

***CLEAR's Book launch – Land policies in Sub-Saharan Africa  
Nairobi Safari Club, Nairobi 21 March 2006  
Statement of Professor Okoth Ogendo***

**The CLEAR Team is specially honoured and grateful to have worked with the now Late Professor. His support, dearest friendship and addition to issues that are for the greater region, our priorities have given us a foundation on which to stand. Africa Arise!**

*The statement of Prof. H W. O. Okoth Ogendo at CLEAR's launch of the book on "Land policies in Sub-Saharan Africa" Compiled by Dr Akinyi Nzioki, March 21, 2006, Nairobi Safari Club*

- + Your Excellencies*
- + Colleagues*
- + Distinguished ladies and gentlemen,*

*There is no doubt that despite massive investments in alternative strategies of development, Africa is set, throughout this century, to remain a predominantly agrarian society. Current statistics indicate that of the continent's approximately 800 million people, between 60-70% of them still live in rural areas. At least 80% of these depend on agriculture and related activities for their livelihood. Agriculture accounts for 70% of full-time employment 33% of the GDP and 40% of export earnings for most African countries. The bulk of agricultural activities comprising food, cash crop and livestock production, is carried out by rural small holders consisting largely of the poor, particularly women.*

*In addition to its centrality in the economy, land remains an important medium for the organization of social, cultural and spiritual life in Africa. Not only is it a factor in the construction of social identity, it dominates social and cultural rituals as well as religions symbolism. Thus land is not simply a factor of production; it is the most important asset for the majority of the population in Africa. The manner in which land is acquired, held, retained controlled, distributed, utilized, managed and transmitted from one generation to the next is, therefore, fundamental to social production and reproduction. The discourse on land and what has become known as the "Land Question" in Africa, reorganizes that centrality at least three levels.*

*The first, which dominates historical, sociological, anthropological and legal accounts, is the proprietary character of land. Concern here is with the nature of property in African agrarian systems, the plunder of land resources through colonial settlement, the imposition of foreign property law and, ultimately, the appropriation of the commons and their extinction as a viable property system. What that discourse emphasizes is that land as property, is being rapidly converted into private estates held by elites, more often for speculative rather than for development purposes.*

*The second, which dominates land policy development in many countries, is about the need for comprehensive focus on the land sector as an engine of economic development. Many countries have thus formulated strategies and programs for the development of the land sector which focus, not only on its internal dynamics but, most importantly, on its free back linkages with other development sectors. An important concern is this discourse is the impact on land sector activities on poverty eradication, social justice and equity, governance, peace and security, and the development of other productive sectors*

*such as agriculture, energy, minerals, water, forestry, and the environment. Current development policies and programmes have now taken that focus seriously.*

*The third and most recent discourse has restated the land question not merely as an issue of property or economic development, but as a matter of fundamental human rights. At the core of this discourse is the argument that until issues of access and control of land are resolved, the vast majority of Africa's rural poor will remain bereft of basic needs and entitlements. The human rights crusade in Africa is therefore incomplete without systematic presentation analysis of the land question. Of particular concern is the search for a land system free, inter alia of tenure insecurity, skewed distribution, widespread gender discrimination, and lack of effective state or community regulation.*

*The book we are launching today, "Land Policies in Sub-Saharan Africa" is an important contribution to the discourse on the land question at those and other levels. It documents the major issues which land policy developments in fourteen countries in Sub-Saharan Africa are currently grappling with. These include*

- ***The plan of land in economy and society,***
- ***The state of land policy and legislation,***
- ***The land rights of women,***
- ***The system of land rights administration***
- ***The land and other socio-economic and resource sectors***
- ***Land and poverty alleviation***
- ***Land and the HIV/AIDS pandemic, and***
- ***Land in the context of regional integrations.***

*Those of you who are involved in the resolution of these issues at research, policy-making or programme administration levels will find the profiles documented in this book especially valuable. I hope it will spur you to more in-depth and systematic examination of these and related issues. CLEAR which has put this publication together therefore deserves our warmest congratulation and encouragement.*

***I thank you all***

***H. W. O. Okoth Ogendo***

***Professor of Public Law***

***University Of Nairobi***

***March 21, 2006***