flaws and inconsistencies in the country's preeminent agricultural law, particularly related to inclusions of provisions for easing foreign investment in agriculture alongside the overarching goal of food sovereignty.

6. Capitalising 'land grabbing': differentiated responses to Malibya

The previous section suggested the Malian government has justified projects like Malibya on the grounds that the state is unable to perform agriculture adequately without investment into irrigation infrastructure within the *Office du Niger*. Interestingly, these calls for expansion of the irrigated superficies have been echoed within the *Office du Niger*, suggesting some potentially uncomfortable overlap between the positions of the state and smallholder farmers when it comes to land deals. This is particularly the case for social movement organisations who critique the state's open stance to investment but support the rights of smallholder farmers. One clear point of tension evident in local characteristics of response to Malibya is the call for (partial) incorporation into the Malibya project made by the *Office du Niger* rice farmers union, *Syndicat des exploitants de l'Office du Niger* (SEXAGON). SEXAGON emerged as a rice farmers' union in the zone in the late 1990s out of land conflicts with the *Office du Niger*. They now represent around 12,500 rice farmers in the zone (approximately 13 percent of rice farmers). According to SEXAGON representatives, the union maintains an ongoing agenda to secure more irrigated land for its members, a task they have been engaged in since the union began in 1997.

Senior members within SEXAGON suggested the organisation had secured a discursive commitment from the *Office du Niger* for access to a portion of the irrigated lands once completed under the Malibya project. One member of SEXAGON's senior leadership

went so far to say: ‘we don’t mind the land is being irrigated, we just want our fair share’ (Niono, February 2011). The likelihood of SEXAGON’s members gaining secure access to this land is unclear. The *Office du Niger* claim the Malibya canal can be used to irrigate areas above and beyond the 100,000 hectares allocated to Malibya; one senior *Office du Niger* staff member in particular was at pains to map for me just where and how the canal would benefit farmers in the zone. While SEXAGON’s main office is located in Niono, some distance from the canal, the group’s members are spread throughout the zone, and there is the question of how SEXAGON’s geographically diverse membership will gain access to the irrigated plots under question.

If SEXAGON are successful in gaining access to land, there remains the problem of equity around access to lands associated with the Malibya project. Calls for inclusion into the Malibya Project were not uncommon among rice farmers I interviewed, who persistently lamented the problem of insufficient irrigated land on which to grow rice, and expressed sentiments of hope that the project would provide newly irrigated lands for local farmers. If some farmers do gain access to irrigated lands from this project, there seems no doubt others stand to lose as a result. It is not clear yet which lands Malibya will irrigate, nor what will happen to existing land users on these lands. If the initial development of the canal is indicative of the project’s development *modus operandi*, lands will be usurped without consideration for existing land users. In such circumstances, the losers are likely to be those who farm crops other than rice on ‘undesigned’ lands; as already alluded to, irrigated land within the *Office du Niger* is both highly prized and in short supply, meaning such lands will likely be preserved. Those sections of the population who use undesigned lands, typically herders and women and the other landless, may find themselves further excluded.

Significant within the broader debate around land grabbing is the issue of how we are to understand the privileging of calls against expulsion over those for inclusion, which thereby privilege struggles against expulsion and downplay struggles over the terms of incorporation. In dominant representations the Malibya case has exemplified the ‘roll-back’ tendency identified by Borrás, Franco and Wang (2013): local people are struggling against expulsion from land (see for example Oakland Institute 2011). Certainly there has been a vocal proportion of the population in the *Office du Niger* who support this position, as evidenced through initial protests against Malibya in Kolongo, the testimonies of farmers delivered at a number of forums and conferences in Mali, and interviews with farmers. Situating reactions within the broader politics of response to land grabbing, SEXAGON seem to have adopted a tactical response to mitigate the negative impacts and maximise the opportunities presented by the Malibya project. SEXAGON’s position could be seen as an argument for corporatised agriculture with the same political tendencies as neoliberalism, albeit with an increased role for (some) peasants in food production. But the actual politics requires more nuance. Had farmers been faced with a choice between secure access to irrigated land through a state-sponsored rice farming development or uncertain and potentially non-forthcoming access through incorporation into Malibya, we can almost certainly say they would have chosen the former.

More concretely, the radical response to the Malibya project shaped and moulded the political environment to create a number of openings within the political structure for smallholders to make claims on the state. These openings in the political opportunity structure were two-fold. First was the opening that allowed smallholders to call for compensation for loss of land associated with the development of the canal. The alignment between the relatively localised responses to loss of houses and market garden lands in Kolongo, and extra-local actors in the form of CNOP, La Via Campesina and others, meant the Malibya case was

elevated to the international stage. As a result, those affected by the Malibya canal were presented with access to influential voices and thus a more powerful position from which to call for compensation for their losses. While the potential to call for compensation arguably always existed, by virtue of their case aligning with the global narrative emerging around land deals, people in Kolongo were afforded the ability to apply more pressure to the Malian state than would have otherwise been possible without external support.

At the same time, the radical response for calls to roll back land grabbing in the *Office du Niger* provided a platform for SEXAGON to open discussions with the state over their potential incorporation into the deal. Discussions with SEXAGON staff suggest it was only after the Kolongo forum (organised by CNOP to protest against land grabbing) that the *Office du Niger* verbally agreed to SEXAGON's demands for inclusion into the Malibya project. SEXAGON's success at securing a discursive commitment is perhaps an uncomfortable measure of efficacy for the radical movement who generally oppose any attempt to mitigate negative impacts and maximise opportunities in favour of stopping land grabbing (Borras et al. 2012). From the perspective of social movement studies, however, through their actions to get the issue of land grabbing on the agenda in Mali, the radical movement 'matters' because it cleaved multiple political opportunities for farmers in the *Office du Niger* to have their claims heard. Affected land holders were able to argue more strongly for their pre-existing rights to land, despite the fact these rights were not previously recognised by the state. At the same time, existing land holders who had not been affected by the development of the Malibya project were provided an opportunity to put forward their conditions of incorporation into the land deal.

7. The future for Malibya and farmers in the *Office du Niger*

The Malibya project stalled following unrest in Libya in early 2011 and, in light of ongoing conflict in both Libya and Mali, at the time of writing of this paper (early 2015), the future of the project is unclear. While Libya's commitment to the project is unclear, the already-developed canal sits as a visible reminder of the irrigable potential of the zone. As the Libyan Investment Authority clears the decks of its management structure and re-evaluates its investment portfolio, the future use of the 40-km-long canal it built in 2008 will likely become clearer. The LIA's funds were frozen in 2011 by the UN and remain so at the request of the LIA (Wright 2014). In 2014, the LIA undertook major actions to improve its investment operations, suing Goldman Sachs and Société Générale SA (GLE) for USD 2.5 billion over failed investments, hiring external accounting firm Deloitte to undertake an investigation into internal corruption, and undertaking a wholesale change of senior management (Chellel 2014; Wright 2014). These actions are, according to the LIA, in preparation for the fund to 'come back to the international fold' (Chellel 2014). What this means for the Malibya project is uncertain. Given the fund's attempts to recoup its losses suffered after the 2011 coup, and the significant investment already made in the project, it seems unlikely the LIA will walk away from Malibya. Even if that does come to pass, there is the possibility that the Chinese company Yuan Longping High Tech, who were suggested to hold a silent 30 percent share in Malibya and a contract to provide seeds and expertise, will continue with the project (Brautigam 2012). Either way, continuation of the project will require vast human and financial capital to bring the full 100,000 hectares into cultivation and, as Edelman (2013) explained, diseconomies of scale are likely to operate for single entities, such as Malibya, producing food at such a scale. Moreover, as the case of Qatar's Hassad Food has shown, sovereign wealth funds engaged in extra-territorial food production can face significant backlash (Sippel forthcoming).

8. Conclusions

It is not entirely clear why Malibya became an iconic case; perhaps in a climate where supposedly done deals are often cancelled, delayed or modified, and data sets are riddled with inaccuracies (Edelman 2013), the materiality of Malibya's canal and sheer scale made it impossible to ignore. Regardless, from conception to (partial) actualisation, the Malibya project has manifested concerns about injustices, lack of transparency and failure to follow due process, and many of these claims are well founded: the deal was conducted within the context of a Malian food self-sufficiency project but the project has, to a degree, weakened local food security through displacement of small-scale farmers, and dozens of families lost their homes in the first stage of the project. Critics argue the Malian government has sold out their population by signing up to the Malibya contract. While the state has, in various ways, been implicated as facilitating land grabbing at the expense of its population (Wolford et al. 2013), in the case of Malibya I suggest this is true, but only to a degree. It is easy to write off as flawed constructions the government's claims over lack of funding for expanding irrigation infrastructure. However, there is likely some partial truth to them: as the French discovered a century ago, irrigating land in the *Office du Niger* is difficult and expensive. While it seems Mali's goal of doubling the irrigated surfaces in the *Office du Niger* by 2020 is the result of an IMF-inspired economic growth agenda, the need for expansion of irrigated lands within the *Office du Niger* is also being argued from the ground up. Just how capable the Malian government is of delivering on this necessary infrastructure without foreign assistance is unclear.

Perhaps more clear is that the local response in Mali to the signing of the Malibya contract has been more nuanced than public discourse has acknowledged. This contribution has highlighted some of the heterogeneity evident in localised responses to land grabs in Mali. There is a proportion who have argued for the roll-back of projects like Malibya and, conversely, those who have sought to make deals for inclusion into such projects. Contrary to the dominant assumptions and claims embedded in the land-grabbing narrative, the majority of farmers in the *Office du Niger* have not been expelled or displaced (yet) by land deals, and some may even stand to benefit from such projects if they are incorporated. This is, of course, in a relative context where no other viable alternatives exist for such farmers. The outcomes of incorporation will depend in large part on the modalities through which the rice farmers are incorporated: as out-grower contract labour, as individuals farming on self-titled land or excluded altogether in favour of external labour. How and to what extent these benefits will reach incorporated households remains to be seen. Equally important to observe as this project moves forward is how the already marginalised – women and the other landless, herders and youths – will be impacted by land deals in the zone. Empirical research in this area into the future will be important for answering such questions.

For the movement against land grabbing, this case illustrates the sometimes-unpredictable effects framing can have. Within Mali, the movement faces a relatively closed standard political opportunity structure with the state seemingly holding firmly to the narrative that it is unable to 'do' agriculture without external investment. However, as successes such as winning compensation for those affected by the canal and gaining a discursive commitment for incorporation show, even within a closed structure there remain points of tension that can be exploited. At the same time, the latter may be something of an uncomfortable success for some in the movement, especially those who argue for the complete roll-back of land grabbing and against any kind of mitigation of the problem. Unfortunately for smallholders in the *Office du Niger*, the future looks precarious if uncertain incorporation into land deals is the

best of limited options. The challenge remains to augment the efforts to protect farming cultures while meeting the real challenges of increasing access to land.

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