THE SHADOW SIDE OF LARGE SCALE LAND ACQUISITION

By

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Abstract

Over the past decade a sharp increase in land deals from foreign and national actors grabbed the attention of researchers all around the globe. Researchers and the international community quickly began debating the benefits or disadvantages of such deals, as well as how they should be described. The rush for land reached its peak just after the food crisis, which raised awareness and concern not just among food insecure countries, but countries considered secured and developed. Still, although millions of hectares of land are at stake, little is known about the outcomes of these deals. It is important to know the reasons why such deals fail, since these failures may be the result of conflicts, governments' disregard towards farmers, weak land tenure policies and hunger, the latter of which is present in the majority of the targeted countries. Therefore, this research focuses on the influence of the international community over land deals and on policies of target countries, as well as the importance of food security for their outcomes. For this purpose, through a quantitative analysis, this research investigates failed land deals, taking into consideration numbers and information regarding different countries' Freedom and Food Security. This research also explores a case study of Madagascar, the country with the highest number of failed deals.

The results of the data examined strengthens the hypothesis that food security and the international community is strongly correlated to failed land deals, once rural society can use its "secret weapon" to fight for their rights.

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Table of Content

List of Tables

List of Figures

Introduction and Research Question

The 2007-08 food prices spike brought the spotlight on “land grabbing” and/or large scale land acquisition (LSLA) (Marc Edelman, Carlos Oya, and Saturnino M Borras Jr 2015), or “land rush” (Arezki, Rabah and Selod, Harris 2012). This phenomenon is a large land deal, normally involving considerable amounts of land (1,000 to more than 100,000 hectares) bought or leased for different reasons, such as for the plantation of crops for biofuels purposes, food, mining, minerals, among others.

It is important to address the outcomes of the land transactions and how they can affect the countries, since the trend shows that this quite new trade deal will continue to happen for a long period of time. The various reasons driving the rush for land are: the increase in biofuels production for renewable energy; private investments; the importance given to food security regarding a country's bargaining power; and population growth. These are pressing issues, since the world population will most probably rise exponentially and reach 9.8 billion in 2050, leading to an increase of 70 percent in food production. Regarding natural resources, land deals are connected to a surge in forestry and the creation of the carbon market, established to compensate for CO2 emissions, as well as climate change, which increases the number of droughts and water scarcity for production. However, it is also possible to see land deals in service of “extractive industries, tourism and national parks” (Cotula 2012, 650). As a result of the many reasons described, land is considered an important asset.

A large number of papers and research work already published (Sauer and Borras Jr 2016; Edelman, Oya, and Borras 2013; Fairbairn 2018; Golay and Biglino 2013; Liberti and Flannelly 2013; Borras and Franco 2013), and some NGOs (as GRAIN for example), describe the large scale of land acquisition as "land grabbing", implying a pejorative meaning, arising

from deals that would be targeting "accumulation [of land] by dispossession [of people[1]]" [2]. The pejorative meaning of land grabbing is also seen as a "catch-all" term (Borras Jr and Franco 2012, 1; Faure 2015., 1), used to call people's attention to this phenomenon. It is also broadly used to reflect the accusation that such deals may eventually negatively impact the local population. The concept of "grabbing" also alludes to theft, as though such a deal would be unlawful. However, deals are usually made between governments and national or international companies through national land laws. One common issue in African countries is the exclusion of customary law, which sometimes is not completely integrated with the national land law. National and local authorities in this case can take advantage of weak tenure laws, sealing agreements per their will without peasants' consultation, which may result in displacement of rural population.

On the other hand, other scholars (Collier and Venables 2011; Collier 2008; Deininger et al. 2011), regard it as considerable amounts of land bought or leased by foreign companies, governments or institutions for different purposes, such as cultivation of crops, biofuels, forestry, etc. Thus, a good alternative to describe this phenomenon is to use the translation of the term proposed by Fairhead, Leach, and Scoones (2012, 238), where LSLA is defined as "appropriation" of the land, which "implies the transfer of ownership, use rights and control over resources that were once publicly or privately owned – or not even the subject of ownership". Such transfer of ownership can be reached through different methods, such as rental agreements, by buying the land, or even through different contract models where access to land is negotiated.[3]

[1] "People" meaning the local population, usually smallholder farmers and peasants.

[2] The expression "accumulation by dispossession", coined by Harvey (2004), refers to the process used by capitalists to amass wealth and power by appropriating resources from the public/population.

[3] Boche and Anseeuw (2013, 14), for example, presented the design of three different contracting models involving companies interested in the land or just between local farmers: "nucleus-estate", "reverse tenancy" sub-model and "ingrower" sub-model.

Therefore, this thesis aims to evaluate different cases of large-scale land acquisitions, not focusing on its effectiveness, but on its failures. The "Failed Deals" are agreements that either failed before the contract, during the negotiation phase, or after the conclusion. The agreements that were abandoned afterwards were also included in the analysis as "failed". It is important to note that failure in this context is regarding the deals made, thus, "failure" from the point of view of the buyer, speculator and/or government's perspective. Consequently, it does not mean that the deal "failed" for all people implicated. Often smallholder farmers or natives, even if informally involved in the deals because of customary laws or inheritance, for example, are not present in the contract or in the negotiation. By studying land deal failures, this research evaluates the main aspects involving LSLA and its different variables, such as food security, local freedom and international influence. So, why do land deals fail?

This thesis argues that due to globalization and accumulation of capital, land deals are facilitated by the international community and organizations. This "mechanism of accumulation", as argued by Safransky and Wolford (2011, 8), facilitates the deals but does not always take into consideration the internal policies of the targeted country, nor its population situation or development goals. The thesis also focuses on the food security of the countries involved in the deals. A number of target countries are food insecure, so the hesitation around the deals brings further distrust and fear. As a result, external influences may not be in line with internal policies, resulting in clashes between the population, government, and/or companies involved in the deal.

The two hypotheses that entail this research question are: First, the idea that the international community is one of the mechanisms promoting land deals and facilitating it. The international community in this perspective includes multilateral organizations, international investors and international aid agencies. Likewise, as explained by Anseeuw et al (2012, 38), in cases of mainly foreign investors, the (mis)understanding of local conflicts that may arise

due to the deals, and the clash between customary laws and statutory laws may lead to bigger divergences, displacements, or even abandonment of the deal. As exposed by Gourevitch (1978, 888), the rural development in this case follows the vision of the core countries, making peripheral countries to leave their own interests behind. Notwithstanding, major investors and governments may pull out of deals because of social or human rights violations in the target country, in order to avoid political and social instability.

The second part of the hypothesis, which is complemented by the first, is that there are two variables that play an important role in land deals' status: food insecurity and civil liberty. Globalization speeds up the agreements between countries, facilitating the conclusion of contracts and minimizing the geographical distances, at least in "the air", which is considered the environment where these agreements are sealed. The process acceleration, together with food insecurity connected to undernutrition, can lead to conflicts and increased local instability, which, according to this hypothesis, can directly affect the deals (FAO et al. 2017). Freedom in this context is connected to civil liberty, and underlies the hypothesis that once local population, non-governmental organizations and journalists are in a position to monitor local land deals, challenging land grabbing and sometimes national elites, in order to defend the local right and access to land (Olivier De Schutter 2015), this can lead deals to fail.

The land deals for some actors mean an opportunity towards rural development in developing countries. Others, by contrast, may see them as a perfect example and important aspect of how developing countries are used as a "field" to feed developed countries, without any policy directed to the local population and small farmers in the targeted country. As previously explained, researchers, policy professionals, scholars and NGOs rarely agree on what to call this phenomenon, now seen as a trend (Jr and Franco 2010; Sassen 2013) pushed by an increased interest in land.

The desire for land is usually related to food production, however, many land deals

involve biofuels, "green grabbing" (Sauer and Borras Jr 2016), "water grabbing", biomass and financialization of agriculture (Mary N. Taylor 2018), for example. Biofuels agreements were found to be one of the main drivers of the land rush[4], being nowadays heavily represented by European companies and countries, pushed by "green laws". These laws, concluded among European Union (EU) members, dictate that by 2020, 10% of all transport fuels should come from renewable sources, such as biofuels. Some media channels decry this agreement for its perceived negative impact on target countries. For instance, Tracy McVeigh (2011) from The Guardian argues that these deals would pollute the local nature and water, occasioning the displacement of people from their homes. "Green grabbing", as explained by Fairhead et al (2012, 38), can be seen as "the commodification of nature, and its appropriation by a wide group of players, for a range of uses – current, future and speculative – in the name of 'sustainability', 'conservation' or 'green' values is accelerating", assisting the creation of a "green economy" (Sauer and Borras Jr 2016, 17). The term "water grabbing" is used by Dell'Angelo et al (2018, 277) to describe the "global appropriation of water through large scale acquisition", or even as "direct physical appropriation of local water resources for example through withdrawal" mainly focused on hydropower and mining. The financialization of land, as explained by Sassen (2013, 26), was first driven by "the financializing of commodities" that "has brought new potentials for profit-making to the primary sector, from food to minerals and metals, thus stimulating speculative investments in land", which "brings with it a shift of that acquired land from 'national sovereign territory' to the commodity 'land' for the global market".

This analysis may open space for further debate, since food insecure countries where few failed deals are observed may be the ones with a high number of dispossessions and or

[4] As per Anseeuw et al, using data from Land Matrix, biofuels accounted for 37.2% of the land acquired from 2001-2010 worldwide.

weak protection of civil society and liberty.

Therefore, the failures regarding LSLA and its consequences should be further investigated, bringing deeper understanding of its implications and outcomes. As explained by Schönweger and Messerli (2015):

"Failed LSLAs can do as much harm by dispossessing farmers from land that ultimately goes unused, creating unpredictable land use and tenure scenarios that prevent effective development planning. Failed LSLAs illustrate the many weaknesses of large-scale estate production as an agricultural development model. We call for a methodological reflection on how to conduct research on LSLAs." (Schönweger and Messerli 2015, 96).

Considering that the access to land and property rights are important for developing economic prosperity (Pascale Magin 2015), and that large scale land acquisition is heavily involved in the debate about land access and tenure, LSLA should be further examined and analyzed. International actors, such as NGOs and civil societies, are also strongly involved in this matter in trying to minimize the negative impacts on local people, creating guidelines (Committee on World Food Security and Food and Agriculture Organization of the United Nations 2012) and codes of conduct (Jr and Franco 2010). However, some argue that in spite of efforts on creating international guidelines, one should focus on improvement of national policies, local awareness and collective action as well as land reform (Vermeulen and Cotula 2010a; Jessica, Milgroom 2015; Cotula and International Institute for Environment and Development 2011; Borras, Franco, and Wang 2013).

In order to build national policies towards land, it would be important to have a convergence of the powerful actors involved in the deal and the people "on the ground", such as smallholder farmers and communities affected, creating space for debate and collective action. The identification of local patterns in a proposed or concluded land deal provides context

for future understanding of the micro-politics in which these deals are taking place, and should be used to comprehend the broader context (Jessica, Milgroom 2015). As explained by Borras et al. (2013), land reform should be prioritized, since it is an important national governance instrument to protect indigenous peoples' lands and small farmers, who obtained the land via previous redistribution.

The NGO GRAIN (2018) expressed the concern that some failed land deals leave the local population worse off than they were before the negotiation started. To clarify, it does not mean that because a land deal failed, that is actually cancelled or terminated. Afterward, once the original deal fails, another investor may replace the initial one. The new investor may not follow the previous agreement made with local communities, refusing to return the land to the local population. In this specific case, if the tenure policy is weak, and we consider that the local population are the smallholder farmers and peasants living in the area, it is possible that they may not have any title to the land they are using. Therefore, it is important to point out that for GRAIN explanation, even if people do not have a recognizable property claim, they are considered affected.

The reasons for failed land deals might vary from social movements, terrain issues, budgeting, corruption, and others. It is important to acknowledge that land deals are complex agreements that involve different actors, national and sometimes international, different situations and resources, and thus, it is not possible to affirm that there is just one reason behind failed land deals. However, in order to have a general understanding of failures and open an opportunity for further discussions and analysis, the research will use the data, for quantitative purposes, of all failed land deals recorded on Land Matrix[5]. In order to strengthen the findings

[5] Official website: http://www.landmatrix.org. Developed by the International Land Coalition, Oxfam Novib, The University of Pretoria, the Centre for Development and Environment of the University of Bern and the Centre de Coopération Internationale en Recherche Agronomique pour le Développement

of the quantitative research, this study will rely as well on qualitative analysis, focusing on a case study from Madagascar and reports from international organizations and NGOs.

Therefore, this thesis will evaluate the reasons behind failed land deals, deeply analyzing one case study, examining the international and national actors involved, such as the foreign company, the State and the population, as well as the deal's results. Importantly, the data for this analysis was extracted from papers and different research work, as well as different media channels.

The thesis is organized as follows: The next section will further discuss and explain the methodology and limitations of this research. The first chapter will review the previous research already done by other scholars regarding LSLA and its effects, analyzing the codes of conduct and guidelines, labor and dispossession issues, as well as policies, globalization, civil liberty and food security. The second chapter will explain the quantitative data and analyze its empirical results. Afterwards, the third chapter will present a case study with qualitative data, examining an important failed land deal that led to a *coup d'état* in Madagascar. At last, to finalize the research, a conclusion will take into consideration the results and findings analyzed in the first, second and third chapters.

Methodology and Data

This research will examine the possible reasons for failed land deals in order to better understand what is behind them and assist the construction and development of future policy analysis and research. Regarding the research analysis, primary and secondary sources will be used. The quantitative data concerning land deals, such as the foreign investors, intention of investment and contract size, will be taken from the biggest and most complete database on

large scale land acquisitions so far developed, "Land Matrix"[6]. The given dataset starts its research from the year 2000 and is constantly refreshed. First, the deals in the dataset analyzed are divided by two types of deals (status): "Concluded Deals" and "Failed Deals". The first type includes two different states: finalized oral agreement and/or contract signed. As previously explained, the "Failed Deals" are agreements that either failed before the contract, still in the negotiation phase, or after the conclusion. The agreements that were abandoned afterwards, were also included in the analysis as "failed".

The analysis regarding the second part of my hypothesis, which encompasses food security and civil liberty, will be made through quantitative analysis making use of a Binomial Logit (BNL) and an Ordinary Least Square (OLS) Regression to verify the interaction between the variables, focusing on the timeframe of the recorded deals, from 2000 until 2018.

For the BNL an unbalanced panel dataset of 1325 observations will be used, accounting for almost 20 years (2000 to 2018) of data regarding land deals and 10 years (2006 to 2016) of data regarding the independent variables due to the lack of consistency from the data available throughout the years. The country selection was done by taking into consideration data availability, totaling 24 countries from Africa, South America, Asia and Eastern Europe. As the dependent variable (y), the status of the land deal will be used, number "1" if concluded and "0" if failed. As independent variables (x), the Food Security index will be used (only independent variable with available data just ranging from 2012 to 2016), Corruption Perception index (average by country from 2006 to 2016), Rural Population as percentage of total population (average by country from 2006 to 2016), country Status (as free, partially free and non-free, from 2006 to 2016), Civil Liberty and Political Rights index (average by country

[6] Official website: http://www.landmatrix.org. Developed by the International Land Coalition, Oxfam Novib, The University of Pretoria, the Centre for Development and Environment of the University of Bern and the Centre de Coopération Internationale en Recherche Agronomique pour le Développement.

from 2006 to 2016), Political Stability and Absence of Violence/Terrorism (average by country from 2006 to 2016) and Depth of the Food Deficit (average by country from 2006 to 2016).

For the OLS, an unbalanced panel dataset of 45 observations will be used, just containing countries with or more than 10 deals in total (failed and concluded), accounting for the same time frames as the BNL. As the dependent variable (y), the total of land deals failed will be used, as per the Land Matrix Database from 2000 until 2018. As independent variables (x), beyond those previously used in the BNL, the Gross Domestic Product (GDP) will be included as well, as an average by country from 2006 to 2016, taken from the World Bank Database.

The Food Security Index, the Depth of the Food Deficit and the Political Stability will be used in the analysis as food security indicators, enhancing the hypothesis of the research. The Food Security Index[7] is a quantitative and qualitative benchmarking model, and measures food security in developing and developed countries. Is considered the first index to make use not just of the numbers directly concerning hunger, but of different variables that comprise food security as a whole, such as affordability, availability, quality and safety. It is also now using a fourth variable regarding the country's exposure to climate change and natural risks. The Depth of the Food Deficit measures the average intensity of food deprivation of the people that are undernourished[8] in a country.

The Civil Liberty and Political Rights Index are indicators of freedom of a country or territory. The scores are calculated through different indicators, which in this case take the form of questions. Consequently, after calculating the answers, each country or territory will have two ratings, one for civil liberty and another one for political rights, based on the questions

[7] Further data available at: https://foodsecurityindex.eiu.com/

[8] "estimated as the difference between the average dietary energy requirement and the average dietary energy consumption of the undernourished population (food-deprived), is multiplied by the number of undernourished to provide an estimate of the total food deficit in the country, which is then normalized by the total population" (World Bank,2019).

previously asked. Once the result is released, the number 1 represents the highest degree of freedom and the number 7 the smallest degree of freedom. The country Status is the average of the above indicators, that together determine the Status of Freedom of a country or territory, ranging from 1 to 7[9](highest degree of freedom to lowest).

The Political Stability measures the local perceptions of the probability of politically motivated violence and terrorism, as well as the political instability inside a given country, ranging from -2.5 to 2.5.

The Corruption Perception Index ranks countries and territories taking into consideration the perception levels of public sector corruption, on a scale of zero to 100, zero being the most corrupt country among all and 100 the most "clean".[10]

The data from rural population as percentage of total population will be taken from World Bank Database and Political Stability and Depth of Food Deficit from FAOSTAT[11] (the Food and Agriculture Organization of the United Nations Statistical Database).

Regarding missing data, I will drop the data that may have a significant gap in the timeframe studied.

In order to achieve a better understanding of the data obtained and robustness of the results, qualitative research will also be used, analyzing a case study from Madagascar. As Web et al. (1966) observed, "confidence in the findings deriving from a study using a quantitative research strategy can be enhanced by using more than one way of measuring a concept" (Bryman 2012a, 635). The selection of the country for the case study was concluded through an analysis of case studies and available data regarding failed land deals, Madagascar being the country with the highest number of failing deals until today:

[9] Further data available at: https://freedomhouse.org/report/methodology-freedom-world-2018
[10] Further data available at: https://www.transparency.org/cpi2018
[11] Further data available at: http://www.fao.org/faostat/en/?#data

TABLE 1: TOP 10 FAILED LAND DEALS

Target_country	*Failed*	*Concluded*	*Total*	*Percentage of failed*
Madagascar	29	20	49	59%
Namibia	3	7	10	30%
Kenya	8	19	27	30%
Mali	7	17	24	29%
Cameroon	4	14	18	22%
Zambia	8	40	48	17%
Malawi	2	11	13	15%
United Republic of Tanzania	8	45	53	15%
Senegal	4	26	30	13%

The reasons regarding the land deals failure may vary from non-aligned internal policies and laws (customary and statutory), conflicts between government, private sector and society, as well as the lack of trust and transparency of the deals and contracts. Importantly, hunger seems to play an significant role as well, together with the dispossession of people and conflicts (Burnod, Gingembre, and Andrianirina Ratsialonana 2013). Corruption seems to also play a role, in that it can influence weak national land laws, policies and rights, facilitating land deals and dispossession and consequently the controversial access to land. As explained by De Shutter (2015), land being a resource that is poorly governed in the hands of few, people may use this opportunity to enrich themselves without proper analysis of the deal or local community. On the other hand, Sassen (2013) argued that the current land rush should not be assumed to be a result of the corruption, limitation and weakness of host states and institutions. However, this thesis research will focus on the main hypothesis raised by the research question.

Thus, making use of a case study from Madagascar, which is currently perceived to have the most cases involving failed land deals, as well as using different sources of data, I will strengthen the legitimacy of my findings. Thereby, I will be able to achieve a triangulation, enhancing and complementing the findings of both methods.

Limitations

The issue regarding the lack of reliable and comprehensive information concerning land deals is broadly discussed and confirmed in different research papers (Toulmin et al. 2011; Thea Hilhorst and Annelies Zoomers 2012; Messerli et al. 2014). The data, if available in national databases, may not include all deals and stakeholders involved, as well as the total area negotiated and duration (in case of concession or leasing), since usually parties involved in the negotiation are not obliged to publicly disclose the contracts. Therefore, it is hard to have a precise number regarding the people being displaced, exact location of the acquisition or leasing, the total number of hectares, etc.

As pointed out by Oya (2013), the available quantitative data may cause a "false precision", since land use data is really problematic and hard to find. Therefore, even if data available might not be extremely accurate, I will make use of the data from the biggest independent global land monitoring initiative, Land Matrix, since contains the broadest report regarding LSLA. Hence, this might limit the accuracy of the data. However, I will not rely just on Land Matrix reports as my major source. Statistical analysis will be produced from these reports and data, and personal analysis will be done through companies' websites and media information, in order to check the veracity of the information. As previously confirmed, qualitative research will also be concluded to strengthen the findings.

Chapter 1 - Literature Review

This chapter emphasizes the actors involved in LSLA, a brief introduction of guidelines and code of conduct, as well as the connection between LSLA and land tenure rights, labor and dispossession. In a second section this thesis will further introduce the connection between LSLA, globalization and national policy. The last session of the literature review will explain the connection between food security, civil liberty and LSLA.

1.1. Land, Labor, Internal Policies and Guidelines

The commodification[12] of land and the rush to buy this resource for different purposes, make the LSLA a phenomenon whose meaning is extensively discussed. The transfer of rights and control over land can be done through rent, purchase or concession, targeting cheap labor and land, as well as access to natural resources, focusing on the possibility of profitability, modifying the processes of "primitive accumulation"[13] in the new capitalism (Sassen 2010, 27). Furthermore, repositioning vast shares of land in the global South transforms countries from "nation states [into] 'needed' resources" (Sassen 2010, 26), incorporating the land into capital gain (Santos Cruz 2016). In this context, the land is positioned as a tradeable asset, being reached by financial markets.

The connection between power relations, labor and property, brought deeper analysis "centering" labor in the land grab debate. Li (2011), Oya (2013), Baglioni and Gibbon (2013) further analyzed and explained the issues and concerns regarding labor and land grabbing. The work from Li (2011) is broadly discussed and used to background the assumption that large land deals can be beneficial to labor forces. The population's dependence on agriculture in

[12] Term originated in Marxist political theory, used to describe the transformation of values, usually goods or services in commodities (tradeable commodities).

[13] when people who were in the land are expelled from the land, or have their rights weakened. The labor then is not connected to the land or the natural resources anymore, opening the opportunity for private capital.

developing and food import countries leads to a narrow option for different kinds of income generation, thus, in case of resettlements or dispossession the results may be more adverse than in countries where people can find broader and more diversified income generation and economies. The poorest people exit the agriculture sector without many advantages, finding low wages in the cities, which further entrenches their poverty, rather than providing a way out of it (Murray Li 2009). Tania Li's argument emphasizes the fact that in cases where land is needed but the labor is not, people may be expelled from the land. However, there are no reliable data on land dispossession and, on the other hand, when both labor and land are needed, this may stimulate the rural labor market creation. Certainly, the labor question in the land debate should still receive more attention and, although qualitative and quantitative research has already been conducted, the data is still patchy and poor (Marc Edelman, Carlos Oya, and Saturnino M Borras Jr 2015; Oya 2013).

Li (2011) also points out that poverty reduction needs state and/or donor intervention in order to ensure the conditions for smallholder farmers and their workers to prosper and develop. On the other hand, a documentary made by Deutsche Welle (2019), exposed the linkage between large land deals, government and social conflicts.

Deutsche Welle shows the rapid expansion of large land deals in Ethiopia, as part of the government's plan to bring development to the country, which complements the idea that countries where LSLA is an important phenomenon are usually the ones interested in Foreign Direct Investment (FDI). On national TV, the Ethiopian government confirmed the intention of selling 4 million hectares of land to foreign agriculture. As part of the government's plan to eradicate poverty and hunger, the Promoting Basic Services (PBS) program was created. PBS was supposed to target poor villages and assist the people to access basic services, such as clean water, food and housing. The PBS was launched in 2006, almost at the same period as the food crisis. However, as per the documentary, local and indigenous people who used to live off their

ancestral land, farming and producing food for their own survival were moved out of the land so it could be used by foreign farmers and investors. This process was called "villagization", since these people were subsequently sent to new villages, with no possibility of having their own crops or plantation anymore. This caused an escalation of conflicts, since the Anuak people (after being moved off of their land), started to assault farmers and people whom they saw as connected to the land expropriation[14].

Nevertheless, the Implementation of Management Action Plan from the PBS, from The International Bank from Reconstruction and Development from 2018, emphasizes that a lot has been achieved by the PBS, such as: a screening tool that verifies a Commune Development Programme (CDP) viability, so the Bank can check and support sub financing projects wherever possible; social accountability programs were expanded and strengthened through transparent financial support; citizenship participation was increased before budget approvals; the Ethiopian Institute of the Ombudsman (EIO) received trainings and awareness about their duties and activities, as well as on how stakeholders affected by a certain business can raise a grievance redress mechanism (GRM)[15], among others. Although the World Bank is currently investigating the "Anuak" case, no official documents about this issue were accessible at the time of this research.

The documentary leads us to the ideas explained by Gourevitch (1978), that in weak societies, policy is the result of the conflict between a complex public and private relation, with fragmented autonomous public institutions, that are used by private interests to veto or amend public policies. It is not possible to generalize this idea for all policies, but in the case of land policies, this is very pertinent. As of today, the data available from Ethiopia's Global Food

[14] The World Bank, one of the main financers, is currently investigating the usage of the donation to the "villagization" process, and if it affected Anuak people, then how.

[15] The World Bank sees GRM as a way to avoid or mitigate conflicts or negative impacts, and a mechanism that should be used to fulfill the responsibilities towards the international human rights law.

Security Index 2018, shows that although the country invested heavily in agricultural development, the country's overall score in food security decreased, as it also did in food import dependency.[16] Thus, as expressed by Anseeuw et al. (2012), the countries heavily dependent on agriculture and with high concentration of land deals give cause for concern, since probably a significant proportion of the land involved in land deals is intended for export means or non-food production, causing an impact adverse of the one expected regarding food availability.

Deininger et al. (2011) confirmed through a study made by the World Bank that there is a correlation between weak protection of land rights and tenure, and agricultural investment. Consequently, weak land tenure policies and regimes would facilitate and enable an increase in land rush. However, as explained by Li (2011), the idea that good or "improved" governance is the answer to the problems related to LSLA, fails to include the micro-politics at hand.

International organizations, civil societies, NGOs and governments started to get involved as well and take interest in land issues related to food security, through the creation of guidelines, such as the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT) endorsed by the Committee on World Food Security (CFS) together with the Food and Agriculture Organization of the United Nations (FAO) (Food and Agriculture Organization of the United Nations 2012). The guideline was created to assist governments and policy makers in managing this new land deal trend, while addressing tenure and human rights. It takes into account the new idea that in order to achieve food security, "long-term control of large landholdings beyond one's own national borders is necessary to supply the food and energy needed to sustain one's own population and society into the future" (Jr and Franco 2010, 508). Recently, on 28 September

[16] Data extracted from 2018 Global Food Security Index; website: https://foodsecurityindex.eiu.com/Index

2018, during the Session of the United Nations General Assembly (UNGA) the UN Declaration on the Rights of Peasants and Other People Working in Rural Areas was adopted.

The Tirana Declaration, signed in Tirana, Albania, in May 2011, is also an example of mobilization from different civil societies regarding land deals. The Declaration was signed in the conference "Securing land access for the poor in times of intensified natural resource competition", by 150 representatives of civil societies, governments, social movements and international agencies in order to call attention to pro-poor policies, centering smallholder farmers, indigenous peoples, landless urban and rural poor, etc. on land governance and policies. The Declaration is a complement to the VGGT, and was established in order to strengthen the VGGT visibility as well, since the Guidelines' importance is also highlighted in the document. Although attention has been given to land grabbing internationally, and more international and national policies are oriented toward human rights, social economic and tenure aspects, many scholars have been arguing that such policies are minimally effective (Vermeulen and Cotula 2010a; Jessica, Milgroom 2015) and little research has been done in order to better understand the results of these policies. Therefore, many researchers (Borras Jr and Franco 2010; A. Zoomers 2010; Vermeulen and Cotula 2010a) doubt that guidelines are the best solution to change the process of land grabbing. As suggested by Borras and Franco (2010), instead of accepting land grabbing as just an unstoppable product of capitalism, the approach should be driven towards human rights issues, and, as they write in 2013, the reactions from "below" (from smallholder farmers and people affected by the deals), such as mobilization, against and in favor of land deals, should also be more deeply analyzed.

It is worth noting that, despite the insistence of some pro LSLA activists (The World Bank 2013; Deininger et al. 2011) that the target land in LSLA deals is viewed as "marginal" or "unproductive", investors actually tend to prefer land with access to water and irrigation, and availability of infrastructure, such as roads, fertile soil, etc. (Cotula 2012; Kaarhus 2018; Jr and

Franco 2010; Messerli et al. 2014). However, other advocates strongly believe in the "unproductive" land incentive for the LSLA. For example, Collier (2008, 68) writes, "contrary to the romantics, the world needs more commercial agriculture, not less". He continues, "The Brazilian model of high-productivity large farms could readily be extended to areas where land is underused", promoting a fast increase in rural development and poverty reduction for those countries that still heavily rely on agriculture (Hufe and Heuermann 2017). The World Bank and Food Policy Research Institute (IFPRI), and various scholars (Paul Collier and Anthony J. Venables 2011; Deininger 2003) often point to land deals as an opportunity for rural development, as long as local government correctly follows land tenure policies and gives proper attention to the deals and actors involved.

Collier and Venables (2011, 4) emphasize that the price of the land is an important factor for rural development, and if increased, could bring benefits to the country and the government, especially if they include "publicly funded infrastructure and agronomic improvements". Once the land price is higher, it can also bring more "pioneers", that is, investors who are the first to invest in a given sector and end up creating positive externalities, such as training the local labor force or positive spillover effects (increase in productivity or encouragement for other investors). Therefore, it is the responsibility of the government to properly screen investors in order to avoid speculators, who would just invest for speculative purposes.

Some advocates of land deals stressed the idea of the creation of a code-of-conduct (CoC), connecting stakeholders in order to achieve a "win-win" situation (Jr and Franco 2010). The CoC would be able to bring benefits to the local population, such as the creation of jobs, increasing the production of crops, boosting incomes and international and national consumption, improving the local infrastructure, etc. Taking this view into consideration, land grabbing can be seen as an economic development driver and an opportunity to finance poor countries that were not able to attract rural investments. However, as explained by Borras and

Franco (2010), the main aim of the CoC may lie elsewhere, since it facilitates the acquisition of land, but does not show any pro poor policy or human rights framework. By prioritizing these issues, the right to food and land should be in the scope of CoC as well. Thus, a "combined" action could be an answer, involving international and local actors (such as governments and transnational companies and local farmers) affected and/or involved in the land deals.

1.2. Globalization, International and National Policies convergences

Why should we care about land? The question raised is interesting, since this is an abundant resource. Land is an unusual resource, it is not mobile, we are not able to transport or export it, and unlike other resources, ownership may be unfairly divided among private and public actors, mainly public (Derek Hall 2013). In some countries, the government owns all of the land. Its price also strongly differs from other resources, since there is no world market price and it is impossible to simplify it in a way to follow an economic value for land all around the globe. As Derek Hall points out, "The price of land is more like the price of labour. Land and labour both vary so dramatically in location and quality that the notion of a benchmark world price for a generic day's work or hectare of land is nonsensical."(2013, 223-225).[17] Nonetheless, Margulis et al. argue that "…occurring during a moment of massive systematic change; land is shifting from sovereign national territory to a commodity for the global market" (2013, 6).

Certainly, access to or control over land is extremely important for a huge number of human economic activities, thus the desire for this resource in order to access non-renewable and renewable resources has been historically important, displacing entire civilizations.

[17] Kindle pages 223-225

The 2008 food crisis turned the global spotlight onto the relevance of land once more. The crisis affected many developing countries (mainly those that are food insecure) and some developed countries that are dependent on food imports, such as the United Kingdom and United Arab Emirates, or that have a growing population, such as Singapore and China. The majority of land sales and leases occur in developing countries in Sub-Saharan Africa, Latin America, East and South Asia (Michael Kugelman and Sudan L. Levenstein 2013, 10) and post-Soviet Eurasia. The main buyers that rediscovered the importance of land and agriculture for various reasons are comprised of states[18], private companies, financial institutions and hedge funds, the latter focusing more on speculation (Diana B. Henriques 2008). These deals and acquisitions can involve the purchase of land, or usually long-term leases (most of the time from government owned land). Since many developed countries seek land deals mainly in developing countries, NGOs, various media outlets and many scholars (Liberti and Flannelly 2013) see "land grabbing" as a new manifestation of "colonialism", where former colonies or poor countries are still experiencing direct intervention from richer countries on their land, policies and natural resources. However, it is important to point out that both domestic and foreign actors are involved in this trend, even if the latter receive much more attention from the media and researchers (Jessica, Milgroom 2015; Wendy, Wolford and Ryan, Nehring 2015; Arnall 2018; Thea Hilhorst and Annelies Zoomers 2012).

As explained by Sauer and Borras Jr (2016) and Safransky and Wolford (2011, p.8), one of the mechanisms advancing land deals involves multilateral organizations and international actors. The so called "mechanism" is a new way of accumulation, that is shaped by three different aspects: economic, environmental and political. The liberalization of land markets, along with international agreements facilitated by international actors (mainly states,

[18] The majority are developed countries heavily dependent on food imports or with a rapidly increasing population and little arable land.

international organizations and multinational companies) are creating incentives for land deals that generate supply and demand in the current rush for resources. Therefore, the deals are promoted by "the emerging set of rules, regulations and incentives provided by the international community, enshrined in international legal frameworks and facilitated by aid and lending programmes" (White et al. 2012, 630). In order to enrich the internal policies and minimize possible dispossessions, the international response to this new trend was the creation of guidelines, such as Voluntary Guidelines on the Responsible Governance of Tenure (VGGT), as previously explained.

The clashes between international policies and incentives and their results in the targeted countries may not be the "rural development" outcomes espoused by the World Bank (Sauer and Borras Jr 2016). Social and ethnic movements are rising and increasingly challenging the connection between the market and the state, bringing up debates over territorial autonomy as well (Yashar 1999).

Some scholars (A. Zoomers 2010; Cotula 2011; Sangwan 2013) also explored the connection between Foreign Direct Investment (FDI), globalization and LSLA, which leads us to the discussion regarding globalization and land grabbing. Globalization, together with the liberalization of the market (done as well through international trade deals, as previously discussed) and the governments' willingness to increase Foreign Direct Investment (FDI), are also important variables in the new conjuncture of land deals (A. Zoomers 2010). Therefore, the view that the current land grabbing has characteristics of advanced economic globalization, goes against the idea that land grabbing reflects a new form of colonialism. The following commentary from Margulis, McKeon, and Borras (2013) explains:

"...unlike in the eras of colonialism and imperialism the current wave of land grabs occurs in a world of sovereign states exercising territorial control at least formally. Transborder flows of capital, property rights, and agricultural production go through, rather than bypass, multiple layers of formal governance

mechanisms ranging from investment and trade treaties to financial markets." (Margulis, McKeon, and Borras 2013, 3)

The "foreignization"[19] of agriculture, led by foreign economic powers controlling an increasing amount of land and segments in the value chain of different countries, may lead to the foreignization of national agriculture regulatory mechanisms. Land deals are still prevalent in South America, even with some governments passing laws and policies in order to regulate the vast number of such deals, trying to control or forbid the foreignization of land, including through rules about land ownership (Borras, Franco, and Wang 2013). As exposed by Boche and Anseeuw (2013), the so called "vertical integration" of the value chain process may lead to the "corporatization" of the agriculture. This means that just a handful of actors control the agricultural value chains, from the downstream to the upstream activities, intervening in the total exports, price settings, norms, supply quotas, etc. The implications for the agricultural sector would be the foreignization, corporatization, concentration and financialization of agrarian societies, in addition to raising questions about the future of small-scale commercial farming being able to function together with agricultural development (Boche and Anseeuw, 2013). The financialization of commodities presents the possibility of profit-making focusing just on the primary sector, which fuels the investments into land.

For instance, some authors (Borras, Franco, and Wang 2013; Sassen 2013; Safransky and Wolford 2011) accuse such deals of stripping the national sovereignty, enabling the rise of a new kind of global geopolitics, "where national sovereign territory increasingly is subject to non- national systems of authority" (Sassen 2013, 25). Consequently, foreign actors would gain control of different areas of a country's land. Sassen (2013, p.40) argues that international organizations like the International Monetary Fund (IMF) and the World Bank are working to

[19] As explained by Fairbairn (2015, 584), the word "foreignization" (estrangeirização) was originated in Brazil by the LSLA critics, in order to differentiate national LSLA from international deals.

include Global South countries in this new trade of land, destabilizing their strength through aid and debt.

Other research emphasizes the importance of national policies in order to control the results of LSLA on a country's land. Collier (2008), for example, argues that national policymakers can change regulations and move the supply demand, by boosting organizational changes and technology innovations, sustaining growth and raising production. The author also emphasizes that policymakers have the power to pursue bigger changes, and that private investment in infrastructure is necessary and helpful in compensating for the lack of public provision. Since food habits are changing and evolving fast, integrated market chains and regulatory standards make it possible to trace a product along the chain back to its source.

Different researchers and organizations work to advocate LSLA (Deininger 2003; Arezki, Rabah and Selod, Harris 2012; The World Bank 2013). Adam Smith's productivity theory proposed that with technological advances and the deployment of different machineries in the production of increasing amounts of commodities, the need for labor would decrease and it would imply "increasing returns to scale and decreasing labour costs per unit of production, not constant returns to scale" (Meoqui 2014, 24). Therefore, proponents of LSLA argue that it is possible to increase food production and the production of commodities if the seller/renter countries invest in extra training and specialization for the rural population, which could move from agriculture to industry afterwards. However, it is important to point out that this idea is not supported by all research, which shows that in developing countries, solely investing in education does not offer a solution, and the transition from agrarian to industrial production would require additional variables and incentives (Li 2011).

Furthermore, considering LSLA a potential foreign and domestic investment for rural areas in developing countries, the seller or leasing countries could benefit from such deals in order to improve their population's welfare and food security. The possibility of poverty

decrease in rural areas, as well as a path to development has also been considered (Paul Collier and Anthony J. Venables 2011). Collier (2008) argues that global agribusiness is excessively concentrated and that commercial agriculture is not perfect, however, if commercial organizations start to replace peasant agriculture gradually, the food supply would increase steadily in the medium term. As explained by Fairbairn (2013), in the states where LSLA is an important phenomenon, governments may benefit and be an active part of land deals, and the most interested in foreign investment.

Vermeulen and Cotula (2010) explain the benefits that government policies can bring to local and farmers by promoting inclusive business models. One example is the "Social Fuel Seal" in Brazil, where biodiesel producers (usually with considerable amounts of land) have incentives to purchase their raw material from family farmers and smallholder farmers. The biofuel producer finances training for the farmers, enhancing food production and security, while the biodiesel producer receives progressive tax breaks (depending on the region where the farmers are, kind of source, crop purchased, etc.). Under this policy both producers and family farmers can enjoy special credit lines, and the latter are also encouraged to create cooperatives. In Malaysia the government created the Konsep Baru in order to develop lands under Native Customary Law (NCL) outside the country's mainland. This program is a three-way joint venture arrangement. A plantation company, selected by the government, holds 60%, and should provide financial support to the landowners, who hold a 30% share in the joint-venture, to develop their land to produce palm oil. The government in turn owns 10% and holds the power of attorney as a trustee. The contract is made for 60 years, and after this period, the contract can be extinguished or renewed. The Konsep Baru covers significant amounts of land, and some benefits have been documented (Vermeulen and Cotula 2010).

Di Matteo and Schoneveld (2016) describe the inclusive business models[20] for the purpose of policymaking difficult to replicate, unless if the government invest in adaptive learning through technical support and focus on responsible investments towards patient capital[21], for example. The authors argue that more attention should be given to research on the specific factors that enhance good environmental and corporate social conduct, facilitating the leverage of investment capital that can effectively deliver green growth objectives and the viability of inclusive business.

1.3. Land Deals, Food Security and Social Movements

As previously explained, large scale land acquisition received more attention from the media and governments after the breakout of the food crisis, and was spotlighted in media reports, mainly from NGOs and international organizations. As discussed by Edelman et al. (2013, 1520), "the period between 2007 and 2012 is what we can call the "making sense period" , wherein land grabbing became widely discussed among different scholars (Diana B. Henriques 2008; Vermeulen and Cotula 2010a; A. Zoomers 2010; Borras Jr and Franco 2010; Toulmin et al. 2011; Li 2011; Arezki, Rabah and Selod, Harris 2012). This is the point when interest grew in the issue, discussion about its definition began, and field work opportunities opened up. Issues regarding socio-economic impacts of land grabbing were brought to light, such as concerns about dispossessions and displacement of people, land tenure and access to land, food security, and so on.

Though the target countries where land deals are taking place may see a rise in food production, they are actually becoming more dependent on international markets to achieve

[20] Inclusive business models are models that include the rural poor and peasants, which would generate a shared value for all stakeholders involved.

[21] Patient capital has the same meaning of long term capital, so the investor cannot expect a rapid return or quick profit.

food security since most of the food produced its exported (Borras Jr and Franco 2012). It bears mentioning that middle income countries (MICs), such as Argentina, Chile, Malaysia and Thailand, or BRICS (Brazil, Russia, India, China and South Africa) are also involved in this "regime change", as these countries are increasing their share in the food chain, including production, distribution and consumption. Importantly, they are changing their roles from just importers or consumers, to important producers of these valuable commodities, and they are decreasing their dependence on Global North countries through transnational companies (TNCs)(Borras Jr and Franco 2012). Thanks to the plantation of corn, soy, cotton and coffee, for example, Brazil is currently seen as a strong food exporter.

Intensified by the food crisis (2007-2008), the move of the agro-industry from more developed countries into the Global South led to increased costs of compensatory inputs, access to land that once was cheap, soil depletion and financialization. The investment capital shifted to biofuel and food, and increased speculation over land across the agricultural value chain. As McMichael (2012, 689) points out, from 2004 to 2007 capital investment in biofuels increased 800 percent, while in 2007 the trade in agricultural futures and derivatives rose by 32 percent, which turned the spotlight to offshore cropland. The concern about the absorption of agriculture by the financial chains is that decisions, "being driven as much by financial goals as by material considerations" (McMichael 2012, 686), may end up reflecting financial calculations, rather than environmental or social integrity. However, Northern subsidies, national policies and Southern concessions to investors may play an important role regarding the results of such investments.

Opinions and supporting information about land deals and food security are so divided that it is possible to find entirely contradictory media reports regarding a single subject in a matter of a few months' difference. In January 2011, the Guardian published "Poverty Matters", about Saudi Arabia receiving a shipment of rice from Ethiopia in 2009 at the same time that the

World Food Programme was sending food to 5 million Ethiopians (Madeleine Bunting 2011). The article also portrayed land deals as part of the struggle for food security. In April 2011, the same channel published a story about land deals in Ethiopia promoting self-sufficiency at the national and household level (HE Berhanu Kebede 2011).

The cultural and geographic distance between investors and small landowners, as well as government policies can be an important watershed variable regarding food security in countries where this continues to play an important role. Whereas the land has monetary value for the investor, for millions in less developed countries the land signifies subsistence and resilience, as well as holding traditional, spiritual and ancestral importance. While from certain angles of the development narrative the subsistence smallholder farmer would benefit from job creation (Deininger et al. 2011), others (Cotula and IIED 2011; Tania Murray Li 2011) argue that the plantations, mainly producing biofuels, employ a really low number of workers, who, in turn, are poorly paid.

Food security, as per FAO (2008, 1) "exists when all people, at all times, have physical, social and economic access to sufficient, safe and nutritious food which meets their dietary needs and food preferences for an active and healthy life". There are two types of food insecurity, transitory and chronic. Thus, food security programs focus not only on current issues, but the vulnerability to future threats that may lead to food insecurity and malnutrition. In order to address the increased demand for food, the supply side was boosted through land deals; however, in many African countries, for example, is not easy for a foreign investor to understand the local customary laws and land conflicts which may be ignited by the deals. Furthermore, depending on the local context, customary land rights are not always recognized (Cotula and Chauveau, 2007). The local farmers, in many land grabbing cases, are directly affected by the deals because of land tenure issues. Consequently, land tenure and food security are strongly connected (Golay and Biglino 2013; Borras, Franco, and Suárez 2015; Borras Jr

and Franco 2012) which affects the land deals. To prioritize pro-poor outcomes, the human rights approach has to focus on the right to food and to land.

Golay and Biglino (2013, 1633) argue that it is the state's responsibility to facilitate and ensure the right to food, enabling groups and individuals to be able to acquire food by their own means, complying with human rights principles and empowering rights holders. Thus, in this context, LSLA should lead to an improvement of the right to food and compliance with the human rights principle. On the other hand, Borras and Franco (2013) emphasize that by simplifying the tenure process, the government is over-streamlining a complex issue in order to render this process manageable for public institutions. In this context "marginal" lands are "inflated" and what is not titled may be state owned, or state authority sometimes may be extended to non-state spaces. As a result, some political conflicts among and between the people and the state can coexist, as "poor people versus corporate actors, poor people versus the state, and poor people versus poor people" (Borras and Franco 2013, 1730).

The NGO Grain (2018) gives different examples of failed farmland deals as a result of the conflict between companies and social resistance, and against the state as well. In some cases, it is also possible to see the start of social movements – as explained by Vermeulen and Cotula (2010), the struggle to maintain access and control over resources can lead to political organization within marginalized groups. It is also possible to see cases with an intersection of the three conflicts. The conflicts are usually caused by the struggle against dispossession, exploitation and hunger. As Collier (2008) points out, hunger leads to riots and violence, the probability of which is higher for poor people, since up to 80 percent of their budget goes toward food.

As explained by Boche and Anseeuw (2013, 20), the escalation of "competition into conflict is a significant risk" when the local farmers and landowners are not included in the development initiatives. In cases where the injustices are not resolved, the risk of direct

confrontation and violence is very real, as was the case in Madagascar, which will be further discussed in the qualitative and quantitative analysis. Therefore, even if the local people have little or no legal protection, together, as a civil society, they hold considerable weight. As a result, long term leases and concessions, or even selling contracts may not be sustainable when local people are not satisfied or willing to comply with the contract or its outcomes. In other words, the weak become strong.

As observed by Scott (2000), in his book "Weapons of the weak", peasant resistance can become violent and active, however, it usually involves sabotage, evasion and/or noncompliance. They are powerless groups with various "weapons", there is no monopoly over these weapons, and they definitely can be wielded against the different actors involved (such as governments or companies). Since usually there is no single leader organizing the movements, this resistance does not require much coordination. It is usually driven by individual acts, but with a supportive subculture, it often becomes a social movement without a name or manifesto (Scott 2000, 29). Thanks to the current social media and internet, these movements are getting more organized and sometimes even turning into transnational movements, connecting people elsewhere (Safransky and Wolford 2011, 8).

Hirschman (2004), in his book "Exit, Voice and Loyalty", explains that customers, in a non-monopoly market, can choose between "exit" or "voice", or even use both. Exit, in this case, would be the decision of the customer who is not satisfied with a company, considering an elastic demand, to purchase from a different company, for example. Voice is when the customers use speech, in the form of complaints, protests, boycotts, or even sabotage, if they are not satisfied with something, and it is the only method available if the exit option is not. Since nowadays we have mainly a mixture of monopolistic and competitive market elements, voice and exit interact as options. Thus, once the opportunities for exit decline, voice becomes the only way of alerting the higher management of a company failure. In the LSLA context,

when peasants are not able to exit a deal, they may raise their voices and go against it if it does not bring any benefit to them. And once voice makes the company's profit decrease or be null due to an unsustainable conflict of interests, the company ultimately may use the exit option. Moreover, voice is stronger in less developed countries, where there may be fewer options than in developed countries, less food and in some cases poor bargaining power. In conclusion, voice in such countries is often expressed through loud colorful protests with political roots.

As a result of this complex tangle of social relations, communities may end up reacting in different ways, and not in a unified context. While some peasants mobilize and resist in order to not be expelled or to seek better benefits, others mobilize not to go against land deals, but in order to increase their bargaining power and /or to be incorporated into the new deals as contract farmers or workers. These differences may also bring or increase already existing political tensions amongst groups or communities (Borras and Franco 2013).

Chapter 2 - Quantitative Data Analysis

The figures regarding the reported sale of large amounts of land are different depending on the research and how the data is analyzed. For some researchers (Anseeuw and Bending 2012, 4; Deininger et al. 2011, 51; Sassen 2013, 26), the numbers exceed 200 million hectares just from 2000 to 2010. Others argue that the numbers were lower, The World Bank (2010) estimated 47 million hectares, the Global Land Project (2010) – 63 million hectares, and Oxfam Novib together with International Land Coalition (2011) counted 80 million hectares (Kaag and Zoomers 2014). As explained by Cotula et al. (2009), if we just take the land acquisition numbers from Ethiopia, Madagascar, Mali and Ghana, from 2004 to 2009, around 2 million hectares were acquired, 1.4 million ha. by foreign investors only (Cotula L. 2011, 6). Notably, of these four countries, three are amongst the twelve countries with the highest degree of failed deals, and all of them are considered food insecure[22]. In order to better analyze the different degrees of food security, and considering that the index goes from zero to 100, zero being the most insecure and 100 the most secure, this analysis will divide the degrees into four different stages: zero to 25 will be the most insecure, 25 to 50 will represent the insecure countries, 25 to 75 the secure countries and finally, from 75 to 100 the most secure.

In case of probability using a dichotomous dependent variable, the model can be written as:

$$\hat{Y}_i = \hat{P}_i = \hat{P}(Y_i = 1) = X_i\hat{\beta} = \hat{\alpha} + \hat{\beta}_1 X_{1i} + \hat{\beta}_2 X_{2i} + \hat{\beta}_3 X_{3i}.$$

where $\hat{y}$ is the predicted probability that the dependent variable is equal to 1 (cases where land deals failed). This analysis will make use of the BNL model, written as:

[22] Data from the Global Food Security Index: https://foodsecurityindex.eiu.com/

$$P_i = P(Y_i = 1) = \Lambda(\alpha + \beta_1 X_{1i} + \beta_2 X_{2i} + \beta_3 X_{3i} + u_i) = \Lambda(X_i\beta + u_i).$$

where Λ links the predicted probability of the dependent variable being equal to 1 (($\hat{P}$(Yi=1), probability of land deal fail as a result).

The table below shows that by including the dependent and independent variables in this model, the prediction power increases from 92.8% to 93.5%. Additionally, it increases the prediction power of failed land deals by 30.5 percentage points.

TABLE 2: PREDICTION – CLASSIFICATION TABLE

Observed			Predicted		
			concluded	failed	Percentage Correct
Step 1	LandDeal_status	concluded	1210	20	98.4
		failed	66	29	30.5
	Overall Percentage				93.5

It is also possible to see how Food Security is associated with the outcomes. Food security in this model is strongly correlated with land deals, e.g., an increase in one unit of the Food Security Index, decreases by 19% the chance of land deals to fail, as per Exp (B) column (important to remember that higher the index, more food secure the country is).

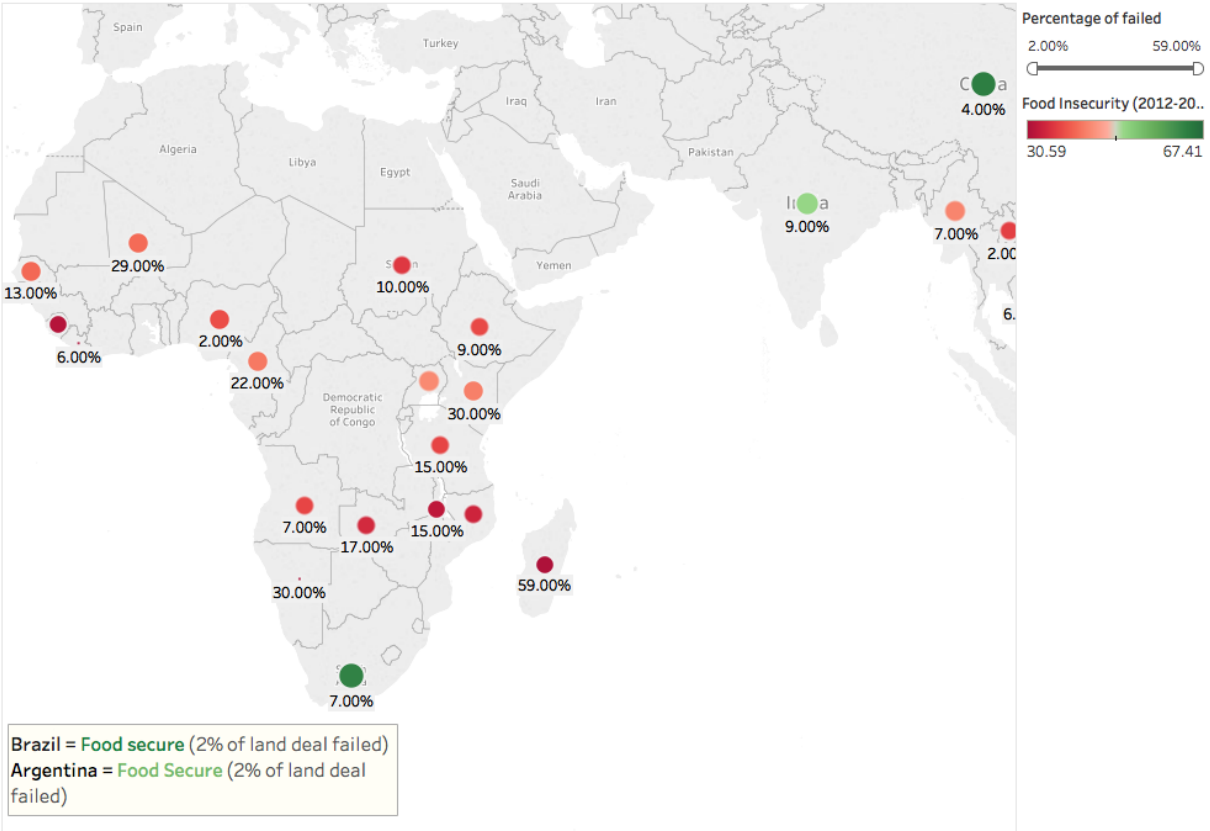
TABLE 3: VARIABLES IN THE EQUATION – FOOD SECURITY

		B	S.E	Wald	df	Sig.	Exp (B)		
Step 1[a]	FOOD SECURITY (2012-2016)	-.200	.042	22.477	1	.000	.819	.754	.889

The data extracted from the Food Security Index and from Land Matrix shows that from the 15 countries with the highest numbers of failed land deals, roughly 87% are food insecure, which strengthens the hypothesis of this thesis. The figure below shows the percentage of land

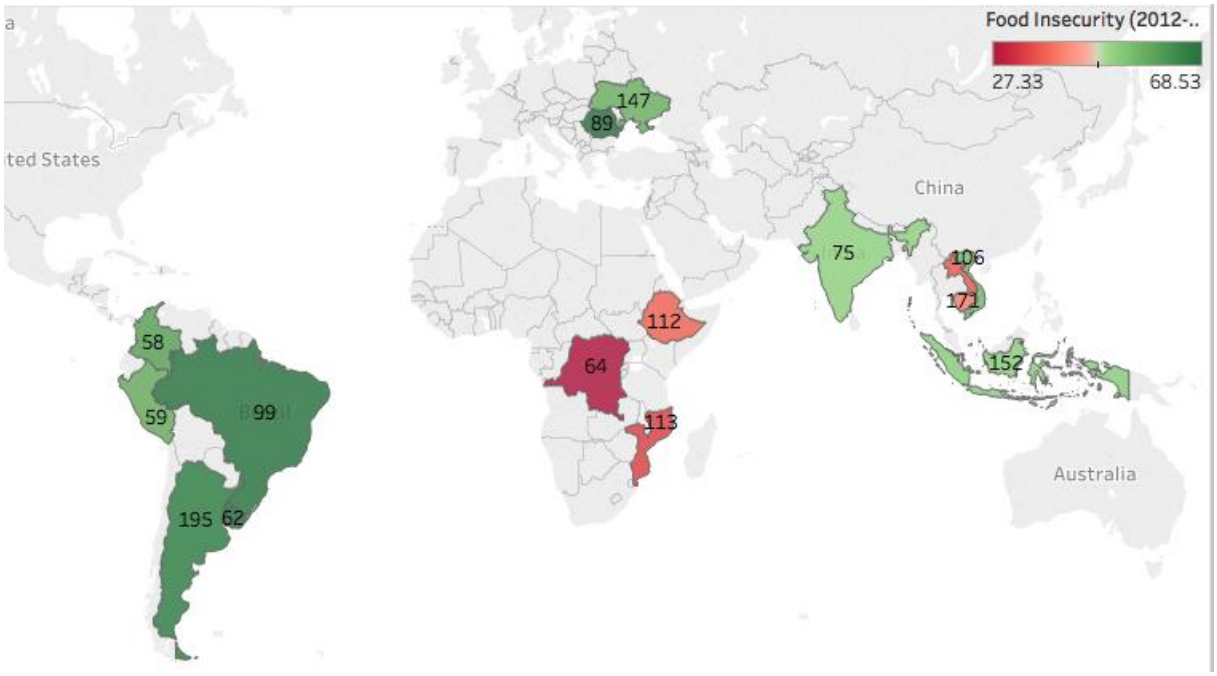
deals failed by country, with the food security index ranging from dark red (food insecure) to dark green (food secure). From the extracted data, Madagascar is the country with the highest degree of food insecurity and the country with the most cases of failed land deals.

FIGURE 1: PERCENTAGE OF LAND DEAL FAILURE X FOOD SECURITY - ALL COUNTRIES WITH > OR 2% OF FAIL



It is important to mention that the countries with the most failed deals are not necessarily those with the most deals recorded overall. From the top 15 countries with highest number of land deals reported on Land Matrix, just 33% are considered food insecure. The figure below shows the total land deals recorded by country, with the food security index ranging from dark red (food insecure) to dark green (food secure). As previously explained, it is also possible to see the active participation of some MICs (such as Argentina, Uruguay and Chile) and BRICS (such as India and Brazil) in the top 15 target countries, increasing their share in this new regime chain.

FIGURE 2: TOP 15 COUNTRIES - LAND DEAL IN TOTAL X FOOD SECURITY – ALL COUNTRIES >10 DEALS



Considering the numbers below from the same model explained previously, it is also possible to observe the result regarding the country Status (2), which, as per the "Categorical Variable Coding" (in the Appendix), suggests that land deals in partly free countries have a 74% lower chance of failing. In partly free countries, even if entitled to weaker political rights and civil liberty than the free ones, due to corruption, opposition groups, etc. It is still possible to see moderate protection of some political rights and liberties.

TABLE 4: VARIABLES IN THE EQUATION - STATUS

		B	S.E.	Wald	df	Sig.	Exp(B)	95% C.I.for EXP(B) Lower	Upper
	Status			4.168	2	.124			
	Status(1)	***-1.340***	***.657***	***4.168***	***1***	***.041***	***.262***	***.072***	***.948***
	Status(2)	17.569	12118.642	.000	1	.999	42650828.085	.000	.

Why might political rights and civil liberty be relevant for land deal outcomes? The Environmental and Social Impact Assessment (ESIA), if integrated into the approval process for LSLA, involves interaction and communication with the people affected by land deals, for example. In some countries, such as Ethiopia and Madagascar, the process in some cases provides a stronger voice for the people affected by the deals. The ESIA in these countries is also conducted through consultation with the communities, where they can share their opinions and concerns, in addition to investigating their socio-economic status (Cotula L. 2011, 20).

In cases where ESIAs do not occur or are not effective, but the peasants and the rural population are directly affected by a deal and the country has a free or partly free status, they can still try to count on their "secret weapon", the "weapon of the weak" (Scott 2000, 29). They can raise their "voices" and take to the streets to claim their rights, making use of sabotage or invading the lands, for example. In contrast, when the country has a low freedom status, caused by authoritarian regimes, government oppression, possible civil war, or draconian police states, the population may have few or no political and civil rights, suffering from violence or ruled by warlords (Freedom House 2019). However, even if uncommon, when demonstrations do occur in authoritarian countries, they are usually stronger and more violent than in democratic countries.

Thus, as per the data analyzed, in cases where people are being negatively affected by deals in countries or areas with a bigger rural population, if the country is partly free, we may see a higher number of failed land deals. Important to highlight that, when these are food insecure countries, the number is higher, since people may need the land to survive.

In order to continue the analysis, using the number of failed land deals per country (from 2000 to 2018), I will make use of an OLS regression to calculate the parameter estimates:

$$Y_i = \alpha + \beta_1 X_i + \beta_2 Z_i + u_i$$

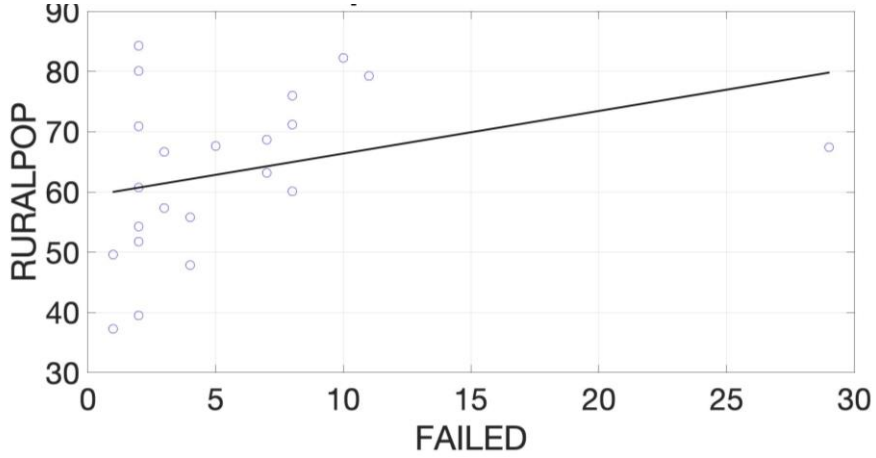
From the OLS regression, taking in consideration the limitations in building the data, which results in a smaller sample, as well as the multicollinearity that cannot be fully excluded, the regression could not show high significance for all independent variables used. However, it is still possible to see important correlations. The Y_i is the dependent variable, the X_i is the independent variables and the Z_i the control variable.

The variables of Depth of Food Deficit, Food Security, Rural Population and GDP are highly significantly correlated with land deal failures. Consequently, an increase in the Depth of Food Deficit, as well as a decrease in Food Security increases the likelihood of land deals failing. These results once more strengthen my hypothesis that food security is highly correlated with the outcome of land deals. Furthermore, as per the data below, a decrease in GDP is also correlated with an increase in land deal failures, as is an increase in Rural Population. In a country with a majority of the peasant population being food insecure and dependent on land for subsistence, the probability of land deals to fail is significant.

TABLE 5: OLS CORRELATION

	Land Deals Fails	*DepthOfFoodDeficit*	*FoodSecurity*	*PR*	*CL*	*PoliticalStability*	*Corruption*	*RuralPop*	*GDP*
DepthOfFoodDeficit	0.40 (0.01)	-							
FoodSecurity	-0.47 (0.00)	-0.70 (0.00)	-						
PR	0.07 (0.67)	0.27 (0.09)	-0.37 (0.03)	-					
CL	0.13 (0.44)	0.33 (0.04)	-0.47 (0.00)	0.92 (0.00)	-				
PoliticalStability	-0.06 (0.73)	-0.06 (0.72)	0.29 (0.08)	-0.33 (0.04)	-0.50 (0.00)	-	-		
Corruption	-0.19 (0.25)	-0.34 (0.03)	0.70 (0.00)	-0.64 (0.00)	-0.69 (0.00)	0.55 (0.00)	-		
RuralPop	0.44 (0.01)	0.56 (0.00)	-0.80 (0.00)	0.45 (0.00)	0.51 (0.05)	-0.32 (0.000)	-0.59 (0.00)	-	
GDP	-0.36 (0.02)	-0.47 (0.00)	0.88 (0.000	-0.46 (0.00)	-0.52 (0.00)	0.35 (0.04)	0.74 (0.00)	-0.83 (0.00)	-

FIGURE 3: RURAL POPULATION X FAILED LAND DEALS



It is also interesting to note from the OLS regression, as per figures four and five, that non-free countries, with a low degree of civil liberty and political rights tend to have a higher number of concluded land deals and lower number of failures. This reinforces the previously explained hypothesis, that in free or partly free countries the land deal failures are higher due to the possibility of civil expression and mobilization (when food security is low).

FIGURE 4: STATUS X CONCLUDED LAND DEALS

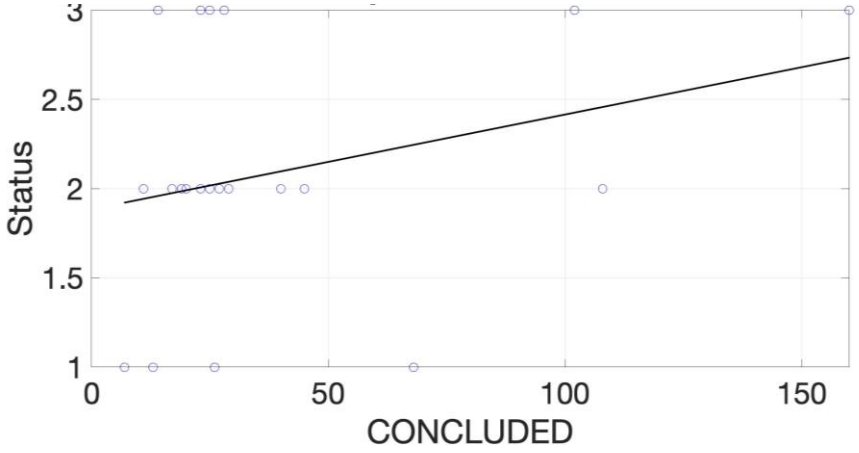
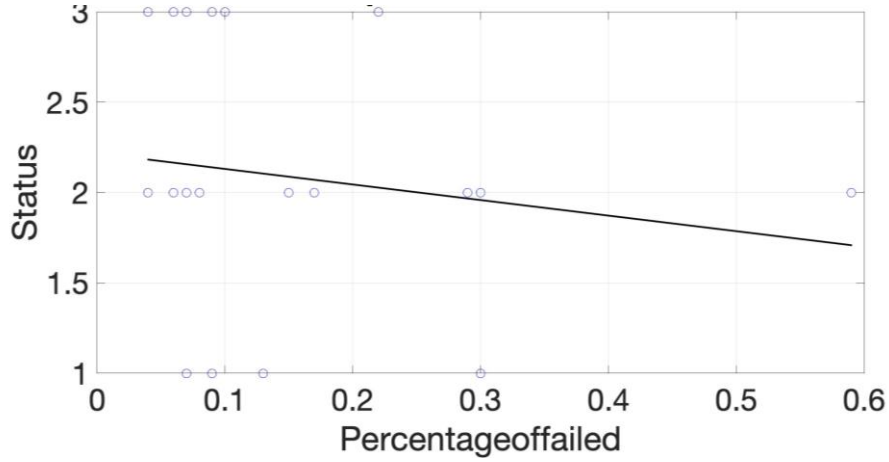


FIGURE 5: STATUS X PERCENTAGE OF FAILED LAND DEALS



The regression table below shows that with 95% confidence it is possible to say that a one-unit increase in Depth of Food, causes a 0.02 increase in the occurrence of failed land deals.

TABLE 6: REGRESSION DEPTH FOOD

	failed	failed	failed	failed	failed
depthfoodd20062016	0.02	0.02	0.02	0.02	0.02
	(0.01)*	(0.01)*	(0.01)*	(0.01)*	(0.01)*
status		-0.07	0.75	0.52	0.25
		(0.85)	(1.55)	(1.51)	(1.48)
pr			-0.35	-0.47	-0.34
			(0.46)	(0.49)	(0.45)
corruption				-0.05	0.05
				(0.03)	(0.07)
gdp					-0.00
					(0.00)
_cons	0.48	0.59	0.30	3.13	2.16
	(0.75)	(1.23)	(1.34)	(2.39)	(2.78)
R^2	0.16	0.16	0.16	0.17	0.22
N	39	39	39	39	39

* $p<0.05$; ** $p<0.01$

If we change the independent variable to Food Security, it is possible to say with 99% confidence that a one-unit increase in Food Security decreases by 0.04 the occurrence of failed land deals. In this case, once we add GDP, the result loses its significance. This is probably because this index does not only use numbers for hunger, but conducts qualitative research

involving food availability, quality and safety, as well as climate change and natural risks, which are not all strongly correlated to GDP.

TABLE 7: REGRESSION FOOD SECURITY

	logfailed	logfailed	logfailed	logfailed	logfailed	logfailed
foodinsecurity20122016	-0.04	-0.04	-0.04	-0.05	-0.05	-0.03
	(0.01)**	(0.01)**	(0.01)*	(0.02)*	(0.02)*	(0.03)
status		-0.15	0.20	0.21	0.22	0.17
		(0.21)	(0.30)	(0.30)	(0.29)	(0.29)
pr			-0.14	-0.11	-0.11	-0.12
			(0.09)	(0.11)	(0.11)	(0.12)
corruption				0.02	0.02	0.02
				(0.03)	(0.04)	(0.03)
politstab20062016					-0.06	
					(0.31)	
gdp						-0.00
						(0.00)
_cons	2.89	3.38	3.12	2.58	2.46	2.31
	(0.68)**	(0.94)**	(1.01)**	(1.06)*	(1.17)*	(1.12)
R^2	0.24	0.25	0.28	0.29	0.29	0.30
N	28	28	28	28	28	28

* $p<0.05$; ** $p<0.01$

Nevertheless, as explained by Sassen (2013, 40), the ongoing sharp growth of land grabbing "is happening in an interstate system based on the sovereign authority of the state over its territory". The land acquisition through different countries made the cross-border deals internationally accepted and diversified among a vast number of nations. Rather than grabbing the land by force, as it used to be in the past, the current trend is acquisition through foreign direct investment or direct buyers. The buyers or actors involved in the long leasing contracts are governments, nationally or internationally based foreign companies, and others. Therefore, in order to analyze the first hypothesis of this thesis, incorporating the idea that the international community is one of the mechanisms promoting land deals, this thesis will further examine the quantitative analysis made by Sassen (2013), using the data from Land Matrix.

The author observed two main patterns in the current trend: the overwhelming number of deals focused on biofuels, accounting for 40% of all land acquired, and the high number of acquisitions made by foreigners in Africa (Sassen 2013, 30). To reiterate, Madagascar and Ethiopia were the countries with the most diverse group of buyers. Madagascar accounted for

a total of 24 investors from 15 countries and Ethiopia had 26 foreign investors from 12 different countries (Sassen 2013, 34). As per the figure below, is possible to see that from the 10 countries with the highest percentage of failed land deals, 80% are in Africa (including Madagascar, the country with the highest number of failures).

FIGURE 6: TOP 10 COUNTRIES – LAND DEALS FAILED

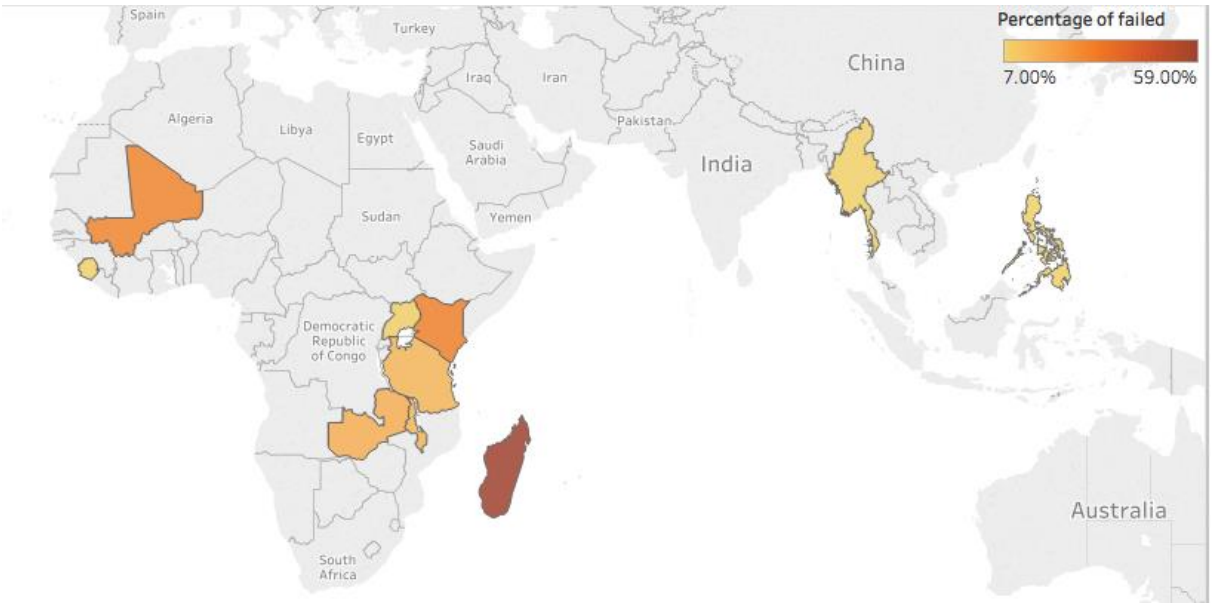
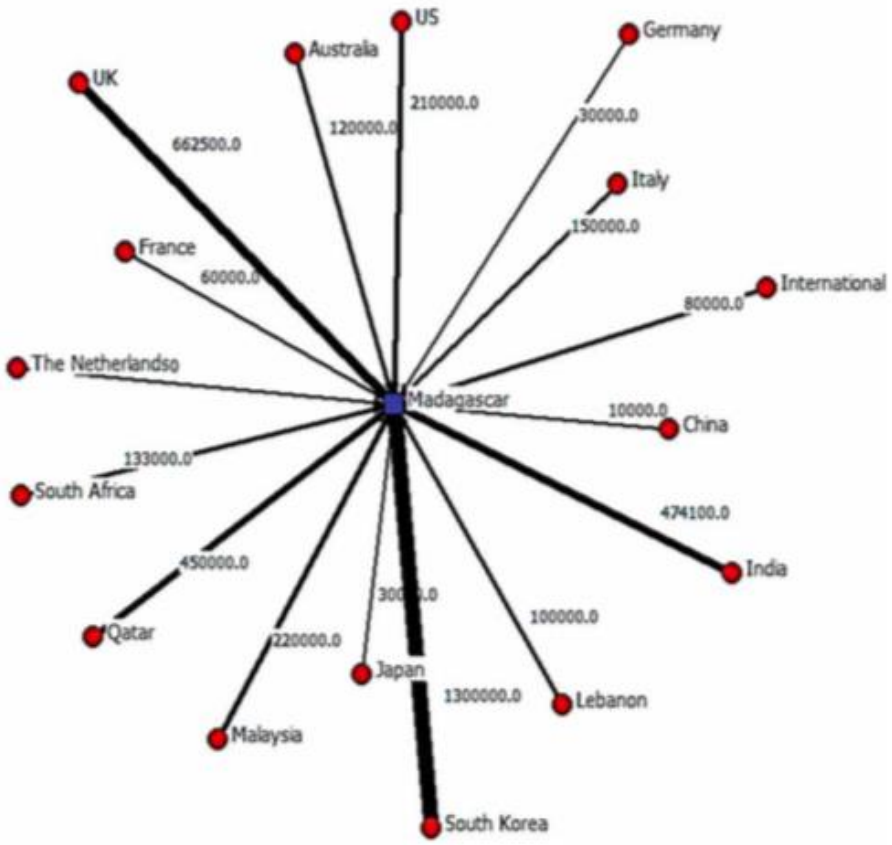


Figure seven shows the number of different investors in Madagascar. The circles indicate the buyers, and the thickness of the line between target country and buyer is measured using the data from Land Matrix regarding the size of the land acquired.

FIGURE 7:MADAGASCAR - BUYERS BY COUNTRY



SOURCE: DATA FROM SASKIA SASSEN 2013,35 .

Going back to the idea expressed by W. Anseeuw et al. (2012, 38), foreign investors do not fully grasp how many land use conflicts may arise from a negotiation where local authorities or the government act on behalf of the community. Foreigners may also not fully understand the climate and terrain of such countries, leading as well to failed deals. The majority of countries that invested in Madagascar are developed and/or developing countries (MICs), which also explains the inability to fully understand the local customary laws and tensions, leading to more conflicts (Cotula and Chauveau 2007, 14).

As asserted by Gourevitch (1978, 888), poorer and weaker states end up following the development vision of stronger states, which in many cases does not allow the allocation of resources as per their internal needs. Importantly, nowadays MICs have a strong influence and persuasive power towards least developed countries (LDCs). Therefore, LDCs or MICs,

depending on the country context and characteristic, develop the risk of having a dual economy, with a modern sector tied to the core, and a lagging sector that is not used by the international community. Sassen (2013, 40) points out as well that "these investments in land have crowded out investments in mass manufacturing and other sectors that can generate good jobs and feed the growth of a middle class." The data analyzed by her also showed a decline in FDI in manufacturing in Africa. South Africa and Nigeria, which accounted for 37% of FDI by 2006, saw a sharp decline in FDI for the manufacturing sector, but a sharp increase in the primary sector. Nigeria followed the same trend, the FDI for the primary sector rising from 43% in 1990 to 75% in 2005 (Sassen 2013, 40). Safransky and Wolford (2011, 8) also argue that it leads to an export orientation and dependence on primary commodities. In this context, we may argue that land as a vast resource may lead to extension of the Dutch disease.

At the same time, Ribot and Peluso (2003, 162) focus on the importance of control over and access to land, as well as the "bundle of powers" exercised by different actors and how they control the land. Access in this case would be the ability to derive benefits from the land, so that, even if another actor has control, it would be still possible to benefit from it if access is given. Consequently, taking into consideration their argument, the power relations would be really important. Thus, if peasants hold control the land, their power over the access to the land would give them bargaining power. However, in cases where the government has control over the land, and land tenure is poor, the country's Status again becomes an important factor for land deals, since civil liberty and political rights would be strongly connected to the internal policies.

Chapter 3 – Investigating the Shadow Side of Madagascar Land Deals

The rationale behind this Chapter is to demonstrate and strengthen the findings of Chapter 2 through a case study of an important failed land deal in the Republic of Madagascar and its results. In the previous chapter it was possible to better analyze the positive correlation between failed land deals, food security and freedom. The influence of international actors on land deals was also discussed.

Madagascar is an African country with slow economic growth, led by the agriculture, fishing and forestry sectors. Roughly one-fourth of the country's GDP comes from these areas. These employ more than 80% of the total population. It is a country known for its multi-ethnic characteristic, consisting of 18 principal ethnic groups that share the same Malagasy language. Madagascar has a youthful population and a high fertility rate, and malnutrition is widespread and often chronic. The population in its majority is poor and rural, consisting of large peasant families (Central Intelligence Agency 2019). Since the minimum wage does not surpass US$ 30 per month, the vast majority of the population needs a supplementary income, which comes from subsistence agriculture (Evers 2006, 414). The country is also strategically located on the Mozambique Channel, and is known for its fertile alluvial soils and diversity of natural resources. Importantly, around 90% of its flora and fauna are native and can only be found there.

As explained in Chapter 2, international organizations are strongly connected to the acceptance and incentive for land deals (Sassen 2013). In 2005, pushed by the International Monetary Fund (IMF), a National Land Tenure Program was started in order to increase the official number of land titles, in which the goal was to achieve 75% of land titles by 2012. However, numbers from 2008 show that around 48.58% of the farmers still did not have a land title (Vinciguerra 2013, 8). The main objective behind the 2005 Land Law was the increase of

private property instead of state ownership (Ratsialonana et al. 2011, 25). Despite having introduced a new land category, the non-titled-property (or "untitled private property", UPP), which makes it possible to recognize the validity of ancestral or under customary law land[23], the titles were difficult to establish due to illiteracy and poverty (Vinciguerra 2013, 8).

At the beginning of 2008 a new statute was created to facilitate the leasing or buying of land by international investors. The statute is seen as a clash of interests by some authors (Ratsialonana et al. 2011; Evers 2006), since the government wanted to secure the people's right to land, but simultaneously welcome foreign investments and grant them vast amounts of possibly "sacred" land. The clashes between the rush for investments and the changes in internal policies resulted in a top-down process, with the government officials and foreign companies at the top, and local mayors and population at the bottom. Thus, the local mayors, who should have been involved in the deals from the beginning, were only consulted at the end or not at all (Ratsialonana et al. 2011, 31). Importantly, the Voluntary Guidelines on Tenure (VGGT) were not yet being used, since its official creation was in 2012, thus, it is not possible to conduct a deeper analysis of its usage in the given case. Data from FAO (2017) confirms that the Guidelines are currently being used in several countries to assist the creation and design of policies towards land tenure. In Madagascar it facilitated the provision for the creation and initiation of the second phase of the country's land tenure reform (Aurelie 2017, 6).

In the same year, the Economic Development Board of Madagascar (EDBM) was created. It was internationally financed and recommended by the World Bank to facilitate the creation of a Malagasy legal entity, in order to obtain the authorization to buy land (Ratsialonana et al. 2011, 26; Vinciguerra 2013, 4; Burnod, Gingembre, and Andrianirina Ratsialonana 2013, 360). Simultaneously, internal policies were modified and created. The National Office for the Environment (ONE) is the department responsible for checking and

[23] Land under customary law for no fewer than 30 years.

analyzing the Decree to Make Investments Compatible with the Environment (MECIE Decree) for all projects and deals over 1,000 hectares. To be aligned with the MECIE, all investors should undertake the environment and impact assessment (EIA or ESIA). The EIA in Madagascar includes local level assessments and consultations, in order to check the social and economic impacts of the deals (Ratsialonana et al. 2011, 27). These institutions should minimize the harm caused by land deals on the environment and on the local population, ensuring that the actors involved are in line with the legal requirements.

As explained in the previous chapter, such impact assessment is only possible because Madagascar is considered a partially free country, where civil and political rights, even if not fully respected, are part of the government's priorities. Currently, even if enforcement of the legal protections for private property is not consistent, the country's legal structure provides a level of private property protection (Freedom House 2018). Thus, the land rights for local people depend on each country's government. As per the quantitative research previously discussed, currently, from the top 12 countries with the highest number of failed land deals, only three are not free countries. This result strengthens the argument that in Partly Free States, if communities' rights are not being respected, people can still use their "voice" in order to "exit".

In November 2008, a South Korean company called Daewoo Logistic Corporation leased 1.5 million hectares of farmland in Madagascar for 99 years. As per the Ministry of Agriculture (2008), the country has 8 million hectares of arable land and 2 million already cultivated. Like most of the foreign operators, Daewoo opted for leasing, not buying. The investment was intended to increase the plantation of maize and palm oil in Madagascar and export the harvest to South Korea. This Eastern Asian country has an overpopulated territory and a lack of natural resources, and at the time of the deal was the world's fourth largest importer of maize (Javier Blast 2008).

The deal took place in a time when most developed countries started to increasingly express their concern about food security, as demonstrated by Hong Jong-wan, a Daewoo manager: "We want to plant corn there to ensure food security. Food can be a weapon in this world" (Jung-a and Burgis 2008). The lack of food security can lead to civil mobilization, riots and/or conflicts, like the ones experienced in many countries during the food crisis, such as Madagascar, Ethiopia, Indonesia, Cameroon, Senegal, and Egypt, among others (UN News 2011).

Despite the incompliance of the Malagasy government in denying the deal and emphasizing that it was still being evaluated, the local web source, *Moov*, leaked information that some parts of the land were already leased to Daewoo. This event increased the shadow around the deal and made apparent the lack of transparency. The inconsistency of information about the deal also made visible the divergence between the internal policies, the government and the population. While some Malagasies expressed optimism regarding the deal, a vast part of the population did not see the deal as beneficial.

For Malagasy people, land is sacred, and therefore, a sensitive topic (Vinciguerra 2013, 5). For nationals, there are two kinds of land, one that always belongs to the families, and where their tombs are, which can only be transferred to family members, and the second one, bought for agricultural purposes (Vinciguerra 2013, 6). Therefore, giving the land to foreigners, besides the connotation of disrespect towards their ancestors, would mean prioritizing foreign interests above those of nationals, overriding national policies and interests. In this case, for example, the facilities given to foreigners and the possibility of them acquiring ancestral lands (*tanindrazana*), hit a nerve and increased the dissatisfaction with the government (Teyssier, Ramarojohn, and Ratsialonana 2010).

Taking into consideration that policies towards maintenance and control over land were always an issue in Madagascar (Vinciguerra 2013, 7), internal policies should be formed and

consolidated before allowing external interference (in case it happens). Even if different institutions were working in the land deal and title process, often the investors complained that there was no coordination or directives on how to proceed (Ratsialonana et al. 2011). Also, the uncertainty towards land control and access brings conflicts and distrust in the government. Consequently, as previous explained in Chapter 2, the push from international organizations and actors towards land investments is not always in line with the current internal policies or needs. As previously described by Borras and Franco (2013, 1729), the government simplifies the land deal process in order to make it manageable and convenient for the state to administer it, however, it is impossible to ignore the complex social relations around this resource. As previously defended in Chapter 2, "the bundle of powers" is indeed important (Ribot and Peluso 2003), but we should not forget that it is connected to the bundle of rights, so even if the state increases the bundle of rights, if the bundle of powers is not redistributed, the control remains centralized (Burnod and Teyssier 2010, 10).

It is important to emphasize that, for a country which was receiving aid for more than 500,000 people annually from the World Food Programme (WFP) due to a shortage of food, it is hard to comprehend that the food that would be planted there would be actually exported. This aspect was indeed used to oppose the deal (Vinciguerra 2013, 10). This is important, especially for Madagascar and other food insecure countries, where land means the subsistence of the majority of the population, so that in case of food price spikes, they can survive by using this natural resource for their own consumption.

Consequently, the promise of compensation by Daewoo[24] was not enough in a country that, months before, was suffering from the food crisis, and where over 70% of the population

[24] Daewoo promised to hire 70,000 people, however, the same amount of land could sustain a much larger number than the one given by the company (Teyssier, Ramarojohn, and Ratsialonana 2010).

lives on less than U$$ 1.00 a day, and fear of dispossession is prevalent (Teyssier, Ramarojohn, and Ratsialonana 2010).

As argued in Chapter 2, the people directly affected by the deal started to try to use their "voice" to show their dissatisfaction through social media in a broader context, and informal communication among the small communities. The rural national organizations also pointed out their concern regarding the future of smallholder peasant families due to the government's alleged support for a large amount of land to be leased by a foreign company (Teyssier, Ramarojohn, and Ratsialonana 2010). Since not all people have access to social media and/or can communicate through it, and the fear was acute, the "voice" option was used, in the format of riots. Conflicts can be seen as one of the ways to guarantee or fight for land access and/or control (Teyssier, Ramarojohn, and Ratsialonana 2010; Vinciguerra 2013; Burnod, Gingembre, and Andrianirina Ratsialonana 2013).

Finally, the Daewoo case brought people to the streets, intensifying mobilizations and demonstrations inside and outside the country. As explained by Teyssier, Ramarojohn, and Ratsialonana (2010), at the end of 2008, people demanded for the president to leave, and accused the government of betraying the country. The opposition party led by Andry Rajoelina (the former mayor) gathered in the protests against the government of Marc Ravalomanana and also accused him of "selling the country to foreigners, while according to him in Malagasy tradition, land cannot be sold or leased to non-Malagasy" (Vinciguerra 2013, 3). The opposition also requested the resignation of the former Minister of Land Reform and Domain (Teyssier, Ramarojohn, and Ratsialonana 2010).

Therefore, the protests led to a *coup d'état*, where the new president M. Andry Rajoelina confirmed that Madagascar's land was *"ni à vendre ni à louer"* (neither for sale nor for rent). The new Minister of Land Reform confirmed in April 2009 that the deal with Daewoo was cancelled, but also stated that Madagascar was still open to other agro and rural investments

(Teyssier, Ramarojohn, and Ratsialonana 2010, 5).

As argued by Ratsialonana et al. (2011, 54), as a result of Daewoo's deal in Madagascar, going forward, the companies that intend to invest in the country have to consider the "civil society's ability to react, the efficiency of its international intermediaries, and the communication opportunities offered by the Internet."

Therefore, this case study illustrates the importance of food security and the significance of consolidation and design of national policies towards land to be concluded before the interference of international actors (if this is intended). It is possible to see that the "top-down" approach results in discontent among rural communities, and how the mobilization of civil society can play an important role in a country's development and actions.

Conclusion

This thesis has argued that among the different variables involving LSLA, food security, civil societies' freedom and the international stakeholders' influence are really important for the deals' outcomes and results.

As previously explained, the 2008 food crisis brought further concerns regarding LSLA, as well as awareness of its nuances and shadows. Agriculture cannot be a secondary thought on the government's agenda; given the fragility of natural resources, climate change and food security, it should be a national priority. Yet little is known about why a quite considerable number of deals fail. As other scholars (Schönweger and Messerli 2015; Borras and Franco 2013) had already pointed out, a vast amount of work regarding land acquisition focuses on the success of such deals, taking into consideration the assumption of economies of scale, the technology now available, and the availability of cheap labor (when needed, depending on the crop or plantation).

Although the literature regarding land deals failures is limited, this analysis examines the link between LSLA, food security, freedom and the external influence on specific countries' policies and decisions, presenting important findings. First, food security is strongly correlated to the outcome of land deals, if the country is partly free or free. Taking into consideration the results from the quantitative analysis, is possible to see that the food security issue is present in the majority of the cases involving land deal failures. From the top 15 countries with the highest percentage of failed land deals, roughly 87% are food insecure and 74% are free or partly free. Analyzing the results, it is possible to see that even if the population does not enjoy full freedom and civil liberty protection, their ability to mobilize might be essential for their subsistence and rights. Conversely, it does not mean that not free countries do not have land deal failures, however, food insecure countries with authoritarian governments leave less or no space for civil

mobilization. Therefore, even if rural communities are discontent, people are not able to show their dissatisfaction or fight for their rights, as they are left without "weapons".

Internal policies play an important role as well, in order to avoid dispossession and to preserve rural populations' rights. Importantly, the population should be aware of their rights and have access to communication channels. The "top-down" approach should be avoided, communities and their leaders should be included at the beginning of negotiations, and not just once all is settled by the governments and or companies involved in the deal. Furthermore, analyzing the conflicts that are a result of land access, one must start to question the availability and extent of arable land. In countries where customary law also has an important connotation, as in Madagascar for example, rural areas without rights may be an exception and not the rule.

Second, international stakeholders' interference in a country's approach to land deals can have negative effects. By international stakeholders, in this case, we can include other countries and companies, international organizations and aid agencies. First, it is important to acknowledge the target country's social and economic situation and tenure constraints. If internal policies are not strong and solid, the will of peripheral countries to bring international investments may clash with internal goals and needs, leading to failed land deals. As previously explained, when there is a positive correlation between weak protection of land rights and tenure and agricultural investment (Deininger et al. 2011), and no possibility of civil mobilization, we may see a loop of rural investment with weak or no civil participation and an increase in the rush for land. Since foreign investors may also not be aware of a country's specific customary rights, or not understand the rationale behind these rights, it can also bring further conflicts or keep the relationship between investor and landowner in a top-down format. As a result, this approach in turn can lead to further land deal failures.

Thus, the clash between internal and external policies and their interests, together with the unfamiliarity of foreign investors, connected to the rural community's need of land for

subsistence, brings civil hesitation, distrust and fear around the deals. Therefore, it is important to note that the status of land deals may have different meanings behind its successful or fail deals. When land policies are weak, pro-poor or pro-farmer approaches may be left behind due to a strong market attitude and clash of interests, which can happen even inside the same government.

External actors are using the need or the will to increase the emerging countries FDI, making the land a tradeable commodity; however, such actors are not deeply investigating and analyzing the situation of the target country, as well as of its population. Although the findings of the research showed that the variables used have a strong implication in the deal outcome, it is essential to remember that the deals are also failing due to internal variables inherent to each country. For a better outcome for the society and target country, this research demonstrates through the case study that an important part of the problem is with the way in which the negotiation has been shaped, the selected actors involved and the lack of awareness about the target country.

The majority of the investors are wealthy countries, well established international companies or corporations acting with the assistance of the state. It is important to note that each investor country has its own investment interests and concerns over their reputation. Thus, the attitude towards risk or even bribery is definitely not the same among all. Conversely, target countries are in their majority food insecure, poor, involved in conflicts, politically unstable and/or even food aid dependent. Consequently, few of these countries have strong institutions or democracies, which can put into question the authority and the objectives of the governments to act or speak on behalf of local communities and peasants. For instance, as argued by Kugelman and Levenstein (2013, 62), some bilateral agreements give the authority for the buyer to be treated as a national investor. In other cases, they allow the investor to export all or almost all the food produced, and include no special provisions for times of food shortage. Moreover,

they can bring significant political instability, for example, in cases of food shortages, when people are struggling to get food at least for subsistence, and the local population sees trucks taking produce in the direction of the airport to be exported.

A large number of deals also target countries that have a historical background of conflicts due to land and territorial control, or that are struggling to enact land reform, policies and laws. Consequently, since the government is the one behind the decisions regarding best practices for land use, many deals are concluded where the land is considered unused or marginal (Kugelman and Levenstein 2013). However, the land labelled in this way may be used by smallholders and peasants for their subsistence, access to water, medicinal plants, etc. For example, in the case of Madagascar, when the country started to receive a considerable amount of land deal requests, its national Land Law was less than three years old, and the statute that regulated concessions to foreign investors, less than one year. It was clear that neither the government, nor the newly created institutions and public office for this purpose were ready to negotiate such important and immense deals, as well as take into consideration the necessary local protections and customary laws. The result of this large deal that fell apart is also significant and should be taken into consideration. Greater transparency, a focus on pro-poor and pro-farmer approaches, food sovereignty, inclusion of the community from the beginning, as well as correct land demarcation and titles, which take into consideration the customary laws, can be used in order to improve the internal policies and the second phase of the land tenure reform.

The findings of this research have gone some distance in analyzing the context where LSLA are taking place, as well as the variables involved and the international actors' role. Vast data was collected and analyzed. Important connections between food security and civil mobilization were also explained. Fruitful future research can add to this through a more extensive analysis of different deals between governments and the foreign actors involved in

order to better understand the agreements and concessions before reaching the final LSLA. The use of VGGTs and CoC can be also included. The variables studied show strong reasons for the failures, however, deeper causes for the failure may already start at the beginning of the deal. Finally, this research will open space for further debate on LSLA and its nuances.

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Appendix 1 – From the Quantitative Data

Table A.1: Categorical Variables Codings

			Parameter coding				
		Frequency	(1)	(2)	(3)	(4)	(5)
CL	1	13	.000	.000	.000	.000	.000
	2	340	1.000	.000	.000	.000	.000
	3	365	.000	1.000	.000	.000	.000
	4	180	.000	.000	1.000	.000	.000
	5	209	.000	.000	.000	1.000	.000
	6	218	.000	.000	.000	.000	1.000
PR	1	59	.000	.000	.000	.000	.000
	2	546	1.000	.000	.000	.000	.000
	3	81	.000	1.000	.000	.000	.000
	4	212	.000	.000	1.000	.000	.000
	6	339	.000	.000	.000	1.000	.000
	7	88	.000	.000	.000	.000	1.000
Status	1	429	.000	.000			
	2	480	1.000	.000			
	3	416	.000	1.000			

Table A.2: Variables in the Equation

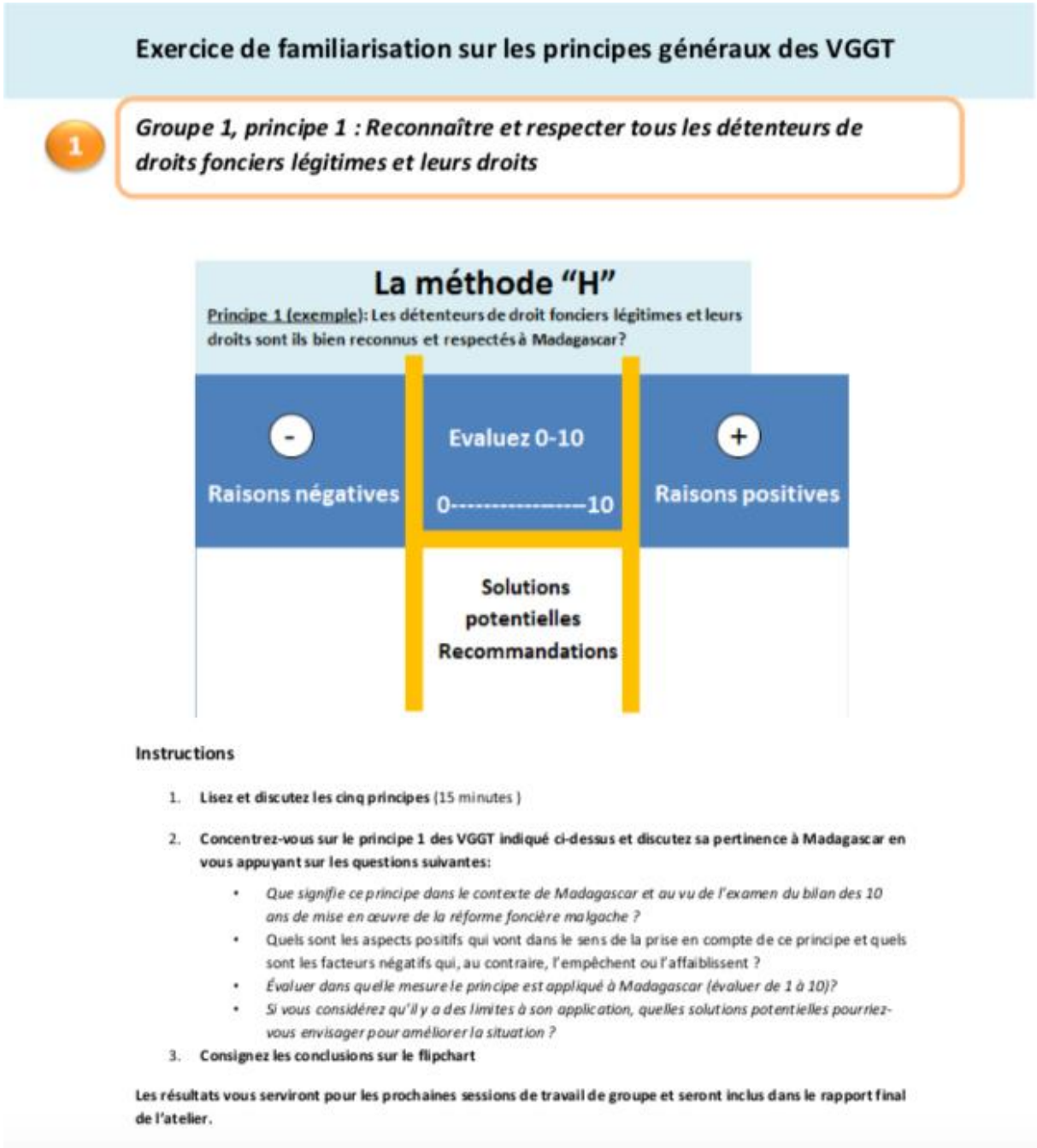
								95% C.I.for EXP(B)	
		B	S.E.	Wald	df	Sig.	Exp(B)	Lower	Upper
Step 1[a]	**FOOD INSECURITY (2012-2016)**	**-.200**	**.042**	**22.477**	**1**	**.000**	**.819**	**.754**	**.889**
	PR			13.851	5	.017			
	PR(1)	20.791	5926.122	.000	1	.997	1070445733.346	.000	.
	PR(2)	17.539	5926.122	.000	1	.998	41402691.835	.000	.
	PR(3)	20.594	5926.122	.000	1	.997	878638354.660	.000	.
	PR(4)	.126	16466.623	.000	1	1.000	1.134	.000	.
	PR(5)	-1.583	16466.623	.000	1	1.000	.205	.000	.
	CL			11.679	4	.020			
	CL(1)	-2.581	12625.631	.000	1	1.000	.076	.000	.

	CL(2)	-2.890	12625.631	.000	1	1.000	.056	.000	.
	CL(3)	-.590	12625.632	.000	1	1.000	.555	.000	.
	CL(4)	-.715	.975	.537	1	.464	.489	.072	3.309
	Status			4.168	2	.124			
	Status(1)	**-1.340**	**.657**	**4.168**	**1**	**.041**	**.262**	**.072**	**.948**
	Status(2)	17.569	12118.642	.000	1	.999	42650828.085	.000	.
	DEPTHFOODD (2006-2016)	**-.015**	**.005**	**8.468**	**1**	**.004**	**.986**	**.976**	**.995**
	CORRUPTION	.087	.060	2.074	1	.150	1.091	.969	1.228
	RURAL POP (% OF TOTAL 2006-2016)	.006	.014	.157	1	.692	1.006	.978	1.035
	POLIT STAB (2006-2016)	-.501	.699	.514	1	.473	.606	.154	2.384
	Constant	-12.109	11148.460	.000	1	.999	.000		

a. Variable(s) entered on step 1: FOOD INSECURITY (2012-2016), PR, CL, Status, DEPTHFOODD (2006-2016), CORRUPTION , RURAL POP (% OF TOTAL 2006-2016), POLIT STAB (2006-2016).

Appendix 2 – Figures

Figure A.1: Example of the VGGT usage for policy analysis



Exercice de familiarisation sur les principes généraux des VGGT

1

Groupe 1, principe 1 : Reconnaître et respecter tous les détenteurs de droits fonciers légitimes et leurs droits

La méthode "H"

Principe 1 (exemple): Les détenteurs de droit fonciers légitimes et leurs droits sont ils bien reconnus et respectés à Madagascar?

-	Evaluez 0-10	+
Raisons négatives	0----------10	Raisons positives
	Solutions potentielles Recommandations	

Instructions

1. **Lisez et discutez les cinq principes** (15 minutes)
2. **Concentrez-vous sur le principe 1 des VGGT indiqué ci-dessus et discutez sa pertinence à Madagascar en vous appuyant sur les questions suivantes:**
   - *Que signifie ce principe dans le contexte de Madagascar et au vu de l'examen du bilan des 10 ans de mise en œuvre de la réforme foncière malgache ?*
   - Quels sont les aspects positifs qui vont dans le sens de la prise en compte de ce principe et quels sont les facteurs négatifs qui, au contraire, l'empêchent ou l'affaiblissent ?
   - *Évaluer dans quelle mesure le principe est appliqué à Madagascar (évaluer de 1 à 10)?*
   - *Si vous considérez qu'il y a des limites à son application, quelles solutions potentielles pourriez-vous envisager pour améliorer la situation ?*
3. **Consignez les conclusions sur le flipchart**

Les résultats vous serviront pour les prochaines sessions de travail de groupe et seront inclus dans le rapport final de l'atelier.

Figure A.2: Political Rights X Percentage of Failed Deals

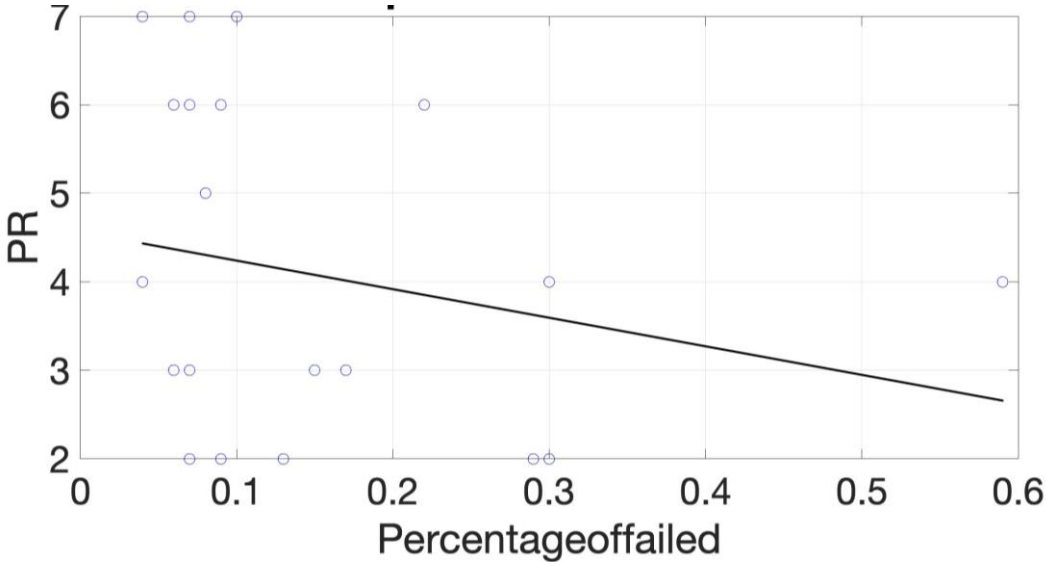


Figure A.3: Civil Liberty X Percentage of Failed Deals

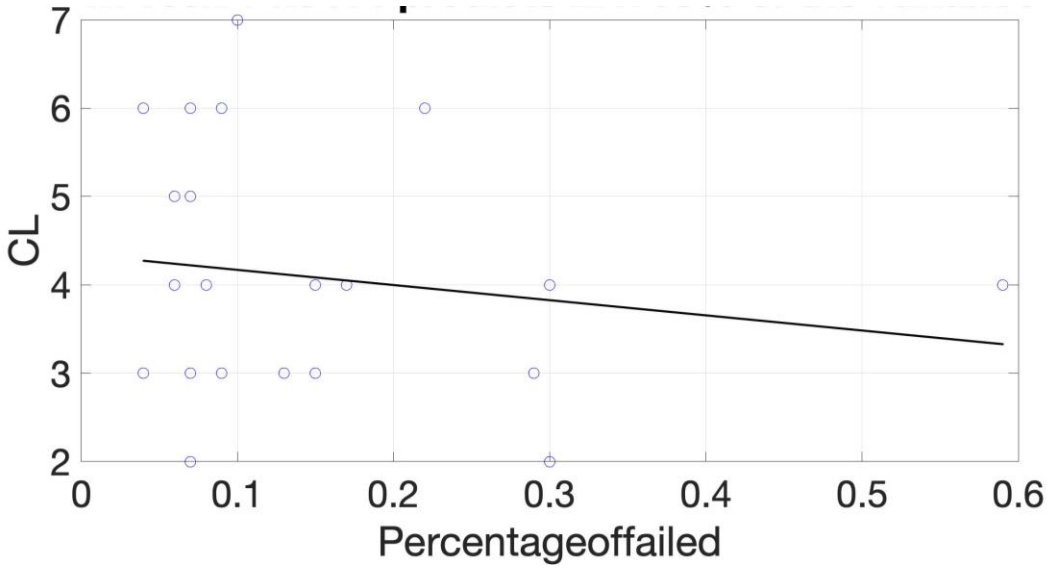


Figure A.4: Percentage of Failed Deals X Rural Population