

Ethical and biblical view on land grabbing

This paper provides biblical and ethical guidelines for groups in Africa and Europe who are working with communities that are facing the human tragedy of land grabbing.

“Land occupation is often an expression of an intolerable and morally indefensible state of affairs, and is an alarm bell calling for the implementation of effective and equitable solutions on the social and political level.”

(Pontifical Council for Justice and Peace, November 1997, §44)



Some questions to consider when preparing for action

1. Do land grabbing have impacts on food and on socio-economical resources of locals?
2. Have the affected individuals been informed of land transfer?
3. Have any impact study been conducted on the different effects?
4. Have all required approvals for investment been granted?
5. Do the contracts provide for compensation?
6. What are the wages and working condition expected?



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Land grabbing in Africa



An ethical and biblical view for reflection and action



Africa-Europe Faith & Justice Network

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by the Working group
of AEFJN for Food Sovereignty

The members of the Africa-Europe Faith and Justice Network (AEFJN) offer this paper, as a tool for reflection and action, to groups in Africa and Europe who are concerned with the protection of vulnerable communities affected by land grabbing. In page 7, the reader will find some useful links for reflection and to prepare action with local groups.

1. What's going on?

More and more Africans are suffering from losing their land. When Africans lose their land, they also lose their access to water and to resources related to the lost land: areas for growing, grazing, fishing, hunting, gathering (herbs, nuts, fruits, honey and other foods), areas for collecting firewood and materials for various activities. When villagers are displaced, more often than not, they are moved to places far from public services: roads, water, schools, health centers, ...

This phenomenon called "land grabbing" is due to individual and/or corporate local and foreign interests or governments. These take possession of large pieces of land in Africa through various ways for the purpose of agrofuels production, production of crops for export, extraction of natural resources and financial speculation. Between 2008 and 2009, they took control of 30 million hectares in Africa, which represents about two and a half times the size of a country like Malawi.

"Without even coming to see us, a high-ranking person bought the land on which we live. He says the land does not belong to us.

Léon NANGA, leader of the pygmees village Bidou III in Cameroon

<http://isabellericq.fr/socapalm05FR.html>

To support family farms and to end profiteering on food

(Benoit XVI, FAO 01/07/2011)

The Pope emphasized the importance of rediscovering the value of the rural family. He calls for support for its central role to attain a stable food security and to transmit ways of life, educational principles, culture, religion, the concept of the sacredness of the person at all stages of its existence. He condemned speculation and the selfish attitude that neglect access to food as a basic human right when political and trade decisions are undertaken.

We don't want this jatropha. What good is it to us if we can't farm to feed our families?

J.K. Pekeeshe, Kenya (ActionAid Report)

5. Useful documents and links:

- AEFJN Manual : To analyse the roots of the problem and to plan the actions (will be published on <http://www.aefjn.org/index.php/advocacy.html>)
- Deepening of Christian social ethical reflection: document Schonecke Wolfgang "LAND – BIBLICAL AND ETHICAL DIMENSIONS" (2011) www.aefjn.org ; <http://www.netzwerkafrika.de>
- African Synod of Bishops (2009) : Proposals 17, 22, 29, 30. www.aefjn.org
- Pontifical Commission for Justice & Peace, "Towards a better distribution of land", November 1997, http://www.vatican.va/roman_curia/pontifical_councils/justpeace/documents/rc_pc_justpeace_doc_12011998_distribuzione-terra_en.html
- AEFJN Advocacy Manual (2002) and AEFJN guides (2008) <http://www.aefjn.org/index.php/advocacy.html>
- Report of the Special Rapporteur on the "Access to land and the right to food" (October 2010) http://www.srfood.org/images/stories/pdf/officialreports20101021_access-to-land-report_en.pdf
- United Nations Declaration on the Rights of Indigenous Peoples <http://www.un.org/esa/socdev/unpfi/en/drip.html>
- Links to documents: <http://www.grain.org/front/> ; www.aGter.org

Additionally, the displacement of population refers to the right to housing recognized by UN (Article 25 of the Universal Declaration of Human Rights).

4. An Appeal for the Church to take Action

The call of the Bishops of Africa

"To oppose this "assault", the Synod Fathers "urge that the Church in Africa seek information (...) and educate the People of God and enable them to challenge unjust decisions in these matters" (Proposito 30 on Land and Water, Synod for Africa, October 2009), to "press our governments to adopt a suitable juridical framework which takes into account the interests of our countries and their populations" (Proposito 29 on Natural Resources), "so that their citizens are protected against unjust alienation of their land and access to water which are essential goods for the human person" (proposition 30). They also asked governments to "respect the traditional land rights and to recognize them by law" (proposition 30). See page 7.

Catholic organizations are appealing against land grabbing in Africa



Fifty religious and representatives of Church, Catholic development organizations and other networks (farmers, human rights, ...) had analysis the legal, social, economic and environmental conflicts. They recommended that the Church should:

- 1) denounce land contracts that violate human rights as both illegal and illegitimate,
- 2) prioritise land issues in its pastoral work,
- 3) support communities in difficulty,
- 4) closely monitor the implementation of proposals concerning land from the Bishops' Synod for Africa. To read the *M'bour Declaration on land grabbing*, see <http://www.aefin.org/index.php/info-345/articles/aefin-at-wsf-2011-declaration-on-land-grabbing.html>

Mostly the contracts lack transparency and are to the detriment of local people. In the case where people are invited, locals often lack information and this often results in the detriment of their situation. These negotiations are further hampered by the necessity of having to deal with officials and investors who often use corruption as a way of doing business. The lands purchased in these negotiations, either directly or through intermediaries, are the most fertile of lands next to infrastructure. Most of the promises of employment, infrastructure and other compensation are only partially or not fulfilled and often with unacceptable delays.

We lived there. They asked us 200,000 francs CFA [300 euros] in order to stay. But we couldn't pay so they drove us out.

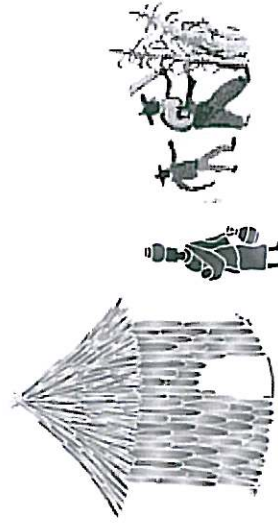
Village pygmée Bidou III, Cameroun (idem)

2. The Christian social ethics perspective

Land is both a socio-economic resource and a source of cultural identity. Therefore, access to land is necessary to human life and for social peace.

What does the Bible say?

The prophets of old as well as Jesus left no doubt about the scandal of land accumulation in the hands of a few. The accumulation of resources, while others lack the necessities of life is in contradiction with the purpose of creation: God created abundance for every human being to enjoy His gifts.



The powerful who disrespects the dignity and the rights of persons is constantly decried by the prophets. Isaiah proclaims in the face of the rich and the mighty: "Woe to those who join house to house, who add field to field." (Is 5:8) and Micah complains that "they covet fields and seize them." (Mic 2:2)



Jesus condemns the accumulation of riches in the face of poverty and deprivation with unusual sharpness: "Woe to the rich..." (Lk 6:24). He dramatizes the fate of such abuses of creation in the parable of Lazarus and the rich man: "they will have no part in God's promise".

What is the teaching of the Church?

« Land occupation is often an expression of an intolerable and morally indefensible state of affairs, and is an alarm bell calling for the implementation of effective and equitable solutions on the social and political level.» (Pontifical Commission for Justice & Peace, November 1997, §44). The Church clearly states that land is a common good given by the Creator for the needs of all, now and in the future. The right to use of land is natural and primordial; it is a universal value that applies to every human being and that may not be overridden by any other economic right. The social doctrine of the Church supports private property as a means of achieving autonomy and freedom, a means, however, which is subordinate to the first social function of property: to enable each and every person to live. Therefore it condemns the latifundia because they "deprive a vast number of people of the right to take part in the process of production through their own labour and to take care of their own needs..." (Id. § 32) The authors also condemn the "various forms of exploitation of human labour, especially when it is rewarded with wages or other forms of payment that are unworthy of human dignity" (Id. § 34) and he points to the destruction of the environment through "ways of exploiting the land." Finally, the Encyclical "Caritas in Veritate" (June 2009, § 49) reminds us that the loss of land is an obstacle to development.

Some simple criteria for analysis

The Christian social ethics is based on clear principles. The universal destination of goods states that excluding human beings from the enjoyment of the goods created by God breaks the moral order and thus threatens social peace. The common good is primary and limits the right to private property. If this is granted, it must be done by an appropriate authority and to be accompanied by fair compensation for losses incurred by individuals in solidarity for the poor who are deprived of sufficient means for life. Therefore, land policy should aim at ensuring the economic and ecological sustainability by protecting the availability of economic resources and their quality (soil fertility, water quality, biodiversity) for future generations. Based on these principles, policy makers must base their decision on participation and subsidiarity. Indeed, the human being as an image of God is responsible for decisions that concern him. And, assuming that the people most affected will have both wisdom and concern to make the best decisions on such a vital issue as land, the authorities should primarily consult and obtain the free and prior consent of the citizens in decision making.



I was forced to stop farming when the streams on my farm dried up because of tree plantation of the company.

Peter George, Farmer, Swaziland (ActionAid report)

3. Economic, social and cultural rights

Many 'legal' acquisitions are not 'legitimate' because they do not take into account the economic, social and cultural rights either of occupants or users of the coveted land.

The loss of access to land often leads to loss of access to water. Land and water are essential to produce the food needed to sustain life. Therefore access to land can be linked to the right to food recognized in Article 25 of the Universal Declaration of Human Rights. States must guarantee this right: protect, respect and strengthen it (Article 11 of International Covenant on Economic Social and Cultural Rights).