



OBSERVADOR RURAL
No. 131
October 2022

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The texts published in OBSERVADOR RURAL are in draft form. The authors are grateful for contributions to deepening and corrections to improve the document.

LAND ACCESS AND ALLOCATION BEYOND LARGE INVESTMENTS: THE ROLE OF POLITICAL AND ECONOMIC ELITES IN BOANE

Josefina Tamele¹

RESUMO

Ao longo da história de desenvolvimento em África e no mundo, a disputa pela terra foi sempre um campo de vários conflitos entre classes com poder desigual. Em Moçambique em particular, os conflitos estão ligados, de entre outros factores, ao influxo de investimentos baseados na terra, ao crescimento demográfico, à expansão das cidades e à procura de terras para fins habitacionais. O capital internacional e as elites locais exercem forte pressão sobre a terra, sob pretexto de grandes e médios investimentos, que resultam em conflitos de terra. As tendências e implicações da demanda pela terra para investimento têm sido profundamente estudadas, embora existam conflitos de terra que emergem de contextos distintos, como é o caso de conflitos de terra entre elites e camponeses no contexto de uso de terra para fins habitacionais, entre outros empreendimentos de pequena escala.

O presente trabalho tem como objectivo principal analisar as dinâmicas de acesso, alocação, posse e conflitos de terra, que envolvem comunidades, camponeses, pequenos e médios investidores, autoridades administrativas e municipais no Distrito Municipal de Boane em 2021, com especial enfoque no papel das elites políticas e económicas. Para alcançar os objectivos do estudo foram colhidas percepções e administradas entrevistas semi-estruturadas e conversas informais com os actores escolhidos por amostragem específica "bola de neve", recolha, testagem e validação da informação em Boane.

O presente estudo conclui que a legislação existente em Moçambique que regula o processo de acesso, alocação, posse e conflitos de terra tem sido objecto de várias dinâmicas que vão desde a aceitação, manipulação e até resistência por parte das comunidades e outros actores sociais.

Os problemas de gestão de terra por parte do Estado, particularmente no que diz respeito à transparência na atribuição do Direito de Uso e Aproveitamento de Terra (DUAT), têm contribuído para o surgimento de conflitos de terra. Estas instituições, muitas vezes, sofrem pressão através do tráfico de influências (*lobby*, nepotismo, clientelismo, corrupção activa ou passiva, suborno) e acabam favorecendo as elites em detrimento das populações rurais, principalmente do sector familiar (os mais vulneráveis). Há registo de conflitos que perduram há mais de 22 anos. Em face de todos estes problemas, recomenda-se, como medida de médio prazo, a criação de um departamento para a resolução de conflitos de terras no Município, tendo como princípios de base, garantir a participação das comunidades e a transparência.

Palavras-chave: **acesso a terra, posse de terra, conflitos de terra, elite, poder.**

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ABSTRACT

Throughout the history of development in Africa and the world, land disputes have always been a field of various conflicts between classes with unequal power. Particularly in Mozambique, conflicts are linked, among other factors, to the increase of land-based investments, demographic growth, the expansion of cities and the demand for land for housing purposes. International capital and local elites exert strong pressure on land under the pretext of large and medium investments, which result in land conflicts. The trends and implications of the demand for land for investment have been deeply studied, although there are land conflicts that emerge from distinct contexts, such as land conflicts between elites and peasants in the context of land use for housing purposes, among other small-scale enterprises.

The main objective of this paper is to analyse the dynamics of land access, allocation, tenure and conflicts involving communities, peasants, small and medium investors, administrative and municipal authorities in the Municipal District of Boane in 2021, with a special focus on the role of political and economic elites. To achieve the objectives of the study, perceptions were collected and semi-structured interviews and informal conversations were conducted with actors, who were selected through "snowball" sampling, collection, testing and validation of information in Boane.

The present study concludes that the existing legislation in Mozambique that regulates the process of access, allocation, ownership and land conflicts has been subject to various dynamics ranging from acceptance, manipulation and even resistance by communities and other social actors.

The problems of land management by the state, particularly with regard to transparency in the allocation of the *Direito de Uso e Aproveitamento de Terra* (DUAT), have contributed to the emergence of land conflicts. These institutions have often come under pressure through influence peddling (lobbying, nepotism, clientelism, active or passive corruption, bribery) and end up favouring elites to the detriment of rural populations, mainly from the family sector (the most vulnerable). There are records of conflicts that have lasted for more than 22 years. In view of all these problems, it is recommended, as a medium-term measure, the creation of a department for the resolution of land conflicts in the Municipality, having as basic principles, to guarantee the participation of communities and transparency.

Key-words: **access to land, land tenure, land conflicts, elite, power.**

1. INTRODUCTION

The study developed by the World Bank, entitled "Increasing global interest in agricultural land: can it generate sustainable and equitable benefits", indicates that over 75% of large-scale agricultural land acquisitions worldwide were made in Sub-Saharan Africa, particularly in Ethiopia, Sudan and Mozambique (World Bank, 2010).

In recent decades, Mozambique has been undergoing pressure on land for various reasons, from rapid urbanisation to the demand for extensive areas in rural areas for investment. Consequently, multiple land conflicts have emerged in these areas (Mandamule, 2016; Bruna, 2017). Several studies and reports have focused on the land conflict aspect pertaining to large investments, in particular Mega projects and foreign direct investment. However, cases of land conflicts between political-business elites and rural populations persist and have received less attention, both from academia and Civil Society.

In Boane district, where the study was carried out, the emergence of land acquisition by Mozambican elites can be noted, with the aim of implementing small and medium investments. As a result, there have been multiple cases of land expropriation, generating disputes between elites and households practising subsistence agriculture. In the process of land acquisition by the elites, in most cases, no community consultations are held, nor is there any resettlement of the displaced population, and when this occurs, the individuals are moved to areas where their productive skills are less applicable.

In this context, the research aims to analyse the dynamics of rural land conflicts, the alliances, the factors that determined the outbreak of conflicts and their repercussions on the local community of Boane, in order to contribute to a better understanding of how political elites may influence land management institutions, and power relations in access to land. It is assumed that the dynamics of land conflicts, their implications and (potential) resolution are distinct from those experienced in the context of large-scale land conflicts with greater media and academic coverage. In this context, the need to analyse such phenomena and contribute to the awareness of such land law violations is underlined.

This text presents six sections. The first section presents the introduction; the second section presents the concepts and the bibliographic review that contributes to the understanding of land conflicts as well as their implications; the third section is related to the methodology; the fourth section presents the geographical location of Boane district; the fifth section is related to the analysis and interpretation of the results; the sixth section is the conclusion and, finally, the bibliography.

1.1. Background

Historically, land tenure has been the field of various disputes where classes with unequal power and differentiated access to land acquisition enter the arena. According to Valá (2002), the dispute for land has been going on for thousands of years, and in the Mozambican context, it has always existed. As an example, we resort to the land conflicts that occurred at the end of the colonial period, which became evident with the process of creation of settlements by the Portuguese colonial government. This process contributed to the expropriation of land from the indigenous people in favour of the

settlers. During the period of the Limpopo settlement, for example, conflicts between Africans and Europeans occurred frequently, access to irrigated land obeyed racial criteria, giving more primacy to the settlers, linked to colonial policy, followed by notable families well positioned in the local socio-political and religious hierarchy. In contrast, the group of family farmers did not benefit from irrigated land. This scenario created dissatisfaction on the part of the farmers, maintaining a relationship of "latent conflict in relation to the Portuguese settlers" (Valá, 2002:135).

Several authors, such as Deininger and Castaganini (2004), Yamano and Deininger (2005), Leeuwen and Haartse (2005), state that land disputes are linked to population growth, the expansion of cities and the demand for land for housing reasons. Land use and tenure are at the centre of various conflicting interests, highlighting disputes within the family, between local communities, and between investors and local communities (Yamano and Deininger, 2005). On the other hand, there is the underutilization of land by those who own it, such as the Mozambican elites who have acquired large tracts of land for real estate speculation.

Various business interests are looking for land to invest in around the world and particularly in developing countries. Mozambique is considered to possess abundant and fertile land, constituting a target for capitalist accumulation strategies. Muianga (2015) refers that the dominant economic dynamics, large-scale agricultural, mineral and forestry concessions, highlight the occurrence of the acquisition of large-scale plots for various purposes, including for speculation.

According to Feijó and Agy, (2015), the installation of multinationals, such as Vale in Tete, Coal Mining, Rio Tinto, Jindal, African Queen Mines, Baobab Resources, Coal India and others, which intended to undertake in the area of mining, has served as a booster in the economy in Tete, giving rise to changes in the construction, banking, hotel and restaurant sectors. The enthusiasm for mining meant that resettlements were carried out and there was urban pressure, resulting in real estate speculation, mainly in the provincial capital.

There are also cultural reasons which, according to Mandamule (2016), are related to heritage and tradition. Alongside these factors are the complexity and lack of transparency in the process and delay in the allocation of DUATs because of the lack of control and monitoring by State institutions that look after land management; the granting of DUATs in favour of the investor, without effective community consultations and without consent of the communities who are legitimate holders of the DUAT right; promises of employment and other benefits (UNAC and GRAIN, 2015), deficiencies in the implementation of the Law and other legal provisions.

Authors, such as Besseling (2013) and Chivangue and Cortez (2015), refer that there are more and more governors involved in the dispute for land, being in a privileged social and economic position and exerting influence on legislation, constituting an elite class that holds power in access and control over areas with great mining agricultural potential.

There is a strong link between the penetration of capital and land conflicts. According to exploratory interviews conducted with UNAC, the Provincial Directorate of Agriculture and Fisheries, the penetration of capital has expelled people from areas with great potential for the practice of agriculture in favour of investments, including housing. The pressure that is exerted for capital to find

new places to invest causes the most vulnerable to lose plots of land. These expropriated spaces could serve as farms and other purposes that would guarantee the sustainability of the communities. It is noted that the implementation of the Law has obstacles, many distortions, deviations and is not complied with by the State, local power agents (including community leaders), leaving room for manipulation according to the interests of the political and business elites.

In Boane, lands that were once intended for family farming are now used for housing and agribusiness. According to exploratory interviews conducted with the National Union of Peasants (UNAC) *União Nacional de Camponeses*, the Provincial Directorate of Agriculture and Fisheries, in Boane, there is a diversity of conflicts, such as, for example, the double allocation of DUATs, occupations by the population in areas not used by the holders of the right to land, and farmers and rural populations complain about land grabbing by the local authority.

The above context has aroused interest in deepening the understanding of the dynamics of conflict involving political and economic elites and rural populations, with the need to broaden the field of analysis.

1.2. Problematization

The phenomenon of land grabbing has been frequent in Mozambique, mainly in strategic zones in terms of location and in areas with economic potential, influencing the outbreak of land conflicts. Valá (2003: 10) considers this type of land conflict as being "disputes that occur through motivation by the possession, or not, of land, or even by the tendency of its expansion". Meanwhile, Alfredo (2009) defines land conflicts as the manifestation of the opposition of interests, opposing two or more people who claim to own the right over the land or to be DUAT holders. Therefore, conflict will be understood as a situation of tension and dispute clearly manifested by parties claiming a right over land.

According to Pareto, *elite* refers to the concept of dominant class proposed by Karl Marx to refer to the social class that controlled the economy and politics. Pareto (1916) states that all societies are bipolar and are divided between governors, governed, elite and mass. The author defines elite as a minority that benefits from privileges and is in a position above in the hierarchy of power. This class forms the group of the leaders (the political class), which tries to stay in power through force or cunning.

For Wright Mills (1956), an elite consists of individuals who are in positions of privilege and are in high positions in the social structure, where wealth and power are concentrated. Regarding the last concept, power, Bourdieu (1989) states that it should be understood as a structure of relations that distributes individuals into hierarchical positions defining unequal access to strategic social resources. The structure is involved in a symbolic struggle that makes it appear to social actors, both dominated and dominant, as natural. Bourdieu (1989) and Foucault (2005) highlight a power that acts in a tenuous and everyday way, systematically shaping the desires, choices and actions of the actors involved.

According to Bourdieu (1989), inequalities are expressed through the differentiated access that social agents have to specific capital in a given field. Bourdieu (1989) states that, as capital is seen as the

resource which determines the possibilities of benefit (advantage), those who have less capital have less chance of producing benefit (advantage) in the game which characterises the field. For Foucault (1995, p. 246), this inequality is revealed through the positions that agents occupy in the "system of differentiations", that is, the system that defines legal or traditional differences of status and privileges; economic differences in the appropriation of wealth and goods; differences of place in the processes of production; linguistic or cultural differences; differences in skills and competences. These structured differences would be, at the same time, conditions and effects of power.

The plurality of authors and interpretations show that land constitutes an important power resource with economic, social and symbolic value. Land obtention generates more conflicts in areas closer to large cities, access roads and economic infrastructures, where agribusiness penetrates and where there is a high population density. Thus, land constitutes an increasingly scarce resource, around which competition for domination and control intensifies, generating conflicts, and there is control over the processes of distribution of power resources, where some actors, who constitute a privileged minority, and fight for the position they occupy in the social structure, and are closer to the decision-makers in the State, manage to capitalise on this advantage. In this case, as Marx (1974) states, the state functions as a committee to manage the affairs of the entire bourgeoisie. In this context, the state is essentially classist, representing only one class and not society as a whole.

The district of Boane is mainly agricultural, and in it are located Bananalândia, the Estação Agrária de Umbeluzi, the Mozambique Institute of Agricultural Research, and other economic activities: industrial (for example, Mozal), tourism, commercial (informal markets, social centres) and service provision (public transport, car repairs).

The district has around 43,200 ha and has the capacity to produce cereals, vegetables, legumes, tubers and fruit trees. It has soils with high fertility, particularly along the banks of the Tembe and Umbeluzi rivers, in the Belo Horizonte, 25 de Setembro, Jossias Tongogara and Campoane neighbourhoods, (DINAGECA, 1997). The Umbeluzi valley has land with potential for agriculture and livestock and is exploited by farmers in the private and family sectors. The southern area has several rivers and irrigated land, and is suitable for citrus, vegetables and bananas. For its agricultural potential, the district of Boane attracts several individuals or companies that intend to invest in commercial activities.

Located in the south side of Maputo Province, 45 km from Maputo city, in recent years Boane district has experienced an unrestrained pressure on land, because of the demand for land for megaprojects, enterprises and housing, which often culminates in conflicts, involving bona fide occupants, peasants, national and international investors, urban elites seeking land for housing, real estate agents and others.

During the exploratory research, members of non-governmental organizations, such as UNAC, LIVANINGO and Justiça Ambiental, mentioned that in the district of Boane, a group of people (political and economic elites) closer to the land management institutions and with power to influence decision makers, have been compulsively removing peasants from their areas to give room for commercial enterprises, without carrying out resettlement or fair compensation. As can be noted, the land issue in Boane creates a field of confrontation between different interest groups, and various conflicts have

been triggered, involving rural populations, peasant families, local authorities, political and economic elites and other social actors involved in land occupation.

In the Mozambican context, studies related to the conflict in access to land between political and economic elites and the rural population are limited, therefore it was relevant to carry out this study to contribute to broaden the angle of analysis on the dynamics of land conflicts.

1.3. Research Objectives

1.3.1. General objective:

To understand the dynamics of land management in the context of land conflicts between political and economic elites and rural populations in Boane district.

1.3.2. Specific Objectives

1. Describe the procedures and practices for the allocation of DUAT in Boane District;
2. Identify the types of conflicts and their respective resolution, which exist in the context of obtaining land in this region;
3. Analyse how political and economic elites influence land management institutions in accessing, owning and controlling land in Boane;
4. Describe and analyse the impacts for social actors negatively affected by land redistribution in Boane.

1.4. Research Question:

Based on the objectives, previously defined the guidelines of the study, the following research question was defined: How do political and economic elites influence the dynamics of land management and access, those of land conflicts in Boane District? specifically:

- (1) How do political and economic elites influence access to land?
- (2) How do political elites influence the resolution of land conflicts?
- (3) What are the implications for expropriated communities and actors involved in land obtention, political and economic elites, bureaucrats and investors?

2. LAND CONFLICTS, CAUSES AND REPERCUSSIONS

2.2. Conflict over land in Sub-Saharan Africa

In Africa, the reasons for land conflicts are related to rapid population expansion, and consequent demand for land for the development of commercial agricultural activities, the phenomenon of urbanisation, migration of communities, the importance of land and ethnic conflicts (Deininger and Castaganini, 2004; Yamano and Deininger, 2005; Leeuwen and Haartse, 2005; Mwesigye and Tomaya, 2016).

Mwesigye and Tomaya (2016) share Deininger and Castaganini's (2004) view that in sub-Saharan Africa, there is an upsurge in land conflicts due to the fact that land is an important resource, with the majority of the population living in rural areas practicing agriculture and depending on the land for their subsistence.

Uganda is culturally diverse with around 53 ethnic groups (Deininger and Castaganini, 2004). 73% of the labour force works the land and contributes 24% to the gross domestic product. Land disputes between ethnic groups become a constraint for rural agriculture. In Uganda rural households face small-scale land conflicts with relatives, neighbours, landlords or local governments, and such conflicts can have a significant impact on their agricultural productivity. Most land disputes that occur in Uganda (76%) are resolved through formal processes (Deininger and Castaganini, 2004), unlike in Kenya where over 90% of disputes are dealt within informal institutions (Yamano and Deininger, 2005).

There is a common denominator between the reasons that lead individuals involved in land conflicts to resort, in the first place, to informal institutions, and only to resort to formal institutions when the local authorities are not able to resolve the dispute. The formal institutions of land administration in most African countries are replaced by informal entities because they are weak in managing as well as resolving land conflicts, a fact noted by Yamano and Deininger (2005), in their study on land conflicts in Kenya, and by Leeuwen and Haartsen (2005), in their study on land disputes and their resolution mechanisms in Burundi.

According to Leeuwen and Haartsen (2005), in Burundi, 80% of conflicts that reach the court are about land. Like most countries in sub-Saharan Africa, Burundi's judicial system is fragile, it is not equipped to meet the demand for land conflicts and the conflict resolution mechanisms need to be strengthened. Communities in Burundi resolve disputes through two systems, namely, customary and judicial. However, because of lengthy courts, misplaced land legislation, anomalies in court procedures and corruption, the community opts for the usual systems.

Yamano and Deininger (2005) observed that about half of the conflicts that occur in rural Kenya are boundary related, mainly between neighbours or relatives living nearby. The second common type of conflict is over inheritance (exclusively between relatives). However, in the last 5 years, the most frequently occurring conflicts are related to the transferability of DUAT involving financial resources. Land is increasingly under pressure because of population growth and agricultural commercialisation. The same authors refer that if land ownership rights are not safeguarded, more cases of conflict related to the sale of land may arise. High population growth and agricultural commercialisation contribute greatly to the scarcity of land, giving it an economic value that makes it a tradable good with a tendency for individual ownership.

With the new Constitution of the Republic of 1990 (Chilundo and Kanji, 2005) and the approval of the Land Law 19/97, Mozambique has experienced the simplification of administrative processes and greater participation of local populations in the decision-making process regarding land management, and the opening of space for the launch of the National Land Policy in 1995, having recognized the role of traditional leaders in resolving land conflicts, customary land tenure rights, including various inheritance systems.

According to Prothero (1972), in Africa, land tenure and access can be analysed from the relationship that exists between the population and the land. The author considers that the land issue can be seen in three stages. The first is the primitive stage, where there is an abundance of land and its occupation is extensive, and is characterized by low population density, possession is communal and without delimitation of plots and access to land is guaranteed through customary law. The second stage, considered intermediate, is characterised by fixed settlements, itinerant agriculture, there is a trend towards individual land tenure and consequently the weakening of customary rights. The third phase, is the modern phase in which, according to the author, land occupation has economic value, is characterised by high population density, individualisation of land ownership, a fact which contributes to the existence of land registration and delimitation because of the high economic value of land. However, even in modern societies, as is the case in the Mozambican context, two types of rights coexist: state and customary.

In addition to economic interests in relation to land, there are other values, such as, for example, religious, cultural and political. According to Polanyi (1983), the close relationship that exists between land and man is related to the fact that they are interconnected as a whole. Thus, the land cannot be dissociated from human institutions, insofar as it offers stability to the human being, since it is where man dwells, cultivates and various activities and beliefs take place. Thus, the land is considered a means of survival, it is the place where man plants trees, buries the dead and venerates his ancestors.

Loforte (1996), based on the socio-anthropological view, approaches the customary norms regarding access to land and reminds us that inheritance and marriage are elements that guarantee access to land for rural populations. In the south of the country, women have access to the land of their spouse's family through marriage.

In addition to the factors listed above, UNAC (2015) states that the lack of compliance with the boundaries of the requested space and unequal access to information are also factors that generate conflicts. According to Mandamule (2017), communities find themselves expropriated from their lands due to the fact that, in the titling process, community consultations are not always carried out, when they do occur, the consultations are imbued with shortcomings, take place in a context of mistrust and hostility, the requirements in relation to the Minutes of Consultation are not observed, and are restricted to a particular group of community authorities.

According to Mandamule (2016), another factor that contributes to the existence of land disputes is the delay in the process of attributing DUATs because of the lack of control and monitoring of existing areas and areas under concession, by State institutions. The author mentions the existence of intra-family conflicts, between communities, between companies and communities. The conflicts are about boundaries, inheritance or the right to access and enjoy land.

Carrilho (1990) states that in Mozambique, the lack of knowledge of the Land Law in rural areas, the inadequacy of the Law, the lack of implementation capacity and circulation of information about implementation experiences, combined with the problem of land, the non-definition of physical and conceptual boundaries, and insufficient planning by the administration, all contribute to the existence of conflicts over land.

According to Valá (1996), land tenure occupies an important place in political, economic and social agendas of various segments of society. Land (including its possession, use, inheritance, maintenance of its ownership) is an issue with relevance, such that no political power ignores it, even when it does not take it in its true dimension. The author points out that, currently, in Mozambique, land is a resource which is not free from competition and/or conflicts.

For Muteia (1996), one of the major conflicts arising from the DUAT stems from factors such as the inadequacies of the legislation in force, the precarious situation to which traditional authority was relegated at the time of the socialisation of the countryside, and the proximity of social and economic infrastructures.

In the legal context (Chiziane, 1999), conflicts arise as a result of collision between public and private interests. The author argues that land conflicts result from struggle and clash between public interests and private interests, on the one hand, and private interests among themselves, on the other hand, aiming at the exercise of power over the land property. According to the same author, communities are protected by Laws, but it often happens that these mechanisms are poorly applied, which makes it seem that, from the point of view of the State, there are no measures that safeguard the rights of the most vulnerable in contractual relations at the level of the entry of foreign private investment.

According to Rosário (2000), in most African countries, the use and exploitation of land has generated land conflicts involving the state, the rural population and the private sector. In the Mozambican context, many families see their land expropriated and assigned to other people. The demand for land by large companies that want to enter the tourism sector, for example, causes conflicts.

In Mozambique, it has been determined that land belongs to the State. However, in practice, there are business interests around it. The demand for land from multinational enterprises has contributed to the displacement of people who live off agriculture. UNAC and GRAIN (2015) refer to the cases of the companies Vale de Moçambique and Riversdale, located in Moatize, in Tete province, where coal mining drove the resettlement of local populations where the companies intended to settle. These resettlements have had a negative impact on aspects such as the food insecurity of the populations who have agriculture as their basis for subsistence; the areas attributed to the peasants do not represent the same size of land parcels that they previously held, and have less fertility, and as a consequence there has been low production; the rural populations have also complained of the greater distance in relation to the watercourses, a fact that creates obstacles in the irrigation of the farms.

As can be seen from the literature review above, it is necessary to bring different approaches to conflict dynamics than those that are generally presented, and to address conflicts that do not result from large-scale investments, i.e. it is pertinent to study conflicts between individuals and rural populations (rather than between large investors and peasants), as well as conflicts arising from the expansion of housing.

3. METHODOLOGY

To achieve the research objectives insights were collected and interviews were conducted with actors chosen by specific sampling ("snowballing"), collecting, testing and validating information in Boane. The final findings were triangulated between interviews, literature review, non-participant observation, and the analysis allowed for the formulation of recommendations with a view to improving access to land and preventing possible conflicts.

The object of the study was the district of Boane. The work was carried out in two phases described below:

Phase 1: Design of the study project and exploratory interviews with Key-Informants in the field

The first phase of the research took place from June to July 2021, and consisted in the conception of the project and the creation of working networks integrated by Civil Society Organizations working in the field. It also consisted of exploratory interviews with experts and NGOs working in the area of land, for example, the National Union of Peasants (UNAC), Organização Rural de Ajuda Mútua (ORAM), Justiça Ambiental (JA), Centro Terra Viva (CTV), LIVANINGO, FONGA, WAADL, Centre for the Promotion of Agriculture (CEPAGRI), and requesting information and contacts from the OMR researchers. This helped us to construct the problematic of the research, and to select the places of greatest conflict.

Phase 2: Carrying out the research and preparing the work report

To answer the research questions, it was necessary to carry out a bibliographic review on the subject, followed by data collection in the field. The first field visit took place from August to September 2021 in the district of Boane and the second from late September to early October of the same year. The choice of the study area is due to the fact that it is experiencing an increase in conflicts, some of which involve the State, community, peasants, political and business elites and civil servants.

Sample and population:

The semi-structured interview technique was used to collect the data. The semi-structured interviews allowed for open questions and facilitated the researcher to capture information foreseen in their interview guide, questions that were further explored during the dialogue with the key informants, including, for example, who is seeking land in the neighbourhood, for what purposes they seek land (use), where the people seeking land come from (provenience), which conflicts appear more frequently and in which areas (near the railway line, farms, road), and when land is allocated, whether or not there is compliance with community consultations. According to Manzini (1990/1991), the semi-structured interview corresponds to a script with the most relevant questions, which are complemented by other questions related to the context of the interview. According to the author, this type of interview makes information emerge in a spontaneous way.

The target group consists of men and women, peasants (associated and individual), whose profile allowed us to answer the questions posed in the research. 124 interviews were conducted with farmers

from the Cooperativa 25 de Setembro, residents of the 25 de Setembro neighbourhood, farmers from the Associação 4 de Outubro, in Dlalene, Picoco, locality of Gueguegue, as well as some community members, community leaders, Civil Society Organizations (ORAM, REENCONTRO), administrative authorities, political and economic elites, the Municipal Council, District Services and Infrastructure (SDPI). This procedure made it possible to identify the causes of conflicts, the mechanisms of access, allocation, appropriation, land tenure, to observe the power relations in access to DUAT and the influence that political and economic elites exert on access to land.

The criteria for access to key informants were based on the snowball technique which, according to Baldin and Munhoz (2011), is a non-probabilistic sample that is used in social research, where the first participants in the study point out new participants, these, in turn, point out new participants, until reaching the moment when the new participants begin to repeat the information acquired previously, without adding new and relevant information to the research.

Challenges

Throughout the execution of the present work, obstacles were faced in relation to the limited literature dealing with the issue of land access and allocation by political and economic elites. At the time of data collection, challenges were further compounded by the mistrust that officials of land administration institutions had when addressing issues involving land. They feared reprisals from the institution.

4. GEOGRAPHICAL LOCATION OF BOANE DISTRICT

Boane district is located in Maputo province, 45 km from Maputo city. It has the municipality of Boane as its headquarters and, until 2013, it had the category of village. The district is bounded to the north by the district of Moamba, to the west and southwest by the district of Namaacha, to the south and southeast it borders the district of Matutuine and finally to the east by the city of Matola (INE, 2012). According to INE (2020), the district of Boane has an area of 820 km² and 244,384 inhabitants. Boane has the privilege of being crossed by a road that is considered fundamental for the progress of the economy of the Maputo corridor, the Maputo-Witbank road.

Boane has two Administrative Posts, namely, Boane and Matola-Rio, consisting of the following localities:

Boane Administrative Post:

- Boane Village, Gueguegue and Eduardo Mondlane

Matola-Rio Administrative Post:

- Matola-Rio, Beleluane, Muloana, Jonasse, Ngumbane.

According to a technician (on anonymity) who works in one of the land management institutions in Boane, the current land use and occupation maps are not up to date, and most of the time, the District Cadastre Services use maps from past years, which do not reflect the current situation of land occupation in Boane. The lack of mapping of occupation areas leads to double allocation of land rights.

The district has potential for agriculture and is located on the bank of the Umbeluzi River. In the late 1990s, Boane experienced economic growth with the installation of projects with impact at national level, particularly the construction of the Mozal aluminium smelting industry, located in Bebeluane, in the Matola-río Administrative Post; this attracted other foreign and national industrial institutions to the Bebeluane National Park, which contributed to the reduction of cultivation areas belonging to peasants.

Economic activities of the district of Boane: Industries (Mozal, Bebeluane); Commercial: commercial centres, informal markets; provision of services: mechanics, public transport.

5. ANALYSIS AND INTERPRETATION OF RESULTS

In this section two case studies are presented, the first being the Conflict between the Cooperativa Agrícola 25 de Setembro Umbeluzi and a private individual (political/economic elite) and, the second, refers to the Redistribution of land in Boane: prioritisation of housing for urban elites to the detriment of family farming (political elite/State) and then a comparison of the cases is made. The mapping of land conflicts in Boane district records land disputes between elites vs communities, investors vs community, inter-family conflicts, peasants vs state. Peasants occupy areas that are not used by the elites, who often choose plots based on the topographic map without ever having been there. In Mahubo, in the Eduardo Mondlane locality, there is dual allocation of DUATs by different entities, similarly to the Associação de camponeses Kape Kape, located in Belo Horizonte, Gueguegue locality, there is an informal land market involving community leaders. In the path of the land parcelling that is occurring in Boane, the mapping allowed for the identification of conflicts between the Municipal Council and peasant associations (case of the Associação Mata-Fome and the Associação de camponeses 19 de Outubro in the Rádio Marconi area). Regardless of this, the communities' lack of knowledge about the size of the area during the community consultation process, land conflicts between neighbours, family struggles due to disagreements over the occupation of their areas and the delimitation of areas without respecting the river crossings, for example in Gueguegue, in the 25 de Setembro neighbourhood, there was a case of conflict between an investor who closed the river crossings. There are absentee landowners or landlords who own the best arable land in the basins of the Umbeluzi, Curumana or Incomati rivers, but who do not invest or allow investment. The choice of the two case studies is due to the fact that they have the State (Municipal Council) as the conflict promoter, involve political elites, both are outstanding even though they have resorted to professional legal assistance from ORAM lawyers.

5.1. Case A: Conflict between the Cooperativa Agrícola 25 de Setembro Umbeluzi and a private individual (political/economic elite)

Statement of the case:

1. In 1985, the year of the drought, the individual asked the Cooperative for space to transplant his tomato plant, claiming he had no water to irrigate it;
2. Between 1990 and 2002, the Cooperative requested that the private individual withdraw from the area;

3. In 2005, the Cooperative destroyed the private individual's nurseries, and the private individual initiated an injunction against the Cooperative;
4. In May 2017, the Cooperative submits an appeal to SDPI;
5. on 27 August 2018 the Cooperative, before the Municipal Council, contests the DUAT issued in favour of the private individual;
6. On 21 June 2019, resorting to article 29 of Law 7/2006, of 16 August², the Ombudsman took steps with the Mayor of the Village of Boane, through Official Letter No. 019/Q/GPJ/023.72/2019, of 19 February 2019, giving them a period of 15 days to comment on the matter;
7. On 7 October 2019, the Cooperative filed a Litigation Appeal against the President of CMVB at the Maputo Provincial Administrative Court;
8. In 2021, the petition that the Cooperative sent to the National Assembly was rejected.

"Our life was better when the municipality did not exist". (Peasant women from the Cooperativa 25 de Setembro, interview on 19 August 2021, Boane Village.

The space now in dispute concerns a historic concession. It was granted to the members of the Cooperativa Agrícola 25 de Setembro on 25 September 1975, by the late President Samora Machel.

In 1977, the year of the nationalisations, the *Machamba do povo* was operated by 167 members. In the context of the implementation of the agricultural cooperatives, it was transformed into the Cooperativa 25 de Setembro, and its legalisation began in 1982.

Due to procedural démarches, the Cooperative was only legalised in 1997. It was a simple act of transformation of the "*Machamba do Povo*" into an entity with legal personality and its own nature.

The space in dispute was given to the private individual as a loan in 1985, the year of the drought. The latter asked the Cooperative for a space to transplant the tomato plants he had in his farm, alleging that he had no water to irrigate. In the following year, there was flooding and the farm was submerged, and the individual, being an Agricultural Technician, was ready to support the Cooperative with technical assistance in the creation of irrigation.

Some years later, the Cooperative, not satisfied with the private individual's presence, asked him to withdraw from the space, and the private individual evoked the 10 years of occupation.³ The Cooperative was unhappy because the private individual's conduct was not in accordance with the values governing the Cooperative, did not want to be a member, did not participate in the collective activities of the Cooperative and did not pay fees. As the interview below illustrates, the individual did not comply with the rules of the Cooperative:

"The collective farm became the Cooperative's; some members did not participate in the activities of the farm but, at harvest time, they wanted to benefit. So we agreed to divide the space in some plots for each member to work his own plot, to avoid lazy people. Now

² Article 29 ("Prior Hearing") The Ombudsman shall not make any recommendation without having heard the party against whom the complaint is directed, unless that party refuses to be heard.

³ Land Law 19/97.

each member has a plot, all the product of his farm belongs to him; but on Tuesdays there are collective activities: we clean a half-hectare space to help pay the membership fees. However, the individual does not appear and does not send any worker to represent him" (Member of the Cooperative, interview of 28 September 2021, Boane Village, 25 de Setembro neighbourhood).

The Cooperative had the intention to accommodate the private individual, not only on a loan basis, but could be another member of the Cooperative. However, as the following interview illustrates:

"he was not interested, since he had economic supremacy, he wanted to serve his personal interests only" (Peasant woman of the Cooperativa Agrícola 25 de Setembro, interview of 18 August 2021, Boane Village, 25 de Setembro neighbourhood).

After having expressed his displeasure in the 1990s, in 2002, the management of the Cooperative once again claimed ownership of the area in dispute and demanded that he withdraw from the place. To resolve the dispute, there was room for reconciliation mediated by the Boane District Agriculture Directorate, but it was unsuccessful.

In 2005, in the normal course of his activities, the private individual started preparing the land. Thus, he proceeded with the first ploughing of the land in June and July; harrowing and furrowing of the 2 hectares in the first week of July and he had also prepared the tomato nurseries that should be transplanted in the second week of August. The Cooperative, however, destroyed the furrows of the two hectares prepared to receive the nursery plants, a fact that led the individual to file an injunction⁴. This was rejected by the Judicial Court of Maputo Province because, according to it, "as this is a conflict that takes time, there is not justification for resorting to an injunction".

The area adjacent to the disputed space was also in conflict from the 1980s until 2017. The area was 2 hectares and was occupied by the late co-worker and friend of the private individual. In 2017 an inspection work was carried out in the space in conflict and in the land next to it, and the hearing was held on the land (in the space in conflict) by extension of the Court, the inspection was carried out by the SDPI cadastral technician, directed by the President of the Judicial Court of the District of Boane in the presence of the parties involved in the process, the private individual, the children of the private individual's former colleague and the witnesses.

The private individual and his former colleague had a friendly relationship, as is presented in the following interview:

"The two were friends; the private individual had a residence near the farm and the colleague lived in Maputo. In the 1980s, the private individual was an employee of the Directorate of Agriculture and the private individual's friend was an employee of CITRINOS

⁴ It states that it is the right of all citizens to request support from the court against acts that violate their guarantees recognized by the Constitution, and guarantees access to justice, and quotes Art. 32 paragraph 2 of the Land Law that guarantees the right of defense.

and was very influential in the company where he worked. They seemed like good people. Gradually, small plots of peasants' land were annexed, adding up to 2 hectares each. The private individual, for a long time, was a worker of the Mayor, and provided assistance in the farms of the Mayor. Therefore, he could easily legalise the space" (Peasant of the Cooperativa Agrícola 25 de Setembro, interview on 22 October 2021, Boane Village, 25 de Setembro neighborhood).

The inspection, on the recommendation of the Judge of the TJDB, indicated the existence of a title issued by the Municipality which, as long as it is not contested, is an authentic document, so the Cooperative should find a solution with the Municipality, for a conscientious decision of the Court on who owns the disputed area.

The National Director for Internal Trade visited the Cooperative and noticed the existing conflict and the recent existence of the DUAT of the private individual. After noting this, the officer contacted the Permanent Secretary to support the Cooperative in resolving the dispute.

In 2018, the Cooperative, represented by its president, wrote to the Mayor to contest the DUAT title issued in favour of the private individual. The title in concern covers a parcel of 2 hectares within the Cooperative's DUAT area and is dated 23/01/2018, and the Cooperative is the legitimate DUAT holder of an area of 87.9 hectares, issued by the Governor of Maputo Province on 9/10/1997. According to the reports of the farmer members, there was no observance of community consultation for the DUAT concession to the private individual. According to the RLT, the obtaining of a DUAT presupposes community consultation. The fact that a DUAT was granted to the private individual without compliance with this requirement shows that the game of influence that facilitates the fraudulent acquisition of land is a common form of corruption in the land sector, as illustrated in the passage below:

"When we asked the MC how it is possible for someone to obtain DUAT within a Cooperative area, we heard that it is a comrade who in many circumstances has helped the MC in the ephemerides, campaigns, elections and in many ceremonies" (Peasant, interview of 18 August 2021, Boane Village, 25 de Setembro neighbourhood).

Furthermore, evidence, such as the SDPI land use map, shows that there is an overlapping of use rights in the same space. It is likely that there was an oversight in the issuing of the title, as the technical work was not articulated with the District Cadastre Service, as happens in some cases in Boane. Observing the map in Figure 1, if the occupation map of the District had been consulted with the Cadastre Service, which used to be in the SDAE, and is now in the SDPI, it would have become clear that there can be no other title deeds within the Cooperative's area. Furthermore, according to the interviewees, as mentioned above, no community consultations were carried out with the neighbouring populations that are members of the Cooperative:

"Here, most of the time they don't do community consultations. Furthermore, no member of the Cooperative has an individual title. We only went from the collective farm to the Cooperative because some didn't work, they made divisions to encourage work". (Peasant woman, interview on 23 August 2021, Boane Village, 25 de Setembro neighbourhood).

Figure 2: Sketch of overlapping illustration prepared by SDPI



Source: Provided by Cooperativa 25 de Setembro, prepared by SDPI (Boane, 2019)

In 2019, the Cooperative filed a Contentious Appeal against the MC at the Administrative Court of Maputo Province:

"We acted in good faith, we were convinced that it would be an easy case to solve because it is clear that there are overlapping of rights. When we went to the Court they always told us to go another day. At the time, the Municipality did not exist, the land registry was at the District Agriculture Directorate. They did the mapping, indicated that the space is within the Cooperative's area" (Peasant woman, member of the Cooperative, interview of 6 October 2021, Boane Village).

In the same year, the Cooperative submitted a complaint to the Office of the Ombudsman, requesting the Ombudsman's intervention with a view to cancelling the DUAT of the private individual. As there were indications that the DUAT attribution process may have flaws, not having competence to revoke the acts of the public powers, the Ombudsman advised the Cooperative to take legal action in the Administrative Court, as it was an act practiced by a public entity holder.

This scenario shows how the most vulnerable suffer expropriation of their land, caused by the elites, often with the complicity of the State. Through the game of influence, the elites easily acquire land. Individuals with the ability to influence decision-makers use power and influence peddling, embodied in clientelism, to mobilise resources and capital to satisfy their interests. The private individual, with political and economic influence, managed to obtain DUAT through the Municipal Council.

As can be inferred, this conflict has been going on for about 22 years. However, the Cooperative does not give up and is always looking for new forms of resistance. As one of the interviewees, a technician from one of the Land Administration institutions, states: "The conflict does not die". In 2021, the

Cooperative submitted a petition to the Assembly of the Republic. In May of the same year, after appreciating and approving the information from the Commission for Petitions, Complaints and Claims, the Commission rejected the petition because, according to the Commission, it challenges the judicial decision from the Administrative Court of Maputo Province.

5.2. Case B: Redistribution of land in Boane: prioritization of housing for urban elites to the detriment of family farming (political/state elite)

Statement of the case:

In March 2014, the Boane Municipal Council prepared an Urbanisation Detail Plan for the Picoco area, coordinated by the *Direcção Provincial da Acção e Coordenação Ambiental de Maputo*. In 2016, the Municipal Council stopped the implementation of the Plan which aimed to change the land use (from agricultural use to housing). In 2018, the hearing with the Councillor took place and, in 2020, the Associação de Camponeses 4 de Outubro, with the support of its lawyer, made a statement of the case to the Municipal Council.

The space in concern belongs to Associação de Camponeses 4 de Outubro de Boane, with its headquarters in the district of Boane-Dlalene, locality of Gueguegue, Maputo Province. Its location obeys the following limits: to the Northeast, the Picoco neighbourhood along the Boane to Stevele circular road, to the North, the Associação de camponeses de Djonasse, which is also going through a land use transformation process, from agriculture to housing, to the East, the Jossias Tongogara neighbourhood, to the South, the Fundo de Fomento e Habitação neighbourhood and, to the Southeast, the Picoco I neighbourhood.

The Detailed Urbanisation Plan covered an area of approximately 511.543 hectares, including the 300.149 hectares where the farmers of the Associação 4 de Outubro have carried out their agricultural activities since the 1980s.

Under the coordination of the CMVB, in February 2016, topographic parcelling work began with a view to implementing the Detailed Plan referred to above, which aimed to change the use of the land (from agricultural use to housing).

It should be noted that the parcelling was not at the initiative of the Association, unlike the parcelling of the areas of the surrounding associations, such as those of Mbuzine, Jossias Tongogara, which required a change of activity and the parcelling of their areas. The differentiation of the groups is evident in the selective way in which information is disseminated to the peasants. In other words, during the process of land use transformation, some peasant associations, such as Jossias, Tongogara and Mbuzini, had privileged information about the intention of the land use transformation and how they should proceed. However, this cession of land was not peaceful. The members of Mbuzini, for example, were pressured to transfer their space to other people, as the following interview illustrates:

"we didn't want to sell; we were forced to. If the management says it's to sell, there's nothing else to do; even if we denied it, other colleagues accepted, the majority wins. What could we do? Take it or leave it, we had no choice. You know, the rope always breaks at the weakest side" (Peasant woman, former member of the Associação Mbuzini, Interview on 16 August 2021).

The Boane Administration said that the process was irreversible, that the peasants would lose their land sooner or later. So, to avoid losing their land without any compensation, many got involved in the business of informal land sales.

As can be seen, the transformation of land use from agriculture to housing is encouraged by some members of the administration, local authorities, as well as local elites who profit from the processes of change, leaving peasants in a situation of insecurity. In this case, the land transaction took place on the informal market with the connivance of the State. The State rarely defends the rights of rural populations, does not respect customary law and puts pressure on peasants. Peasants join the market system and sell their land. As a result, there is an accumulation of land conflict cases, the result of poor administration of the territory by the State.

The implementation of the Detailed Plan occurred in two phases: the first phase ran from 4 January to 20 February 2016, and an area of about 211.394 hectares was parcelled, which corresponded to 41% of the planned area. However, during the implementation of the first phase of the plan, it was found that in the other area covered by the plan, the work of raising awareness of the people for the reception of the plan had not been carried out.

In this vein, the mayor, on 18 April 2016 instructed that the delivery of the area already parcelled out be made, and the allocation of plots in that area began. The launching act of land allocation was presided over by the mayor and culminated with the delivery of 10 free DUATs to ten peasants covered by the parcelling. Out of 1,528 peasants, only 228 received their plots of land. According to the interview below

"When the association realised that it was going to lose the land to housing, it drew up a project, called in topographers to demarcate the space, put up milestones, etc. The mayor accepted our proposal, he even gave 10 DUATs to the old people in the association. That was a sign that he accepted our project. What strikes us is that throughout the land demarcation procedure, he says that there has been a change in the plan: the 30x40 plots are large, they should be divided in half. Today it says this, tomorrow it says that. With a 15x20 plot one can't even have a poultry house or a farm in one's house. But here the first association to be created was Kape Kape, with plots of 30x40, followed by Mbuzini, also with 30x40, later on Jossias Tongogara with plots of 30x40, and Eduardo Mondlane with the same. And why would 4 de Outubro divide in half and get a smaller plot of 15x20 if the measures were always uniform?" (Peasant from 4 de Outubro, interview on 1 October, Boane-Dlalene, Guegue locality).

"The councillor came here, handed over some land to some people; we were not included. We accept the transformation in land use, from agriculture to housing, but the space should be redistributed taking into account the former owners of the land; it's us who should live here, not other people from far away. I had a farm, now I have no land; my space has been allocated to someone else. I am starving to death. How will I live? I would like this problem to be resolved quickly, they should let the peasants do what they want or at least they should let us cultivate while we resolve this situation" (Peasant from the Associação 4 de Outubro, interview on 24 September 2021, Boane-Dlalene, Guegue locality).

As the interview below illustrates, there is evidence that some plots have been allocated to some people who are neither part of the Dlanene neighbourhood nor members of Associação de Camponeses 4 de Outubro. The land parcelling process aroused the Municipal Council that, after allocating land to the peasants, remaining areas were allocated to individuals from Maputo and Matola, according to the following speech:

"The councillor was here, he said that there is request for land by the youth, but, apart from the youth, we know that there are people who come from Maputo and Matola looking for land to build on. We are afraid that the same thing will happen as happened to the Associação de camponeses Kape Kape, Jossias Tongogara, where individuals from Maputo and Matola acquired land to build condominiums and mansions leaving the peasants in misery" (female farmer, interview on 24 September 2021, Boane-Dlalene, Guegue locality).

"We have no peace. With the entry of the Municipality, I thought things would change, but it's the other way around. In these land demarcation processes, community consultations are not always observed, it is they who decide. The associations date from 1987, Kape-Kape, Mbuzini, Tongogara, Eduardo Mondlane, 4 de Outubro, almost all were founded at the same time. We are not denying that we should stop farming to build houses, we have children and grandchildren who can build. We do not have a DUAT, but the association is registered. The MC complicates things. In 2016, there was land demarcation, now the MC says the land is large, it should be reduced because in other smaller spaces, 15x30 size, large houses are being built. However, when we look at the financial capacity of the inhabitants of other areas they are not the same as ours; we are far from catching up with them, we have low income. Until today, the Mayor is not saying anything. The stones you see here are milestones that we had made; we have no money; as a form of payment to the technicians who made the milestones, we allocated land" (Peasant from the Associação 4 de Outubro, interview on 29 September 2021, Boane-Dlalene, Guegue locality).

The year 2017/2018 was reserved for communication work, awareness-raising and mapping of the population carrying out its activities in the remaining area of the urbanisation plan. At that time, the second phase of the parcelling process was carried out, where the awareness-raising meetings were led and oriented by the councillor for the urbanisation area of the Municipality. While the allocation of previously parcelled plots was taking place, the association was informed by telephone that the activities would be interrupted, a fact that left the farmers in uncertainty and insecurity.

As can be seen, urban interventions that take place in rural areas are often exclusionary and do not take into account the population that has been living there for many years.

It should be remembered that in the first phase of implementation of the plan there were conflicts arising from the fact that some plots were 20x40 and others 30x40, which created dissatisfaction among some members. For the continuation of the second phase, there was a need to correct and standardize the areas of the plots and it was definitely decided that the plots would have dimensions of 30x40, which are the dimensions of the plots that should be allocated to the members of the association.

On 19 October 2020, the association sent a letter to the President of the CMVB requesting that the process of allocating the plots to the respective right holders be continued, which received no response.

The above scenario prevailed until September 2021. The delay in concluding the parcelling process only brought damage to the peasants, who were prevented from fully enjoying their constitutionally safeguarded rights, which generated conflicts between the parties involved, mainly between the peasants and the Municipal Council.

The populations, particularly the peasants, are suffering pressure from the CMVB and elites, as well as from real estate companies. They are witnessing the dispossession of their land, an action that takes place under the impassive eye of the local authorities, encouraged by the interests of the local elites who benefit from the whole process, which culminates in the expropriation of the peasants.

It should be noted that the transformation of land use is a phenomenon that is present in almost all the neighbourhoods in expansion in Mozambican cities, and particularly in the municipalities of Boane and Matola. The situation of expropriation mentioned above occurs in various peasant associations, namely Mata-Fome, Jonasse, 19 de Outubro in the Rádio Marconi area and others. However, it is recognised that the legislation shaping access to and ownership of land in the Mozambican context is uniform, although perceptions of land, mechanisms and practices mobilised for access to and ownership of land vary according to context. Thus, the speed of socio-spatial transformations in the country means that the model of the **World Development Report** (2008) is contested, because it ignores the specificities of the spaces and, by imposing the historical experience of some parts of the world, proposes a single solution for all (one-size-fits-all), without regional and/or local adaptations that would really contemplate the particularities and would make sense, regionally and locally.

Some flaws are pointed out

In the process of landscape changes, many times, there is no compensation, no observance of community consultations, lack of clarity in the process of demarcation and land parcelling in the expansion areas, no participation of the rural population in the processes of elaboration of the Urbanization Detailed Plan. The plans are not always disseminated, both in the design phase, as well as in the implementation phase, which leads to frustrated expectations on the part of rural populations and a lack of transparency in the allocation of spaces. As our interviewee describes below:

"We want 30x40 plots similar to the other peasant associations for housing and to make a small farm. There are members who have already received plots of 30x40, and we are going to receive 15x20? This is not possible and it is not fair to happen in the same area; it will create problems between us. In this process of land demarcation there are many plots left; they don't coordinate with us, they say that they are in charge; we are noticing that there is land being sold here. Where will the remaining land go? Besides the State reserves, there is a lot of land left over; they take it and distribute it to their friends and family" (female farmer, interview held on 5 October 2021, Boane-Dlalene, Guegugue locality).

In the interviews, one notes the fact that this phenomenon is nepotism translated by the expropriation of community land and its subsequent usurpation by municipal officials who distribute the land among friends and family members, who then use it as a reserve of value or trade it on the informal land market at speculative prices.

For the vulnerable populations affected by the urban requalification process there is a feeling of abandonment; they see their habits, customs and traditions impeded by an economic dynamic from which they are excluded.

5.3. Below is a comparative analysis of the two cases "A and B"

Table 1: Similarities and differences between the two types of conflict

Conflict indicators	Case A	Case B	Similarities (S) and differences (D)
Origin of the conflict	Attribution of DUAT to a private individual, part of the Cooperative's DUAT area	Change of land use from association to urban housing	D
Public consultations	Non-existent	Badly conducted	D
Actors involved	Producers' cooperative vs private individual	Communities vs Municipal Council	D
Promoter of the conflict	Municipal Council	Municipal Council	S
Resolution authorities	Municipal Council and others	Municipal Council	D
Duration of the conflict	22 years	7 years	D
Status of the conflict	Pending	Pending	S
Status of activity in the area of conflict	In production	Full stop	D
Time of occupation	47 years	35 years	D
Type of occupation	DUAT	Good faith acknowledged and documented in BR	D

Conflict indicators	Case A	Case B	Similarities (S) and differences (D)
Number of entities resorted to for resolution of the conflict	7	1	D
Modus operandi of the aggrieved party	Use of violence	Pacific	D
Indemnity and other type of compensation	None	None	S

Similarities (S): In the comparative analysis of the two-case studies A and B, three types of similarities of conflict can be detected. In the indicator on the origin of the conflicts, the CMVB appears to be the main instigator of conflicts, both between the individual and the cooperative, and between the community, particularly farmers, and the CMVB for different reasons (as indicated in the table). The second indicator assessed as a common denominator is related to the conflict resolution status, where both cases are pending despite the démarches made to the competent entities for their resolution. Finally, the third indicator of similarity is the inexistence of indemnity or compensation.

On the other hand, when analysing the **Differences (D)** indicators, 10 were identified, of which the status of activity in the two cases should be highlighted: while the Associação de camponeses 4 de Outubro has been inoperative for 7 years, the Cooperativa 25 de Setembro continues to develop its activities. Another indicator has to do with the *Modus operandi* of the aggrieved party in claiming their land rights: while in case A, private individuals versus the Cooperative, there is constant tension, which has reached violence and constant threats, as well as the destruction of crops and infrastructure of the individuals involved, in case B, the conflict did not involve violence.

However, among all the differences mentioned in the table above, two indicators that demonstrate institutional weaknesses should be highlighted: the duration of the conflict, which varies between 7 years in case B and 22 years in case A, and the number of institutions used to resolve the conflicts, in case A, 7 institutions were resorted to, and in case B, only one. Both cases are still pending, even though they have used professional legal assistance from ORAM lawyers and specialists.

6. CONCLUSIONS

The research aimed to answer the following starting question: How do political and economic elites influence the dynamics of land management, access, and access to land conflicts in Boane and, on the other hand, to answer the main objective which was to understand the dynamics of land management and access in the context of land disputes with political and economic elites. The study confirmed that elites have a fundamental and privileged role in accessing and allocating rural, as well as urban, land in Boane District; Administrators also have political expectations, so they intend to distribute favours to extend their clientelistic networks.

The legal formatting, the Land Law and National Land Policy, and the National Housing Policy, is bypassed by elite influences and practices.

The principle of land access and allocation should promote social justice and socio-economic development, minimising inequalities, responding to the needs of demographic expansion and urbanisation. However, the results of the study show the opposite. The elites, using obscure mechanisms such as influence peddling, distort the principles enshrined in the Constitution of the Republic, as well as in the Land Law and the Municipal Development Strategy. The Law safeguards the rights of the most vulnerable. However, it has been noted that its implementation is deficient, and the land management institutions suffer pressure through influence peddling: lobbying, nepotism, clientelism⁵, active or passive corruption, bribery, and end up favouring the elites to the detriment of the family sector (the most vulnerable).

The typology of conflicts follows two structural logics with the following actors at their epicentre: urban and local elites, communities, MC, SDPI and SDAE. In the first logic of conflicts is registered the collision between urban or local elites, who belong to the political, economic and state class vs community. This type of conflict was witnessed by the information gathered in the study of "case A", where we note evidence of influence peddling embodied in clientelism to the extent that, the private individual is an active member and senior staff of the ruling party, and has political, economic and bureaucratic power and influence that allowed him, in 2018, to be granted a DUAT in an area already assigned DUAT.

However, this still pending conflict is proof of the ineffectiveness, inefficiency or non-existence of institutions that can resolve land disputes in Mozambique. This conflict was redeemed at the Administration, the Boane District Judicial Court, the Maputo Province Judicial Court, the Planning and Infrastructure Services, the District Services for Economic Activities, the council of Boane village, the Ombudsman's Office and the Mozambican Parliament (in the Petitions, Complaints and Claims Committee). As can be seen, the seven institutions have not managed to resolve this dispute and there is still no outcome to the detriment of the communities. This situation reminds us of the need to review the existing gaps in the land allocation mechanisms and to revisit the institutions for the administration and resolution of land conflicts.

The second logic of conflicts has its genesis in the transformation of landscapes (from agriculture to housing), which is based on the municipalisation process currently underway in Mozambique and, in this case, in the village of Boane. When looking at the "case study B": where there is a "tug-of-war " between the Municipal Council of Boane and the Associação de Camponeses 4 de Outubro, there is a dispute between the political and state elite, the municipality and the community, noting, in the process of urbanization, land-planning, demarcation and parcelling a deliberate overlap between State law and customary law, and occupation in good faith by the municipality, as well as gaps in the process of community consultations, community awareness raising, lack of compensation or resettlement, and misinformation associated with influence peddling by the elites.

⁵ Schmidt et al (1977) define clientelism as a mode of articulation of social and political relations that occurs in societies with a certain degree of functional and institutional differentiation. Piattoni (2007) defines clientelism as a set of strategies used by those in a position of power to acquire, increase and preserve political power, and corruption may occur during the execution of this practice. It consists of granting benefits to a group of individuals in exchange for favors and support, usually electoral support

It was also concluded that, for the underprivileged populations affected by the land use transformation process, there is a feeling of abandonment, as they see their habits, customs and traditions threatened by an economic dynamic that excludes them from the process. The study shows that the race for land in Boane jeopardises the rights of local populations, pushing them increasingly towards poverty, food insecurity and inhospitable areas (inaccessible and without basic social services). The Municipal Council, which is one of the institutions that watches over the rights of rural populations in relation to access to land, is being a promoter of conflicts, thus pushing peasants into a situation of insecurity of tenure, which undermines economic growth and constitutes a threat to the subsistence of the most deprived families. Development must not occur at the expense of local populations, who must be included and the improvement of their livelihood ensured.

The lack of identification of development strategies in the District conditions the socio-spatial development, the measures that are taken immediately prove to be incompatible with the social, cultural and economic reality of the most vulnerable populations, who, even resorting to the Land Law, cannot safeguard their rights.

In sum, the comparative analysis of the two case studies A and B revealed the existence of three types of similarities (S) of conflict, where the indicator on the origin of conflicts shows the CMVB. On the other hand, when analysing the Differences (D) indicators, 10 differences were detected, with emphasis on the modus operandi of the aggrieved parties as shown in table 1 above.

On the other hand, technical-administrative obstacles were identified in the access and allocation of land in Boane:

- The organic structure of the Municipality does not fully respond to the current needs and challenges of land management in that territory (lack of formalization and/or implementation of some offices);
- The articulation of action between the (SDPI/SDAE) and the MC needs to improve communication, so that users benefit from a coherent service delivery with more quality, speed and efficiency;
- Weak organization of the DUAT application file and mapping of conflicts in the district services (SDPI/ MC);
- The maps that are in use in the localities, municipalities and SDPI are not up to date with the current reality of the administrative division and the topographic plan of the district, which makes it difficult to allocate land accurately.

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15	Os efeitos do HIV e SIDA no sector agrário e no bem-estar nas províncias de Tete e Niassa	Lúis Artur, Ussene Buleza, Mateus Marassiro, Garcia Júnior	Abril de 2015
14	Investimento no sector agrário	João Mosca e Yasser Arafat Dadá	Março de 2014
13	Subsídios à Agricultura	João Mosca, Kátia Amreén Pereira e Yasser Arafat Dadá	Fevereiro de 2014
12	Anatomia Pós-Fukushima dos Estudos sobre o ProSAVANA: Focalizando no "Os mitos por trás do ProSavana" de Natalia Fingermañ	Sayaka Funada-Classen	Dezembro de 2013
11	Crédito Agrário	João Mosca, Natacha Bruna, Katia Amreén Pereira e Yasser Arafat Dadá	Novembro de 2013
10	Shallow roots of local development or branching out for new opportunities: how local communities in Mozambique may benefit from investments in land and forestry Exploitation	Emelie Blomgren & Jessica Lindkvist	Setembro de 2013
9	Orçamento do estado para a agricultura	Américo Izaltino Casamo, João Mosca e Yasser Arafat	Setembro de 2013
8	Agricultural Intensification in Mozambique. Opportunities and Obstacles—Lessons from Ten Villages	Peter E. Coughlin, Nícia Givá	Julho de 2013
7	Agro-Negócio em Nampula: casos e expectativas do ProSAVANA	Dipac Jaiantilal	Junho de 2013
6	Estrangeirização da terra, agronegócio e campesinato no Brasil e em Moçambique	Elizabeth Alice Clements e Bernardo Mançano Fernandes	Mai de 2013
5	Contributo para o estudo dos determinantes da produção agrícola	João Mosca e Yasser Arafat Dadá	Abril de 2013
4	Algumas dinâmicas estruturais do sector agrário.	João Mosca, Vitor Matavel e Yasser Arafat Dadá	Março de 2013
3	Preços e mercados de produtos agrícolas alimentares.	João Mosca e Máriam Abbas	Janeiro de 2013
2	Balança Comercial Agrícola: Para uma estratégia de substituição de importações?	João Mosca e Natacha Bruna	Novembro de 2012
1	Porque é que a produção alimentar não é prioritária?	João Mosca	Setembro de 2012

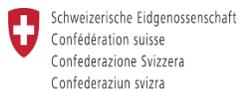


The OMR is a civil society association whose general objective is to contribute to agrarian and rural development in an integrated and interdisciplinary perspective, through research, studies and debates on policies and other agrarian and rural development issues.

OMR focuses its actions on the pursuit of the following specific objectives:

- Promote and carry out studies and research on policies and other issues related to rural development;
- Disseminate research results and reflections;
- Make the results of the debates known to society, either through press releases or through the publication of texts;
- Create an updated bibliographic database, in digitized form;
- Establish relationships with national and international research institutions for the exchange of information and partnerships in specific research work on agrarian and rural development issues in Mozambique;
- Develop partnerships with higher education institutions to involve students in research according to the topics of analysis and discussion scheduled;
- Create conditions for editing the texts presented for OMR analysis and debate.

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