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**Waiting for the Rural Code:
Perspectives on a Land
Tenure Reform in Niger**

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Waiting for the Rural Code - Perspectives on a Land Tenure Reform in Niger¹

Christian Lund

I. INTRODUCTION

Since 1986 serious efforts have been made in Niger to prepare for reform of land tenure. This reform - the Rural Code - has so far not been implemented, yet the preparations in the form of public hearings in all regions, scientific studies and political discussions have made the forthcoming Rural Code a widely known political issue throughout the country. Different social groups and interests are already acting in anticipation of the Rural Code, setting off a number of developments which run counter to the intentions of the land tenure reform.

This paper aims to outline some of the problems facing successful implementation of the Rural Code in Niger and to sketch out some of the social and institutional trends which emerge in one part of the country, the *arrondissements* of Mirriah and Mataméye in the Zinder department in eastern Niger. The fieldwork on which this paper is based will be followed by a more extensive period of 5-6 months. The data, gathered in January-February 1993,

¹ The author wishes to express his sincere gratitude to the Nigerian authorities at all levels for facilitating the fieldwork as well as for frank discussions together.

are inevitably incomplete and the arbitrariness, ambiguity and complexity recorded here might owe something to the brevity of the fieldwork. The author therefore welcomes any corrections and clarifications as well as any comments that may further his understanding of the processes analyzed below.

The southern parts of Mirriah and Matamèye are predominantly agricultural land where fallowing is no longer practised, while the northern part is characterized by open pastures. Some pockets of pastures nevertheless still can be found in the central and southern zones of Mirriah on the hills. While all farmers keep animals and some confide them to hired herders, a substantial number of Peul-owned herds graze the pastures and harvested fields in the dry season, and also pass through the region on their way to pastures in Nigeria. The population density varies from 10-15 hab/km² in the north to 50-100 hab/km² in the south.

2. BACKGROUND

Since 1986, when the ad hoc committee was established, the overall objective of the Rural Code has been to establish a legal framework for the appropriation, tenure and management of the natural resources vital to agricultural and livestock production. One of the key tasks has been to remove the uncertainty about producers' tenure rights, considered to be a primary obstacle to the investment needed to increase productivity. The strategy chosen has been cautious and pragmatic. Radical change was rejected in favour of elevating traditional tenure rights to formally recognized laws of tenure. The Rural Code process was initiated through public hearings, studies of tenure rights, and political meetings in the entire country. As a result, whereby the

Rural Code has become widely known throughout the country (Keita 1990; Mariko 1991).

The ambiguity of Nigerien tenure systems has increased throughout the post-colonial period. Inconsistent policies and a profusion of contradictory laws, decrees, ordinances and circulaires have made land tenure conflict resolution a field of considerable difficulty (Harouna 1986; Ngaido 1992).

The tenure rules in the agricultural zone of Zinder department involve three groups of rights holders. First, the State is considered the formal administrator of land. In practice, however, while the State is capable of expropriating land, its capacity to manage land directly is marginal.

The second group of rights holder is made up of the land owners. In general the first family to settle in an area is considered thereby to have rights to distribute use rights to later settlers (Arzika 1985). During the period of original settlement, land was relatively abundant, and the land that was allocated to the later comers was often uncleared land, not needed by others. The right of village chiefs to allocate land was further sanctioned by the French colonial administration, which integrated the village chiefs into the administration as *auxilliaires*, basically as tax collectors - a role they have maintained ever since.² Some chiefs were further appointed *chefs de canton*. They were bestowed with extended political powers in arbitration between villages and responsibility for tax collection in the canton holding 25-100 villages (Gamory-Dubourdeau 1924:242; Fuglestad 1983:82-89; Salifou

² In fact quite a number of village chiefs were put in by the French colonial administration as more docile replacements of more hostile original chiefs. It was also primarily from this group the administration chose the persons to act as the chief in the colonial invention - the *canton*.

1989:188-94). Village chiefs can also lend and sell land (see Latour-Dejean 1973).

The third group of right holder comprises the "commoners" who have settled on borrowed land. The majority of farmers belongs to this group. In recognition of the rights of the formal owner, a tithe (ranging from one basket of millet to one tenth of the production) is offered to him each year after harvest. New settlement in the two *arrondissements* studied has for long been negligible, and "newcomers" have often been cultivating the same borrowed land for three or more generations.

Both during the Diori (1960-74) and the Kountché government (1974-1988), steps were taken to reduce the powers of traditional leaders. The payment of tithe was forbidden in 1960 and a number of other laws passed during the 1960's. They all had little fundamental impact on the powers of the traditional chiefs; the laws were simply not enforced. Nor did people claim formal title to their land, though such was the intention of a 1961 law. Immediately after the 1974 takeover, President Kountché declared that all land, no matter how it had been acquired and no matter under which tenure rules it was held, should henceforth belong as private property to the person cultivating it (RocheGude 1987). This provoked a number of conflicts between users and owners of the land in which the latter defied the declaration and insisted that a tithe be paid in recognition of their continued ownership.³

³ Ngaido (1992) here points to the local administration's heavy dependence on the traditional chiefs as an explanation of the non-implementation of all decrees and laws intending to clip the wings of the traditional leaders.

Many of these conflicts arising from Kountché's declaration were not resolved. The government instead issued a series of *circulaires* prohibiting local authorities, governmental as well as traditional, from participating in any resolution of conflicts over land.

Consequently, no organisation has had legitimacy in land tenure questions; no conflict has had a predictable course; and none of the organisations operating in the rural areas have had formal powers to deal with land conflicts. This has not meant that conflicts and their sources disappeared. But conflicts over land have become a much more discreet phenomenon. Since no organisation has had formal legal rights to deal with tenure issues, the plaintiff will usually address one of a range of organisations, none of which can give a final, let alone written, decision on the matter. Settlement of conflicts has thus depended on informal agreement between the parties in conflict.⁴

Each organisation is part of a different hierarchical structure with each their specific domain. The administrative structure with the *préfet*, the *sous-préfet* and the *chef de poste*, while the legal structure works through the courts, and the police through the *gendarmerie*. The traditional structure is led by a sultan (a first among equals with the *chefs de canton*), the *chefs de canton* and the *chef de village* for the sedentary (primarily Hausa) farming communities, and the *chefs de groupement* and *chefs de tribu* for pastoralists and the now largely sedentarised Peul and Touareg/Bouzou communities. The *Alkali* heads the religious structure.

⁴ This does not imply that equity characterises the settlement. Rather the unequal status quo is usually maintained.

Figure 1. Organisations and hierarchies dealing with land conflicts in Zinder

Administrative	Legal	Police	Traditional Farmers	Traditional Pastoral	Religions
Préfet	Juge de Paix	Gendarmerie	Sultan	Chef de Groupement	Alkali
Sous-Préfet			Chef de Canton	Chef de Tribu	
Chef de Poste			Chef de Village		

The range of organisations involved has led to a situation of precarious stability. Tithe is still paid, recognizing that the land belongs to the owner and not to the cultivator - in defiance of the Kountché declaration. However, use right holders, by staying on the land, have gradually gained time-honoured rights to it should the Kountché decree ever be enforced. At the same time, land is becoming more and more scarce.

3. EMERGENCE OF THE RURAL CODE

Opening up debate on the Rural Code has led to an intense quest for land, as described below.

First, the Rural Code has become widely known as a political issue, and villages in all regions know that reforms are planned. The officially encouraged discussion on tenure has led to a resurgence of hitherto accumulated conflicts. The number of recorded cases of conflict rose from 0 to 96 in 1989 in the *arrondissement* of Mitriah. It then slumped to 4 in 1990; 0 in 1991 and rose to 20 in 1992.⁵

Knowing the opponent and his strength will in many cases make one of the parties relinquish his claim, and the majority of conflicts are thus "settled" before they erupt into open conflict. The conflicts that surface can therefore be expected to account for only a fraction of the struggles over land.

The *sous-préfet* therefore, in 1991, decided to establish an ad hoc *Commission de Conciliation des Litiges Foncières* to deal with tenure conflicts. By doing so, and being in tune with the intentions of the Rural Code, the former prohibition on resolution of land conflicts has thus been disregarded.⁶

Second, the likely provisions of the forthcoming Rural Code have played an important role in fueling rural instability. The central element in the Rural Code will definitively grant private property to whoever can prove ownership under local traditional law. The conflicts between owners of land and use right holders have therefore become numerous in every village throughout the

⁵ The recording and filing system is not flawless at the *sous-préfecture*. But the recorded number of conflicts is probably an indication of the proportion of the cases treated.

⁶ The ad hoc commission is attempted to have the same composition that the Rural Code is expected to foresee for the *Commission Foncière de l'Arrondissement*, namely the *sous-préfet*, one representative for the 16 *chefs de canton*, the two *chefs de groupement*, a representative of the *Service de l'agriculture et de l'élevage*, the *gendarmerie* and the religious leader in land questions, the *Alkal*.

agricultural zone in Mirriah and Matamèye *arrondissements*. If the owner can maintain a tithe payment, he will probably be considered the traditional owner. Absence of tithe payment is likely to favour the present use right holder.

The conflict over ownership versus use rights has also taken another form. Some farmers are now claiming that they originally owned another farmer's land. Usually it is claimed that the great-grandfather of B only borrowed his fields from the great-grandfather of A. Therefore, according to traditional law, A should be considered the formal owner. B, on the other hand, claims that his great-grandfather was given the land outright. In many cases, A's claims are recognized and family B is evicted. They in turn address themselves to C, whose land they claim following the same procedure. The process repeats itself until either, the claimant is not granted rights, or the evicted does not have ancestral lands in the region to claim. They then end up leaving the region, or more frequently, cultivating the remaining pockets of common grazing land in the agricultural zone.

For the past four years, claims of ancestral lands and the subsequent eviction of use right holders has become so widespread that even the smallest villages have had several cases every year. The actual number of cases is less important than the fact that the entire rural population is now aware that land is increasingly changing hands without the consent of both parties. Tenure rights are now felt to be more uncertain now than ever before. Land transactions are increasingly being recorded in writing, at the *sous-préfecture*. In principle, everybody can expect someone to present a claim to his land. In practice, though, the most powerful families in the village rarely experience foreign claims to their land.

The third element within the present rural instability should be sought in the fact that the Rural Code process, loyal to its original philosophy, seems to be advancing at a very slow and patient pace. The Rural Code seen as being in limbo, during which everybody must try to manoeuvre into as favourable a position as possible to benefit from the anticipated provisions of the Rural Code.

The situation is thus paradoxical. While it was clearly necessary to address land tenure in Niger, this process has actually amplified the tenure insecurity. While a patient and pragmatic process of change seemed the most likely to succeed, the long period between announcing the Rural Code and its actual implementation has given ample opportunity for strategic behaviour which runs counter to the very intentions of the Rural Code.

4. INSTITUTIONAL CONSEQUENCES

The current disruption in patterns of land holding in the region has serious institutional implications. When the Rural Code is finally implemented, it will be within a different rural society than that for which it was intended. When studying the course taken in cases of conflict, it is apparent that the large number of organisations with a role to play opens the way for arbitrary and contradictory procedures. This, in turn, provides ample room for manoeuvre for those able to take advantage of the situation.

Complexity

Prohibiting local authorities from participating in the resolution of conflicts during the Kountché period has, ironically led to an increase in the number of organisations to which parties address themselves for a settlement. Until the Rural Code process was initiated, this was a very discreet undertaking.

Each structure has its own hierarchy and working rules, although they are not necessarily consistent (Shaikh 1990). Since none of them have been authorized to deal with land issues, however, none of the systems hold reciprocal powers in tenure questions. For example, if land has been divided by the *Alkali* based on a Koranic interpretation, no other actor is formally authorized to overrule this decision, since it is based on principles proper to the religious domain. Trying to revoke or change the decision implies discredit and, therefore, a challenge to the values and authority held by, in this example, the religious system.

It is almost impossible to establish a comprehensive hierarchy of competence between all these institutional structures, considering that none of them formally have any power to deal with land.

Elements can, however, be found in an analysis of the respective powers of the actors within each system in matters other than tenure such as taxation, appointment of tax collectors, influence on local finance and arbitration in other conflicts.

Tax payments are mobilised through both the administrative and the traditional system. The *chefs de village* are responsible for the collection of tax in the

village; this is transferred to the *chef de canton* who in turn transfers it to the *sous-préfecture*. As payment for their efforts, the *chef de village* gets 10 per cent of the collected amount and the *chef de canton* 5 per cent. There is thus good reason for collecting tax with zeal, but it also means that the ability to grant grace to certain villagers is considered an important service from the chiefs. Compared to the administrative level - the *sous-préfet* and the *préfet* - the role of the traditional chiefs is subordinate. They are *auxilliaires* and their decision can be overruled.

The authority to appoint market tax collectors lies formally with the *sous-préfet*. The appointed is, however, always recommended by the *chef de canton* within which the market takes place.⁷ Being a market tax collector can be a rewarding trade; a common practice is to levy tax at a lower rate, provide no receipt and then to pocket the collected funds. The *chef de canton* can grant this appointment to another influential person in the area and thus establish a useful alliance.

Budgeting lies with the political part of the local administration - the *conseil d'arrondissement*. The elections to the councils have, however, been suspended since 1973. A provisional council appointed by the *sous-préfet* was established to give advice to the previously elected *conseil d'arrondissement*. Given the lapse of time since 1973, many councillors have now died and the budget is prepared by the *sous-préfet* and sent to the Ministry of Interior for approval. This gives the *sous-préfet* the central role, but with the current financial crisis, the budget has only negligible impact on rural life, and the power derived from this is minimal (Kalilou 1983).

⁷ It resembles in many ways the previous appointments of cooperative weighers. (Charlick 1974)

Arbitration in other conflicts is the responsibility of the legal, the religious and the police systems as well as the traditional and administrative systems. Formally, the legal system has supreme authority, though very few cases of land conflict go that far. On the other hand, through almost 15 years of military rule, people have become used to the fact that the *sous-préfet* holds the ultimate power.

Conflicts are usually mediated by the *chef de village/chef de tribu* and religious leaders, often in consort. An unresolved conflict would go to the *chef de canton* or *chef de groupement*. In rarer cases, where arbitration has failed, the case is presented to the *sous-préfet* or, in case of bloodshed, to the gendarmerie.

It is clear that the traditional chiefs, and in particular the *chefs de canton*, play a central role in rural society, and that it is unwise to be in open opposition to him. It is also a risky endeavour to appeal against his decision to a higher level. When the Rural Code stipulates that traditional rules should have preference over others, the importance attached to the custodians of tradition is further stressed.

Cases of conflict

Elements to establish a more comprehensive hierarchy of different rural actors in tenure questions can also be derived from a study of the course of conflicts.

While the vast majority of conflicts are played out between farmers, most of these cases are settled at the village or canton level by the respective chiefs.

A more complex scenario unfolds in the fewer cases of conflict between farmers, with the *chef de canton* as the traditional leader, and a herder with the *chef de groupement* as the leader.⁸ One frequent type of conflict arises between a herder and a farmer, evicted from his fields and now cultivating within the grazing area. Here the options for the herder are three. He can address himself to 1) the *chef de canton* of the farmer, 2) his own *chef de groupement* or 3) the *sous-préfet*.

Discussions with *chefs de canton* and a number of pastoralists suggest that plaintiffs go to the *chef de canton* rarely since the farmer's settlement in the grazing area was assumed to have been sanctioned by that very *chef de canton*. It would seem unlikely for him to revoke a previously granted privilege to cultivate.

Only very few cases are apparently brought to the plaintiff's own *chef de groupement*, and usually only to inform him that the case was being taken to the *sous-préfet*. The reasons for not using the "proper" traditional channel were due to distance and an assessment that while the *chef de groupement* and the *chef de canton* are equals in formal terms, the leverage possessed by the *chef de groupement* is insufficient to influence a *chef de canton* to reverse his decision.

The third option is thus the most frequent one, in spite of this being an act of defiance.

⁸ The majority of the Peul and Touareg/Bouzou population adheres to the *chef de groupement* Peul and Touareg respectively regardless of their being sedentarised or not.

The complexity of the tenure system is not only due to the fact that several organisations operate in the same field. The complexity is further emphasized by the fact that rules, interpretations, legitimacy and power from these different systems are simultaneously at play in a single conflict. An example will best illustrate this:

In a canton in the *arrondissement* of Mirriah, a conflict arose between a Peul herder and a Hausa farmer. The farmer was cultivating a new field that the herder claimed was grazing land. The dispute was not settled between them and the herder presented his case before the ad hoc commission which subsequently sent out a delegation to investigate and rule in the matter.

The farmer stated that the land had been allotted to him by the *chef de canton*. He had, being evicted from his fields through claims of the original owner, found himself without land and addressed himself to his *chef de canton*. Here the *chef's* ability to grant rights to land was recognized

The commission did not, however, accept the right of the *chef de canton* to allocate pasture land for cultivation and asked the farmer to abandon the land. Here, there was reference to a principle of the herder's customary right to the pasture.

The farmer stated that he had bought the land from the *chef de canton* and presented the "dernier cri" in Zinder - a deed referring to principles proper to the legal system.

In the eyes of the commission the farmer should still abandon the land but only after compensation from the *chef de canton*.

The *chef de canton* denied the entire transaction, recognizing that he had no right to sell land that did not belong to him, but claimed the right to allocate for free all vacant land in the canton. The farmer stated that one of the *chef's* courtiers had delivered the deed and received the money. Now, however, the courtier was nowhere to be found and compensation could not be established. Being unable to secure compensation for the farmer's loss, the commission decided to let the farmer keep his fields, providing that he did not subsequently extend his fields further onto the grazing area. Again, the commission referred to a principle of time-honoured rights - though not those of the herder. The commission could just as well have dismissed the farmer's rights on the basis that an invalid deed gives no rights to the cheated over a third party. The commission thus effectively accepted the *chef de canton's* right to allocate grazing land for cultivation.

In each case of conflict, a similar competition over the interpretation of rules takes place.

Arbitrariness

Such complexity provides scope for arbitrariness in the settlement of conflicts, with the implementation of rules not only varying between administrative and traditional leaders, but also within each system. Even with the same *chef de canton*, so many interpretations are possible that an individual case has no predictable course.

In cases of claims to allegedly ancestral lands, the criteria of decision are several. It might depend on witnesses in the village, and it is not uncommon

for an 85 year old man to be asked about land transactions that occurred 75 years ago. Needless to say, this is quite demanding of the old man's ability to remember. It might also depend on the claimant's willingness to swear an oath on the Koran.⁹ If both parties claim willingness to swear an oath, none are allowed to do so in order to avoid undermining of the oath as a medium of truth. Rumours that some oaths are sworn on an empty book case and not actually on the koran might reduce the legitimacy of the act with the individual, but being an element of tradition, now promoted by the Rural Code, it seems to maintain it's social legitimacy.

Whether or not an eviction takes place may also depend on the time passed since use rights were granted. Here, the abundance of decrees, circulaires and political speeches gives good ground for variation in settlement of disputes. The *sous-préfecture* in Mirriah refers to the Kountché statement, but adds 10 years as the time necessary to earn ownership rights, in accordance with the recommendation in 1980 of the then Minister of the Interior, Mamadou Tandja. The *sous-préfecture* in Matamèye, on the other hand, refers to the same basic principle but considers 30-40 years as the minimum for converting use rights to proper ownership. With the *chefs de canton*, the time they consider necessary to gain ownership over land by use ranges from 2 to more than 50 years, and in some cases to a complete ban.

A fourth criterion that can prevent eviction of a use right holder concerns the intentions of the claimant. If he wants the land in order to sell it, the eviction is stopped in some cantons. Again, rules and interpretations from more than

⁹ Swearing an oath on the Koran is almost universally accepted to be a gesture of serene truth since lying while under oath subjects the perjurer to unpleasant supernatural sanctions such as leprosy, impoverishment etc. (Thomson 1979)

one system may be at play simultaneously. Nevertheless, some kind of predictability characterizes the course of events if one studies the reciprocal exchange of gifts and services.

Power relations and social differentiation

It is universally recognized in Niger that, to obtain an audience with a traditional chief, a symbolic gift is presented as a token of recognition of his power. The symbolic gift-giving has, however, gradually undergone a change whereby the quantity of the gift has acquired more importance, to the detriment of the symbolic significance of the act (Nicholas, 1987:207). This also applies for services regarding tenure. Land has acquired an accepted market value, and farmers are capable of assessing the market value of fields of different quality: What is new is that the service of allocating use-rights has acquired a market value. While title previously was the only substantial payment, an additional entrance fee of 10-15 per cent of the market value of the borrowed land appears now to have become a common condition for borrowing land. The tribute paid for arbitration in land questions seems to have taken on a similar character.

In arbitration, in particular over inheritance, it has become increasingly common to talk about "*le partie du chef*" as 10 per cent of the land in dispute. The heirs or contestants must then buy back the land from the chief at market value. This transaction is claimed by the chiefs to derive its legitimacy from the Koran, while the local religious leaders claim it to be Hausa tradition.

In other conflicts over land, the parties may wish to demonstrate their devotion to the chief with a substantial gift of money. For a plaintiff, contact with a chief is rarely direct, but goes through one of the chief's courtiers who presents

his case to the chief. It seems universally agreed that in order to have your case presented well by the courtier, an appreciable gift must be offered to him. The gift is thus never directly handed to the chief and, as a person, he is not compromised. Knowing your opponent and his resources will in many cases make the weaker party relinquish his claim.

Another consequence of the increase in value of the gifts offered is, that the individual *chef de canton* profits economically from the powers bestowed upon him. Furthermore, being able *de facto* to sell use rights to land, has turned the chief effectively into the owner of "vacant" land, i.e. the pastures.

Powerful actors in Nigerien rural society can profit from these changes while the more marginal rural producers are being pushed off the land. While this is not an agreeable trend, it is hardly an astonishing one.

5. OLD OR NEW TRADITIONS

The complexity, and arbitrary nature of the institutional set-up demonstrate the central role played by the traditional chiefs in general and the *chefs de canton* in particular. They hold considerable power since they personify the convergence of the formal and traditional systems. The arbitrariness characterising conflict resolution opens the way for new interpretations of tenure and legitimacy. Rules and institutions are never completely static but, in the present period, rules of tenure are characterised by a particular volatility, which makes interpretations of right a field of intense struggle.

Recently invented traditions include the "*partie du chef*" in cases of inheritance; the right to allocate pastureland for cultivation; and the right to sanction eviction from land held by use right. Previously, when land scarcity was not as pronounced, the subdivision of the deceased's land was not necessary, cultivation of pastures did not pose an immediate threat to herders, and there was no need to evict use right holders. These new interpretations, born of increasing pressure on land, all reinforce the role of the traditional chief and extend his powers.

6. CONCLUSIONS

The Rural Code

Recent trends demonstrate at least two important lessons regarding the implementation of the Rural Code. First, rural people have moved very quickly to meet the anticipated changes. While the *Secrétariat Permanent du Code Rural* at times has seemed paralysed, rural society has not been passively waiting for the Code's implementation, but has experienced intense struggle for resources. The process engendered so far has created greater rather than less tenure insecurity than before.

Second, to avoid a technocratic blue-print approach it was stressed that the Rural Code should be based on traditions known and recognized by the people concerned by the code. This may, however, lead the reform into an institutional quagmire. What is a traditional rule? Is it an old rule, or a new rule as interpreted by a traditional leader? The already strong position of the traditional chiefs and the volatility of the institutional setting suggests that the

chefs de village and *chefs de canton* will use their title as traditional leader to stamp "traditional" on most of their decisions, profiting from the reification of the concept that lies in the Rural Code.

It is, however, neither desirable nor conceivable to return to the status quo existing before the Rural Code was first initiated. Very good reasons set the Rural Code process in motion. It seems, however, crucial to move beyond the present situation which is neither pre- nor post-Rural Code, but an intense contestation of power and legitimacy.

The "*Gestion de Terroir* Approach"

In a wider development policy perspective, the ongoing process in Niger also calls for a cautious view of the much welcomed "*Gestion de Terroir* Approach". The approach basically states that resource users must be made aware of the finite character of their resources and must draw up a management plan based on a local level participative process.

The current rush to acquire land suggests that its finite character is already perceived by the population. More significantly, the participative approach is in sharp contradiction with the hierarchical power structure found in rural communities. It re-emphasizes an old truth; that any intervention has a political dimension. Decentralization of natural resource management to local organisations is thus not merely an empowerment of "local people" but a political issue over which local people will struggle. Some will win. Others will lose.

Social trends

Looking at these social processes, it would not be correct to say that initiation of the Rural Code has caused this social differentiation. Some trends, though, have probably been amplified or accelerated by the form and content of the reform process. Implementation of the Rural Code will probably speed up the process of social differentiation and intensify of conflict.

First, conflicts between herders and farmers are likely to increase. The pockets of pasture in the agricultural zone serve as an important buffer zone. By the end of the rainy season cattle descend from the pastures in the north to graze crop residues on harvested fields. In some years, however, due to lack of water, they are forced to descend before the farmers have harvested. The pockets of pasture in the southern zone then serve as a reserve, allowing the cattle to survive and the farmers to harvest in peace. Elimination of these pockets will thus produce conflicts on a wider scale.

Second, migration from rural areas to urban centres will undergo change. Historically, much rural-urban migration has been characterised by the move of one or several family members to town, leaving others to farm the family's land. This has resulted in a dense network of family ties between rural and urban societies. Recent developments have shown entire households being evicted and having to head for town. The consequences of less intimate relations between urban dwellers and their region of origin cannot be predicted, but new and less effective coping strategies in times of crisis could well develop. When evicted farmers eventually cannot cultivate pastureland and face the dire prospect of urban destitution, their resistance to eviction may intensify.

A third development of importance is how the new democratic structures will mesh with the strengthening of the traditional chiefs. A genuinely democratic society will contradict the traditional power structure, reinforced by the Rural Code. While formal democratic structures have been "conquered" by resilient traditional leaders in the past (Robinson 1983; Charlick 1974), the emerging multi-party system and the burgeoning mass media may make it difficult to legitimise the extension of traditional rule in a longer run. Here lies perhaps an important future structural contradiction for rural Niger.

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