Land conflicts in Senegal revisited: Continuities and emerging dynamics

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Following on from Gerti Hesseling’s work on the social workings of law concerning land issues and our own previous research, this chapter investigates how the dynamics of land conflicts in Senegal are evolving. By way of one urban (Yoff, Dakar) and two rural case studies (Ross Bethio in the north and Kaymor in central Senegal), it considers how urbanization and increasing pressure on agricultural land are leading to an intensification of land conflicts. But while external actors are contributing to conflict dynamics in Dakar and Ross Bethio, conflicts in Kaymor are intensifying but remain limited to the local level. In all three cases, however, we observe that, whereas in the past, the co-existence of customary law and state law offered local stakeholders and the authorities the space to invent provisional and flexible solutions suiting most parties, in the current era of rising (commercial) land values, such co-existence appears to be becoming contra-productive and contributing to greater insecurity for the parties concerned as well as to a hardening of conflicts.

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Introduction

In the mid-1990s, one of us conducted fieldwork for her PhD on land use and social change in the rural community of Kaymor in central Senegal (Kaag 2001). Inspired by scholars who had analyzed land claims by looking at the social and political workings of law and at longer-term changes in society (Hesseling 1992, 1994; Blundo 1996, 1998; Berry 1989, 1993), she explored, among other things, how local rules evolved over time through negotiation and action. At the time of her research, the co-existence of customary law and state law offered local stakeholders and the authorities the space to invent provisional and flexible solutions that suited most parties, thus providing a level of tenure security in local society. The rural council, which has been the decentralized government body responsible for local land management since the 1970s, mainly used traditional ways of problem solving, focusing more on preserving a peaceful society than on the rule of law. When looking at the practices of people, distinctions between customary and modern land management systems blur as people use both register and mix them in their strategies (Kaag 2001, 2005).

After her PhD, her research took a different turn until she got the chance to return to the theme of land and land conflict in 2010. She realized that over the past ten to fifteen years, Senegal and the world had undergone important changes that have had an impact on local land conflicts in several parts of Senegal. Firstly, the socialist government in Senegal was overthrown after forty years in power, to be replaced in 2000 by a liberal regime under the presidency of Abdoulaye Wade. Demographic growth has gone hand in hand with a strong process of urbanization. And at the global level, a food and energy crisis and the loss of Western economic and political hegemony have led to an increasing tendency by both Western and Asian states to see African land as a possible way of securing their energy and food needs (Cotula et al. 2009; Zoomers 2010; Evers et al. 2011). This is often referred to as the ‘global land grab’. How are these developments impacting on conflicts relating to land in Senegal?

When looking for answers in the literature, it appears that publications on local land and resource management in Africa, which were so plentiful in the 1990s, have greatly decreased in number in the last decade. There are few studies that can account for the changes in land use and land conflicts over the last few years. The drop in publications would appear to reflect declining interest in the issue of local environmental management as a result of changing fashions in development studies and policies. It is only recently that a new debate on land and land use has begun to evolve, this time focusing on the phenomenon of ‘land grabbing’. Interestingly, there is little connection between the literature on local land use and management and this new debate. The debate