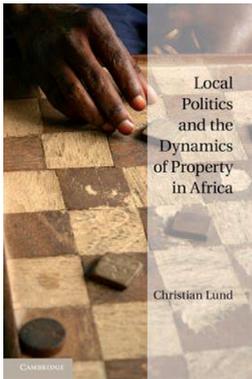


LOCAL POLITICS AND THE DYNAMICS OF PROPERTY IN AFRICA, by Christian Lund. Cambridge: Cambridge University Press, 2008, ISBN: 978-0-521-14851-1 (paperback), i-xiii + 200 pp.



For institutional economists, especially those influenced by Garrett Hardin's notion of 'the tragedy of the commons', land-based conflicts are typically the result of lack of private property rights. Such rights either evolve autonomously from collective property rights or they *should* be directed as such to avoid conflicts, the overuse, and abuse of the commons.

The book under review problematises this line of analysis. It was published about 10 years ago, but its insights are perhaps even more relevant today than when it first appeared. Written by the leading Danish political economist, Christian Lund, this book, incidentally one of his most important contributions (by sheer citation count) has carved a permanent place in the political economy of land.

The book makes three compelling arguments. First, it demonstrates the colonial roots of land conflicts in the Upper East region of Ghana. It does so by showing that the coloniser was primarily responsible for the ongoing conflicts in the region through (a) the creation of the chieftaincy institution where non-existed (b) the neglect of existing position of the Tindaana through (i) raw ignorance of the actually existing land institution (ii) overgeneralisation of land relations in the south or (iii) through the thinking that the North is on a Rostownian journey to become the South (p. 38) (c) and through the deliberate attempt to extend a model of governance that served their interest when clear evidence was given to them about the primacy of the Tindaana in terms of land governance.

Second, the book argues that the 1979 Constitution which returned land to the customary institution and subsequent case laws has opened fresh tributaries of conflict as it brings to sharp focus who really is the allodial owner of land in the region: the chief or the Tindaana? Third, the book argues that the implementation of the 1979 Constitution triggered the escalation of conflicts because of the recognition it gave to the Tindaana now raises questions about the status of chiefs, while the opportunities for accumulation have arisen for both Tindaana and the Chiefs.

To make these arguments, the book is divided into nine chapters. The first sets the scene, provides a foundation, and gives the direction for the book, while the last re-emphasises the key arguments. In between the first and the ninth chapter, the chapters provide a history of land policies in the case study area (the Upper Regions of Ghana), highlight the specific context and developments of the 1979 Constitution (chapter 3), and stress the opportunisms provided for the chieftaincy institution in contemporary times (chapter 4). Chapter 5 is a contest of so-called facts about customary land administration, while the rest of the chapters deal with

the so-called 'Bawku Skin Affair' a major chieftaincy conflict in Bawku, emphasising its connection to the land question (chapter 6), forest governance and resulting rents (chapter 7), and the political economy of small dams centred on state construction of dams which magnifies the tensions between who gives consent for the land for the project and how that sits with who has political authority over the space within which the land is located (chapter 8).

In the context of the bigger debates about land policy and land reform, what this book adds is that formalisation and creating clarity per se can generate even more confusion. So, the Hernando de Soto therapy about the need for title registration, as spelt out in the book, *The Mystery of Capital* (2000) and the arguments by Elinor Ostrom (most coherently developed in *Governing the Commons*, 1990) about how small communities can manage their commons can create even more conflict. That is evidently what, as Lund, the book's distinguished author, argues has been happening with the promulgation of the 1976 Constitution.

An excellent book, perhaps, its only need for revision is discussing land policy without linking it to political and economic ideology. Although much is made of the 1979 Constitution, the reason for returning land to the original owners is never carefully analysed. If that reason is linked to an attempt to encourage minimal governments, private capital accumulation, and the subsequent IMF/World Bank intervention in the lead up to the structural adjustment reforms of the 1980s, a methodology adopted by Nana Dr. SKB Asante in his 1975 classic: *Property Law and Social Goals in Ghana, 1844-1966*, the argument that it is merely giving back land to the original owners that magnified conflict becomes difficult to sustain. Instead, if the book linked conflicts to the opportunism arising from the consideration of land as private property, the implications would be to make fundamental changes to the economic path on which Ghana is travelling.

But, even without this revision, *Land Politics and the Dynamics of Property in Africa* is a valuable and formidable contribution to Ghana's land economy. The book offers an original thesis and a serious synthesis. Prior studies looked at the opportunities for accumulation by chiefs and how these chiefs, mostly in the South, have risen to privately benefit from such opportunities while other books focused on the changing identity of the Tindaana and the contested nature of autochthony, as Carola Lentz shows in her book, *Land, Mobility, and Belonging in the West African Savanna* (2013). Ghanaian writers such as Kasim Kasanga, SKB Asante, and KB Dickson have long provided detailed analyses of the true allodial holders of land in the Northern regions of Ghana, of course, but it is the strong synthesis of Christian Lund that cements the place of this book in the annals of land scholarship in Ghana.

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ROGUE EMPIRES: CONTRACTS AND CONMEN IN EUROPE'S SCRAMBLE FOR AFRICA, by Steven Press, Cambridge, MA: Harvard University Press, 2017.



This book is based upon Steven Press's unique work as Associate Professor of History at Stanford University in sharing his deep understanding of the European scramble for African lands and its unexpected roots in prior south-east Asian private-treaty endeavours. The book is divided into an impressive introduction, five chapters, an epilogue which acts as a concluding chapter, references, and an index. Press's book moves well beyond the normative discourses on the African land grab such as Thomas Pakenham's comprehensive history *The Scramble for Africa* (1992) and provides readers with a markedly different explanation. Hence, this book uncovers how the "legalistic or quasi-legalistic manipulations of the sovereignty principle" enabled private entrepreneurs (or sometimes conmen) to assert they had "established European governments" (p.10) in Africa with the complicity of (then) international law. This is clearly an area of scant and indeed unusual academic research and Press is to be commended for his efforts detecting the uncomfortable fact that "the process proved devastating to many Africans; they were often victims of treaty fraud" (p.10). The Berlin Conference in 1885 struggled with this problem and hence resulted in the "weak humanitarian declarations agreed at Berlin" (p.244). Press recounts that irrespective of the promises made in 1885 at Berlin to "watch over the preservation of the native tribes" (p.244), individual European states such as Belgium would do what they wished.

The author injects a personal touch which is both the great strength of the book as well as its relatively minor shortcomings. The book is obviously limited to African examples, however, an opportunity was forgone not providing and encouraging comparisons with much earlier private proprietorship examples such as Suriname in 1663 (Parker, 2015) and Canada in 1670 (Smandych and Linden, 1995). Also,