Politics of Land Resource Management in Mozambique

Akiyo Aminaka

Abstract Mozambique's 1997 Land Law was praised by international donors and the country's own civil society for its democratic and open drafting process. The process included public hearings throughout the country and the recognition of customary law. However, once it became operational, there were many instances of so-called land grabbing. This chapter argues that the reason for this lies in the political operation of the law rather than in the technicalities of its application. This chapter aims to explore the political dynamics in Mozambique that distort the implementation of the Land Law of 1997. The land law in Mozambique was developed with the technical support of international donors, and the government of Mozambique followed these external trends in the expectation of receiving financial support and private investment while it also reflected the axis of conflict in Mozambique's domestic politics. The case studies show that the operation of land law has resulted in the emergence of party-political oppositional axes in rural areas. These facts suggest that the specific political environment strongly influences the process of law-making and implementation. Mozambique's political environment is an obstacle to achieving the law's original objectives of establishing rights to land resources and social stability.

Keywords Land · Land law · Traditional authority · Mozambique

1 Introduction

Mozambique's land law reform has been steadily prepared and was provided with a broad direction by international donors that anticipated the transformation of the economic system at the end of the Cold War. The interests of the post-Cold War international community and the Mozambican government were aligned; the former promoted the transformation of the socialist country into a capitalistic economy, while the latter needed external aid and capital. This motivation of economic development

A. Aminaka (✉)
Institute of Developing Economies, JETRO, Chiba, Japan
e-mail: Akiyo_Aminaka@ide.go.jp

outlined the direction of land reform to establish rights to use land resources and obtain loans secured by land rights.

Since independence, the Mozambican government has been run by the Mozambican Liberation Front (Frente de Libertação de Moçambique: Frelimo). The economy had been devastated by the civil war (1977–1992) against the Mozambican National Resistance (Resistência Nacional de Moçambique: Renamo). Additionally, with the regime change in the Eastern bloc, which supported the post-independence socialist economy in Mozambique, strategic aid to Mozambique was cut off. The Mozambican government was looking for a new financial supporter in the new international order.

Following the end of the Cold War, Mozambique ended the civil war with the help of United Nations peacekeeping operations and reconstruction assistance, including support for democracy. The peace agreement was signed in 1992 on the condition that Renamo would become a political party, in order to introduce a multiparty system. The democratised government announced the National Development Plan together with the National Land Policy¹ in 1995, immediately after the first general election in 1994, and subsequently enacted the Land Law of 1997.² These are the basic laws on rural land resource management, the subject of this chapter, which apply to almost 70% of Mozambique's population living on rural land.³

The new land law was praised by policymakers and local civil society organisations for participatory processes that represented the ideals of a post-conflict democratic society (Tanner 2002). Despite this, Mozambique is often criticised for the drastic increase in the number of large-scale land trades, so-called land grabs (Oakland Institute 2011). Policymakers have noted an overwhelming gap in legal literacy between investors who apply for land usufruct and rural communities that have land usufruct. To fill this gap, policymakers train practical assistants, aiming to diffuse legal knowledge into rural areas (Tanner and Bicchieri 2014).

However, the root of land conflict in Mozambique extends beyond technical problems that can be resolved by the law. The question concerns the difficulty of democratic decision-making and the fair distribution of interests in rural communities. This is because the Mozambican state gives a place to the village governing bodies in a highly politicised power structure that, throughout the introduction of the multiparty system, saw fierce contests between Frelimo and Renamo. The state reconstructed the relationship between the state and rural society relative to its land reform by adopting customary elements within its land resource management policies. It is dangerous to treat rural governance through land resource management as a technical problem, separate from the political power structure (Takeuchi 2014).

This chapter presents the political dynamics of land resource management in Mozambique by examining the actual situation at the site of implementation of the

¹ Resolução 10/95, Política Nacional de Terras.

² Lei 19/97, Lei de Terras.

³ With the enactment of the Local Authorities Law of 1997 designating special local authorities (municipalities) in preparation for the first local elections in 1998 and the subsequent creation of new local authorities, urban land is now administered by these municipal authorities.

land law. The remainder of this chapter is organised as follows. The first section traces the evolution of Mozambican land law in an international context. The second section examines how the Frelimo regime has used the legislation on resource management discussed in the first section as a political resource. Two motives for the ruling party will be evident here: one is the interest in the revival and integration of traditional authorities into administrative structures, in order to gain votes from the introduction of democratic electoral systems in the 1990s; another is the interest in the management of new natural resources since the 2000s. The final section discusses the combined effects of those political interests on the operation of land resource management at the sites. Finally, the chapter draws implications from these considerations.

2 Legal Design Amid an FDI-Driven Economy

Recent legislation on resource management in developing countries is not free from international influence as, although it is a national law, it was developed through contact with foreign actors. The case of Mozambique is no exception. This section traces the evolution of Mozambican land law and its shift in the focus of land policies in an international context since Frelimo's decision to transform its economic system from socialism to capitalism in 1984.

Frelimo's decision on regime change had a profound impact on the 1995 National Land Policy. Its opening statement explains that Mozambique is entering a new stage of economic and social development, characterised by a market economy. It is justified to formulate a new land policy that differs from the socialist-era guidelines that guided the drafting of the current law. The new land policy is based on the simple principle that land is one of the most important natural resources for the country and should, therefore, be valued (República de Moçambique 1996). It is based on the following principles. First, it guaranteed the use of land for the nation and investors by establishing competencies for land; second, it elaborated a principle for the transfer of land usufruct rights to construct partnerships between the government and investors, though the title belongs to the state, which bans trade in land.

The construction of partnerships with investors to promote the reconstruction of the Mozambican economy was already a fixed plan since the negotiations between the Mozambican government, the World Bank, and the International Monetary Fund in 1984, which resulted in the acceptance of the Structural Adjustment Programme in 1987. These international donors deeply influenced the management of land resources and intended to make loans available to peasants by establishing modern individual titles to land in rural areas from the 1990s (Burr 2005; De Renzio and Hanlon 2007). However, this does not imply that the World Bank is refusing to recognise the importance of customary law. On the contrary, it asserts that customary institutions in Africa, such as common titles, play a role in the avoidance of landless poverty.

In addition to donor agencies, foreign direct investment (FDI) has a tremendous impact on domestic politics. Over the years since colonial times, foreign capital has driven economic development in the absence of national capital, without distinction among colonial, socialist, or post-democratic capitalist regimes. In Mozambique, the economic opportunities for local politicians to emerge from local notables were virtually non-existent. Thus, the donor intentions and FDI trends also strongly influenced national development policy, making it easier for politics to emerge with a direct link to the centre of the party-state.

The Mozambican government prioritised legal preparations to attract FDI, in order to rebuild its economy, soon after the peace agreement in 1992. Legislation on land resource management was also prioritised, in order to standardise it globally and to accommodate FDI. The National Land Policy was announced in 1995, and the Land Law and the Land Law Regulation were enacted in 1997 and 1998,⁴ respectively. At the same time, the Policy and Strategy for the Development of Forest and Wildlife was published in 1997, and the Forest and Wildlife Law was enacted in 1999.⁵ In 2000, the Technical Annex for Community Land Delimitation⁶ was enacted to provide guidance for delineating boundaries between adjacent villages in rural areas and between villages and forests, followed by the Regulation for Forest and Wildlife Law.⁷ Then, in 2005, a ministerial order⁸ made a mechanism for channelling and using 20% of forest and wildlife exploitation tax in favour of local communities. These sets of laws set out the policy for the use of land resources and the legal procedures for establishing the use of land in rural areas, as well as the potential for use of land extending beyond the rural areas. These laws have laid the groundwork for land use throughout the country.

The new series of laws approved the acquisition of land usufruct (*direito de uso e aproveitamento*: DUAT) certificates by individuals, corporate bodies, and communities, except for title to public land. In addition, for the first time, they approved customary land usufruct by peasants on rural land and detailed regulations for delimitation. Further, the acquisition of a DUAT by communities or individuals is not obligatory, and both customary law and the new land law entail land usufruct. According to the Land Law in 1997, which recognises the customary law, the land usufruct is originally granted without a DUAT deed, and DUAT is not mandatory for those in rural areas that are subject to customary law. In this sense, the precedent in land reform was a procedure for external development actors that are not subject to customary law to obtain DUAT for use of land resources in rural areas.

Based on the National Development Plan published in 1995, the Mozambican government implemented its 'Agricultural Development Programme of 1998–2005 (Programa de Desenvolvimento da Agricultura: PROAGRI)' under the initiative of the Ministry of Agriculture to protect peasants' access to resources and increase

⁴ Decreto 66/98, Regulamento da Lei de Terras.

⁵ Lei 10/99, Lei de Florestas e Fauna Bravia.

⁶ Diploma Ministerial 29-A/2000, Anexo Técnico para a Delimitação das Terras das Comunidades.

⁷ Decreto 12/2002, Regulamento da Lei de Florestas e Fauna Bravia.

⁸ Diploma Ministerial 93/2005.

their productivity through improved resource management. However, the tone of increasing smallholder productivity began to change gradually from the end of the programme. The Frelimo government reacted to the growing global interest in biofuels from 2004, the year before the 2005 general election, and began to develop the idea of linking cash crop cultivation by smallholders and recommending the cultivation of the oilseed crop *jatropha* to farmers. The cultivation of *jatropha*, as well as existing sugarcane plantations, has attracted interest from private investors as a raw material for bioethanol. As a result, FDI in the agricultural sector has increased significantly (Schut et al. 2010; see Fig. 2). As if to follow those FDIs, Mozambique was selected as one of the 11 priority countries for a major agricultural project founded by the American entrepreneurial foundation, the Alliance for a Green Revolution in Africa (AGRA) for 2006–2020.

The government followed up on these legislative developments with several campaigns to advance land registration across the country. This included the campaign for land resource management, which in effect includes encouraging land registration, communicating information about the process, and creating branches of financial institutions throughout the countryside based on the premise that there would be the possibility of future land-backed loans—although simply registering the land does not immediately result in loans or investment. At the same time, from 2006, a series of campaigns supported by European donors and the World Bank began to disseminate information to the rural population, including information on how to determine the common land, initially starting with training and capacity building for paralegals (Tanner and Bicchieri 2014).⁹

While the training of these personnel takes time, the intention of the agricultural policy evolved into large-scale investment following the worldwide jump in cereal prices in 2007 and 2008. The government responded to these foreign interests by publishing the Strategy for Green Revolution and the National Biofuels Policy and Strategy.¹⁰ There was no shortage of plans to promote agricultural investment from outside the country. During this period, the governments of Japan, Brazil, and Mozambique announced a broad-based agricultural development project, ProSavana, touting South–South cooperation, with emerging countries also joining the ranks of new donors soon after the drastic increase in crop prices in 2008. Agricultural investment as a share of total investment drastically increased by 85.5% in the following

⁹ Beginning with ‘Community Land Initiative (Iniciativa para Terras Comunitárias)’ (2006), ‘Consultative Forum for Land (Forum de Consultas sobre a Terra)’ (2010), and, more recently, ‘Secure Land Campaign (Campanha Terra Segura)’ (2015), there is an impression that this was done in haste for the 2017 assessment, the 20th anniversary of the implementation of the 1997 Land Act. Supplemental campaigns have continued in 2017 and beyond, such as the ‘Land Management Project (Projecto de Administração da Terra em Moçambique)’ (2018–2024) led by the Ministry of Land, Environment, and Rural Development (Ministério da Terra, Ambiente e Desenvolvimento Rural: MITADER). Current projects aim to improve infrastructure with a package of land registration, water, electricity, roads, and financial institutions to return the revenue from land resource use and management to local communities through village administration.

¹⁰ Resolution 22/2009.

Fig. 1 Agricultural investment as a part of total investment in Mozambique 2005–2019. *Source* INE (2006, 2007, 2011–2020). *Note* No data were available for 2007 and 2008

year, as shown in Fig. 1. The number of applications for DUAT increased, while the number of contracts not fulfilled by investors also increased.

In response, the Mozambican government began to issue DUAT with more caution and set a moratorium on the issuance of large-scale DUAT of over 1000 ha from the end of 2009 until October 2011 (Oakland Institute 2011). During the moratorium, the agricultural policy was revised to promote small- and medium-scale commercial agriculture in addition to large-scale ventures. It also revised the procedures found in the Land Law Regulations of 1998, increasing the number of community consultations. Around the same time, in 2010, the World Bank published its ‘Principles for Responsible Agricultural Investment’ (PRAI). In 2011, when, after the moratorium, DUAT was reopened, the government published its ‘Strategic Plan for the Development of the Agricultural Sector (PEDSA): 2011–2020’. The Ministry of Agriculture drafted this plan in 2007 with the technical cooperation of and funding by the Food and Agriculture Organization of the United Nations (FAO). PEDSA does not explicitly mention PRAI; however, as the FAO was involved in the elaboration of both PEDSA and PRAI, it can be concluded that the policymakers of the FAO and Mozambique expected the establishment of a common international understanding of agricultural investment by PRAI and then subsequently published PEDSA. PEDSA targets food security, nutrition improvement, and the reform of the agricultural sector to increase sustainability and competitiveness in the world market. It was also intended to improve management of agricultural land, fishing ground, and forests, recommending the registration of communal lands to protect them (MINAG 2011). The Community Land Initiative campaigns mentioned above, including paralegal training, PEDSA, and PRAI, all involve common policymakers.

After the global jump in cereal prices in 2007 and 2008, international donors demanded even more reform from the Mozambican government to make DUAT tradable (USAID 2007). Additionally, the ‘New Alliance for Food Security and

Nutrition', the support framework set up by the G8 summit in 2010, recognised ten African countries as having great potential for agricultural development, of which Mozambique was one.

However, the tide of this agro-energy resource changed in around 2007, when it was discovered that there is a high potential for the development of natural gas fields offshore in the Afungi Peninsula, northern Mozambique. In 2010 and 2011, world-class reserves of natural gas were confirmed by several major energy companies. While the extraction of the natural gas discovered takes place offshore, the logistics facilities to liquefy it and transport it to international markets are built onshore. This led to a need to secure large tracts of industrial land and forced the resettlement of local people who had made their livelihoods through fishing and agriculture. In accordance with the land law, initial consultations were carried out with local communities in the Afungi Peninsula, the area targeted for development in 2013. The consultation process had to be repeated several times over the years due to the inappropriate use of documents that should have been signed by representatives of the community when a company applies for DUAT, but were signed and submitted by a person not representing the community. Eventually, the resettlement process proceeded between late 2017 and 2018, with the construction of the plant underway as of 2021.

It remains unclear whether the consultation process, which was supposed to have been set up with the administration in the area, led to the signing of the petition by someone who did not represent the community. An important hint for the design of the discussion in the third section of this chapter is the fact that the area covered by this development project at the Afungi Peninsula was the site of Renamo's support base in the early elections.¹¹

During this time, the application and acquisition of DUAT by individuals or jointly by rural communities was being pursued with the technical assistance of the Ministry of Land, Environment, and Rural Development (Ministério da Terra, Ambiente e Desenvolvimento Rural: MITADER). It was a part of a countermeasure to articulate their rights to avoid land disputes with external developers, alongside the Environmental and Social Management Framework that each borrowing country was obligated by the World Bank to produce from 2018. The framework was meant to strengthen the land rights of communities and individuals through delimitation and to improve their ability to negotiate with investors (MITADER 2016). Land registration is still underway in rural areas, as of 2020.

¹¹ The percentage of votes cast in the early elections can be found down to the county level on the Website of the Institute of Social and Economic Studies (Instituto de Estudos Sociais e Económicos: IESE), Mozambique's independent research institute (www.iese.ac.mz/cartografia-eleitoral/#/). The area around Afungi Peninsula, which was Renamo's base of support in the immediate aftermath of democratisation, has been weakened by the development of party politics in Mozambique and has lost its capacity to receive the political demands of the population. The lack of transparency in the development of this political space is not unrelated to the start of radical Islamist terrorism, which continues to this day. The northern part of the country, including the Afungi Peninsula, has been affected by attacks by armed groups, identified as Islamic extremists, since October 2017, forcing more than 700,000 people to flee their homes by June 2021.

Another important aspect of land resource management is the creation of revenues for local communities to benefit from these developments. The Conservation Law of 2014 provided specific guidelines for the use of land resources by local communities in rural areas. This was preceded by the Landscape Protection Law and related regulations and a ministerial diploma in 2005, which defines the mechanisms for channelling and using 20% of the value of the consigned fees on local communities.¹² The 2014 Conservation Law allocates 20% of the profits from the use of forest resources and other resources to local communities and encourages their development planning. The Conservation Law clarified the role of the district administration in drawing up community development plans in line with this legal framework. It gave the district administration the power to decide how to redistribute a portion of the proceeds of large-scale resource development within the district.

This section has confirmed that the flow and direction of legal design were oriented under the auspices of international legal development. A great deal of capital investment was made in accordance with the legal system created. In the process of land law reform that we have seen in this section, the proactive position of the Mozambican government only appears to welcome investment in response to powerful external influences. However, in the next section, by looking at Mozambique's land law reform in light of domestic political developments, we will observe that the ruling and opposition parties, which are in close competition, were extremely interested in land law reform.

3 Political Interests in Village Administration

This section examines how the Frelimo regime has used the legislation on resource management discussed in the first section as a political resource. This section presents two phases of political interest. The first phase encompasses the integration of traditional authorities into administrative structures, in order to gain votes from the introduction of democratic electoral systems and between the first general election in 1994 and the third general election in 2004. The second phase sees growing interest in the management of new natural resources between the third general election in 2004 and the sixth and most recent general election in 2019 (Fig. 3).

¹² Lei 10/99, Lei de Florestas e Fauna Bravia, Decreto 12/2002, Regulamento da Lei de Florestas e Fauna Bravia, and Diploma Ministrial 93/05.

The revival of traditional authority within the framework of the modern state is a phenomenon that has been common to many African countries, including Mozambique, since the 1990s. According to Oomen (2005), the re-emergence of traditional leader is linked to the postmodern phenomenon of the weakening of the nation-state and the assertion of collective rights based on culture. There are several reasons for supporting the chiefs: achievement, government direction, and the lack of other options. They were supported not because of their antiquity, but because of the symbolic value and political power that they have in the new world (Oomen 2005). Oomen's argument that the revival of traditional authority is a postmodern phenomenon can be applied to the colonial state and the modern state is, as Ntsebeza (2005) states, an extension of the colonial state. This would also apply to the ups and downs of the social status of traditional authorities throughout Mozambique's history of colonial rule, independence and socialism, and post-democratisation.

This subsection presents how the Mozambican government positioned and articulated the traditional authority within the hierarchical structure of administrative organisations. Mozambique's administrative units are shown in Fig. 2, divided into provinces, municipalities, districts, and administrative posts. An administrative post is divided into districts in urban areas, while it is segregated into localities and subdivided areas in rural areas. According to the definition of the Land Law of 1997, among the mentioned divisions, 'communities' refer to localities or smaller areas

Fig. 2 Structure of administration and routes of appointment or election in 2020. *Source* Lei 8/2003, Lei 1/2018. *Note* The Communal Authority, a new framework established in 2000, consists of a hereditary ‘traditional authority’, the régulo, as well as a permanent secretary (secretário), originally an executive body of the socialist era, and ‘community leaders’, many of whom are veterans of the Frelimo and national armed forces. The scope of ‘community’ and ‘communal authority’ was defined by the 1997 Land Act and the 2000 Proclamation on the Joining of National Administrative Institutions and Communal Authority (Decreto15/2000). Numbers in the round brackets show the number of each position in 2020

with groups of households and individuals that protect the public benefits of its residents through the preservation of residences and the cultivation of land, forests, culturally important places, pastoral areas, water sources, and reclaimed land.

These administrative units work for land resource management as follows. At the provincial level, provincial governors are responsible for the allocation of DUAT for parcels of 0–1000 ha of land, according to article 22 of the Land Law of 1997. Issuance of DUAT on larger land is up to the minister with jurisdiction over the activities of the applicant for the issuance of the land usufruct. At the district level, the role of district governments was somewhat driven by the passing of the law, establishing the principles and rules of organisation of local state bodies. The passing of legislation on land-use planning in 2007 additionally strengthened the role reserved for these bodies about the management of land and other natural resources at the local level, highlighting the importance of approving district land-use plans. It should be noted that under the land law the lack of district land-use plans with cadastral services prevents district governments from making land-use decisions in their area of jurisdiction. At the community level sit localities that are subordinate to the villages within the administrative division. The series of laws on land and forests include the specific provisions that require the participation of these communities and their institutions in the management of natural resources by customary law.

The traditional authority in Mozambique called *régulo*¹³ is the gatekeeper for communal lands, as it is responsible for customary law according to the Land Law of 1997 (Serra 2014). However, the role of the *régulo* has been highly politicised and used by the state as a political tool for rural governance since the colonial period. After independence, the Mozambican revolutionary government, led by Frelimo, deprived *régulo* of this role. In opposition to the deprivation of its authority by Frelimo, some *régulo* naturally turned to support Renamo. After democratisation, the *régulo* were once again authorised by the state as a member of the newly established village governance body, the ‘communal authority’, by the proclamation of the decree in 2000 on the Forms of Articulation of the State’s Legal Organs to Communal Authority.¹⁴

The political process that established this decree in 2000 reflects the interests of Frelimo and Renamo as follows. Since 1991, in anticipation of the end of the civil war, the Ministry of Home Affairs (Ministério da Administração Estatal) played a role in managing community security to prevent the recurrence of the civil war and, therefore, recognised the importance of traditional authorities overseeing communities at the grassroots level. The ministry carried out a research project on the social position of the *régulo* called ‘Decentralisation and Traditional Authority (Descentralização e Autoridade Tradicional)’ between 1991 and 1998 (Serra 2014).

¹³ *Régulo* in Portuguese means ‘king of a small country’. Colonial administrative reform in 1907 set the administrative units *regedoria* for African ‘natives’ and appointed *régulo* as being responsible. Its political position shifted several times, along with regime changes in the colonial, socialist, and democratic periods.

¹⁴ Decreto 15/2000, Formas de articulação dos órgãos locais do Estado com autoridades comunitárias.

Around the same period, the tensions that accompanied the elections in 1994, 1998, and 1999, the period immediately after the end of the civil war, vividly reproduced the axis of conflict that existed during the civil war. Laws on land and the legal role and status of a traditional authority constituted an important issue in the elections. During deliberations on the Land Law in 1997, Renamo pointed out that Frelimo had previously deprived the traditional authority of its powers, while Renamo supported the establishment of rights to private property and the expansion of the power of traditional authority. Frelimo, for its part, expressed the negative opinion, at first, that traditional authority was not always a guardian for peasants, due to frequent abuse of power (AIM 1997; Kloeck-Jenson 2000).

In the two early national elections, Frelimo won by a narrow margin. Frelimo felt threatened when it became clear that the difference in vote share to the opposition was very small (Fig. 3). The high turnout of the opposition parties, especially Renamo, was a result of their solid support in the rural areas. With each experience, Frelimo became more aware of the need to enlist the support of traditional authorities to increase their vote share in rural areas. Therefore, the interests of the concurrent parties, both Renamo, who had traditionally supported the traditional authority position, and Frelimo, who had renewed its recognition of the traditional authority, coincided at the point of each strengthening its constituency by incorporating traditional authority at the lowest level of the administrative organisation of the state.

Fig. 3 Vote share by party in the National Assembly elections (%). *Source* Retrieved from IESE Cartografia Eleitoral (www.iese.ac.mz/cartografia-eleitoral/#/) on 5 March 2021

In 2000, the law officially recognised the traditional authority of *régulo* as part of communal authority. Although the same decree also recognised as members of the communal authority the administrative secretary (*secretário*) at the village level, which had existed since the socialist period, and the community leaders, who were strong supporters of Frelimo, as a member of communal authority. In sum, communal authority in village governance was implemented through political appointments, and Frelimo supporters remained dominant (Buur and Kyed 2005) (Fig. 1).¹⁵

Moreover, another law in 2003 placed this communal authority within the consultative council, which is the governing body for each administrative unit that is smaller than an administrative post, such as locality and population (Forquilha 2010).¹⁶ Then, another decree in 2005 approved the use of the national emblem by members of the communal authority, provided them with a uniform, and granted them a salary.¹⁷ The expected role of the *régulo* in the context of land law should be recalled here, namely, passing judgement on the management of land resources according to customary law.¹⁸

The consultative council was originally intended to act as a decision-making body for communal land under the Land Law Regulations of 1998 and the Technical Annex for Community Land Delimitation of 2000 (Forquilha 2010). According to these laws, the consultative council in the locality, which is the lowest level, is to be led by the chief of administrative post as chair, who is appointed by the Ministry of Home Affairs. The remaining components of the consultative council are the communal authorities, including the *régulo*, secretary, and community leaders. Among these personnel in the communal authority, only the *régulo*'s political position could be divided into pro-Frelimo or pro-Renamo, while others are all pro-Frelimo. The communal authorities, who play a decisive role in decision-making regarding community issues, are required to act neutrally and contribute to the public interest. However, as they are politically appointed, they inevitably act politically.

As we have seen in this subsection, it is evident that both Frelimo and Renamo perceive the advantages of deepening and widening their influence in rural areas using international trends for the recognition of customary law on land reform. The composition of the consultative council and communal authority directly reflects party politics at the community level. Thus, it is necessary to understand the influence of the highly political composition of the consultative council upon implementation of the 1997 Land Law. The impact of the political position of the *régulo* and the political antagonism within the consultative council on the implementation of the 1997 Land Law will be examined in the following Sect. 4.

¹⁵ For example, in 2014, the municipality of Nampula registered 326 community leaders, and 90% of those were ex-combatants of the liberation struggle or demobilised soldiers of the civil war—in other words, those who stood on the side of Frelimo (Verdade 2014).

¹⁶ Lei 8/2003 Conselho Consultivo de Povoação e de Localidade.

¹⁷ Decreto 11/2005, Regulamento da Lei dos Órgãos Locais do Estado.

¹⁸ The bewilderment and the rivalries that emerged and faced rural communities at the inclusion of traditional authority *régulo* in the administrative structures of the early 2000s were detailed by Gonçalves (2006), who conducted research in southern Mozambique in 2002–2003.

3.2 Growing Interest in Resource Management

The interests of the ruling and opposition parties in village administration during the 1990s and the early 2000s were largely political and directly related to elections, as confirmed in the previous subsection. However, this situation changed rapidly after 2007. Since the international grain price hike in 2007, there has been a massive increase in FDI in agribusiness, and a spate of natural gas, coal, heavy sand, graphite, rubies, and other resources have all been developed in rural areas (Fig. 1). This subsection is designed to put forward the fact that the increased potential for economic development in the countryside gave rise to another political motive that of increasing the influence of these interests.

Let us review the relationship between the provincial government and the central government regarding its functions, roles, and powers. The central government passes responsibility to the provincial government for the transmission and execution of various policies and the budgets allocated to them. In contrast, information and tax revenues could be siphoned off from the provincial governments by the central government. Whether or not to give state governments the power to manage these resources, if any, will be a focus of debate in the central government. In this regard, in Mozambique, where it is estimated that 90% of the economically active population works in the informal sector, the institutional tax revenue potential is from corporate taxes. However, from 2005 to 2006, when the law on the provincial legislature was being debated, companies of a certain size that could be expected to collect corporate tax were concentrated in the suburbs of the capital city, and the central government very rarely looked at the provinces for a large amount of tax revenue that could be generated.

As these resources were being developed in rural areas, there was an expectation of local financial resources and an increased incentive for the Frelimo government to immediately manage the resources, including the land itself. Since the announcement of the world's leading reserves of natural gas, the Frelimo government led by Armando Guebuza (2005–2009, 2010–2014), looking ahead to its second term in office from 2010, had been surrounded by expectations of future resource development and new interests aimed at acquiring the concessions associated with development. From this period onwards, the authoritative tendencies of the Guebuza regime increased. Guebuza threw all his resources at the election campaign for the 2009 general election and achieved an overwhelming victory, in the face of criticism of electoral fraud. The results of the election in 2009 also showed that even in the central provinces, where Renamo had defeated Frelimo in previous elections, Renamo lost by a wide margin (Table 1). As Frelimo won the election in 2009 by an overwhelming victory, giving Frelimo an advantage in the National Assembly that allowed it to pass legislation on its own, Frelimo made the most of that advantage and passed laws that further strengthened its support base.

Frelimo's intransigence led to the clashes between Renamo's military wing and Mozambican forces from 2012 to the present. In the latest official negotiations with the Frelimo government in 2018, Renamo demanded the transfer of a part of the

Table 1 Results of general elections at the national, province, and district levels 1994–2019 (%)

	1994			1999			2004			2009			2014			2019		
	Frelimo	Renamo		Frelimo	Renamo		Frelimo	Renamo		Frelimo	Renamo		Frelimo	Renamo		Frelimo	Renamo	
National	44.3	37.8		49.0	39.0		62.0	29.8		74.7	17.7		56.0	23.5		71.2	22.3	
Nampula Province	32.3	48.9		39.2	44.0		50.0	39.5		63.7	27.3		44.6	44.3		58.0	35.0	
Nampula City	43.8	44.6		51.0	41.6		54.4	39.1		74.6	23.0		–	–		–	–	
Monapo District	22.5	55.7		25.0	54.1		41.0	46.6		59.7	31.9		–	–		–	–	
Monapo Area	25.3	48.3		28.0	52.1		37.0	51.2		63.1	30.5		–	–		–	–	
Itoculo Area	29.7	51.1		28.1	52.1		31.5	54.4		54.3	35.4		–	–		–	–	

Source Retrieved from IESE Cartografia Eleitoral and composed by the author

Note The data from all the polling posts before 2009 are available, but the result of the last election in 2014 has been shown through a 10% sample survey, and the data at district and area levels were unavailable for the focus area of this study.

authority of land resource management to issue large-scale DUAT from the provincial governor appointed by the president to the provincial assembly composed of elected members. Renamo also required that a part of the tax revenue acquired by resource management would be used to support the provincial government (MNRC 2015). These requirements exhibit a repulsion to the centralisation spearheaded by Frelimo, and Renamo's requirements became more relevant for land resource management. As a result of negotiations between these two major parties, public elections were introduced for the position of the provincial governor from the 2019 elections and for the positions of district administrators from the 2024 elections. However, the 2019 election was won by Frelimo candidates in all provinces, including those that had historically been Renamo's ground.

Leaving aside the results of the most recent elections, it was clear that both the ruling and opposition parties had turned their attention to the rural areas, initially to ensure electoral victory. Later, the possibility of resource exploitation emerged, to seize official powers to control tax revenues, as well as having the political and economic interests in mind for the personal investments of the leading figures of each party. In the next section, the chapter examines how land law operates at the sites of land resource management, where political and economic interests are manifested in the manners described above.

4 The Site of the Implementation of Land Law

This section examines two cases of land disputes in different villages in the areas of Monapo and Itoculo in the district of Monapo in the province of Nampula. The data are based on collective and individual interviews carried out during fieldwork in August 2016 and September 2019, except as noted in the sources. It focuses on the Monapo District from a socio-economic and political perspective. Economically, Monapo attracts FDI, as well as domestic investment, faces more requirements for its land resource management, as it is located on the first-grade trunk road of the Nacala Development Corridor, which extends from the Port of Nacala, one of the deepest ports in east Africa, and serves as a gateway to Malawi and Zambia, landlocked countries of the interior (Fig. 4). Politically, Monapo is embedded in an area of significant competition between Frelimo and Renamo.

4.1 Social Structure and Changing Land Use

Makua-speaking ethnic groups dominate in Nampula Province and, under their customary law, the lineage-based chief *muene*, whose status of *muene* follows the maternal line, handles land delimitation, distribution, and conflicts, as well as resolving family matters, such as divorce and other ceremonies. *Muene* is different from the *régulo*, first appointed by the colonial administration and converted to a

Fig. 4 Map of Monapo District

member of the communal authority in the consultative council. In 2005, the Ministry of Home Affairs put together a list of names of those belonging to the communal authorities of Monapo, following the establishment of the communal authorities in 2000 and the consultative council in 2003, and the provision of salaries in 2005. The Ministry of Home Affairs recognised 42 people as traditional authorities, comprising part of the communal authorities. Of those 42, 32 were registered as *régulos* and two as *rainhas* (queen). The latter may be a female *muene*, but, if so, they remain a minority among communal authorities.

The role of *régulo* in today's rural society can be seen in two ways in relation to land use. The first is the allocation of common land to members of the community; the other is the mobilisation of the labour of the members of the community. The mobilisation of labour works in the same way as the political mobilisation described in Sect. 2, where the revival of traditional authority worked effectively to attract votes in elections. Agricultural companies today use the same methods of labour mobilisation and production management, with *régulos* as intermediaries, just as the colonial governments did. With each change in political regime, from the colonial to the socialist and then to the democratic era, the legal entities of actors in production management have changed from state-owned enterprises to private enterprises, but the method of management on the production level through *régulos* remains the same (Pitcher 1998; Dinerman 2001).

4.2 Political Dynamics Over Benefit Distribution

Obarrio (2018) conducted fieldwork around nearby areas in Nampula Province just before the 2004 general election, drawing on the political considerations between local influential people, including traditional authorities and government officials. However, tensions between people and their interest in land resources have intensified significantly since then, as we saw in the second section of this chapter, to the extent that the situation in 2004 seems almost idyllic. These tensions have been exacerbated by successive elections under an increasingly authoritarian regime.

The Monapo District is composed of three areas, Monapo, Itoculo, and Netia, and there are several villages in each area. In Monapo District, as shown in Table 1, in the first general election in 1994, Frelimo received only 22.5% of the vote, with Renamo receiving 55.7%. Monapo was a Renamo power base until 2009, when it was won by that party until the fourth general election in 2009. However, the political arena has recently become unstable, as armed clashes between the military wing of Renamo and the government sporadically occurred here and in surrounding districts from 2012 to 2017, including the period of this fieldwork.

The procedure for obtaining DUAT proceeds as follows. If someone is applying for a DUAT, the applicant must first check with the community concerned and delimit the parcel of land for which the one is applying. The Land Law Regulations of 1998 require private investor applicants to identify the applicable land and present a written statement with a map approved by the administrative body, registration body, and local community. A written statement requires the inclusion of the history, culture, social structure, practical use of land and other natural resources, and the mechanism for advisory and conflict resolution. The process of elaborating the written statement again requires the participation of the local population, with their gender, age, and other attributes. Similar to community consultations, the application documents require a minimum of three and a maximum of nine signatures by members of the community or representatives who are the communal authorities. Community consultation follows the delimitation; this community consultation aims to obtain information about the merits and demerits of the transference of usufruct for the people affected and to hear their opinions.

However, communal authority and the consultative council itself are cogs in a highly centralised organisational machine, under the appointment of administrative superiors. In the Mozambican administration until 2018, the president appointed both the Minister of Home Affairs and the provincial governors. Then, the Minister of Home Affairs appointed the district governors and the chiefs of the administrative post, under the advice of the provincial governor. The provincial governor also appointed the village chiefs, under the advice of the district governor. The Mozambican administration, at its lowest levels, is characterised by the ease of influence from political antagonism at the central level because of the involvement of the *régulo* and the set-up of the consultative council. In sum, Frelimo's governance has a strong tendency towards centralisation, with a decentralised appearance through its power of setting up decision-making bodies in rural governance.

Within the Monapo District, the study selected two villages to be examined from a comparative perspective, which had a political difference in the affiliation of *régulo* in the consultative council. The *régulos* of Village A in the administrative post of Monapo and Village B in the administrative post of Itoculo are sharply distinguished by political party, while both villages received agricultural investment from the private South African Company X. The *régulo* of Village A supports Frelimo, while the *régulo* of Village B supports Renamo. The difference in the political affiliation of the *régulos* in these villages attracted the attention of this study, as the influence of political affiliation on community consultation provides an interesting comparison. The *régulo* OM of Village A was registered by the district office in 2002, while the *régulo* JJ of Village B was registered in 2004. Both names are printed in the communal (traditional) authority list in a report on district regional development published by the Ministry of Home Affairs in 2005. In the following sections, the behaviour of the village administration and residents is examined with regard to the acquisition of DUAT by Company X in both villages.

4.3 Case 1: Temptation of pro-Frelimo *régulo*

This subsection examines the case of Village A, in which the consultation of the local population, as required by the Land Law Regulations, was not carried out in accordance with the correct procedure because of the takeover of the pro-Frelimo *régulo* by the administration and investor.

Company X acquired a DUAT in 2013 for part of this cotton cultivation area in Village A and first produced soybeans on 450 ha, but then changed to plant cashews in 2016. It planned to expand its cultivation area to 2000 ha; however, in late 2016, it abandoned its plans due to the resistance of the residents of Village A and was cultivating only about 120 ha.

The acquisition of the DUAT by Company X is considered inappropriate for the following reasons. At the early stages of the acquisition of the DUAT, it was deemed necessary to carry out local community consultations to agree on the future use of the land, which at least three and a maximum of nine community representatives would sign. However, Company X invited only three representatives of the community, including *régulo* OM, to a closed-door community consultation to sign the agreement acquiring the DUAT. The district administration and Company X did not inform the residents of the community consultation, neither beforehand nor afterwards; thus, most residents only learned of the acquisition of the DUAT by Company X when the soil was being prepared for planting. The land in question is in a corner of the cotton cultivation area, and those who had been cultivating in the area left. However, in August 2015, Company X began to expand its area into space where 30- to 50-year-old cashew trees stood. Because of these trees, the local peasants recognised the land as customarily belonging to them (Strasberg and Kloeck-Jenson 2002), so, naturally, the owners of the trees protested the expansion. Nevertheless, Company X ignored their protests and expanded its area of production. All the facilities are fenced

off, and the productive cashew trees remain within the fence, in a place off-limits to persons unauthorised by the company.

Due to this coercive expansion without local consultation, residents of Village A concluded that the three representatives of their community, including *régulo* OM, were bribed by Company X. As described above, the *régulo* is recognised as the key person in the community for the management of land resources by outsiders, whether this concerns cotton production areas or customary land. To protest, residents with fields in the area under question appealed to the district administration and the company through the peasants' union, religious organisations, and civil society organisations. However, because the district administration itself had approved of the DUAT applied for by Company X, the situation did not improve. The residents then petitioned the provincial government and the expansion ceased; however, the DUAT was not cancelled.

The villagers' movement not only halted expansion, but also affected village governance. As a result of the petition and once the provincial government learned the details of what had happened, OM was dismissed. During this time, the community leader of Village A was not invited to the community consultation, nor was he given information on the acquisition of the DUAT by Company X through administrative channels. This may be because he was one of those with a field in the area in question. The dismissed *régulo* and the community leader were close in their positions in village governance. Both were supporters of Frelimo, and they aligned politically, but they did not share information. As a result, the community leader participated in the protest movement.

4.4 Case 2: Exclusion of pro-Renamo *régulo*

This subsection examines the case of Village B, in which the administration did not follow the correct procedure of consultation with the local population as required by the Land Law Regulation to exclude the pro-Renamo *régulo*.

The *régulo* JJ of Village B was approved by the district administration in 2004 and was then registered in the Minister of Home Affairs' list, published in 2005. This *régulo* JJ was a Renamo supporter and died in 2015. His successor is a Frelimo supporter. Besides the *régulo*, Village B has a community leader who worked elsewhere as mobilised personnel for the Frelimo organisation *Grupos Dinamizadores* (Activating Group) during the socialist period and was only assigned to Village B in 1997 by Frelimo. The position was officially made part of village governance with the establishment of the consultative council in 2003.

Village B had previous experience with a DUAT, when the Dubai Company Y applied for the cotton cultivation area in around 2000. At that time, Company Y met with some male residents and acquired their signatures and agreement for the DUAT without any dispute. Company Y followed the old procedure, which did not require community consultation with the cooperation of the consultative council, which was only established in 2003. Between 2000 and 2001, the company produced lentil peas

on 435 ha, employing residents, but it halted production due to a bad harvest and did not use the land subsequently.

Company X, the same company that had sparked protests in Village A, acquired a DUAT for 450 ha in the cotton cultivation area, with a plan to expand to 800 ha. Company X was expected to increase its land into Village B between 2013 and 2015, at which point community consultation was required, with the cooperation of the consultative council. However, Village B residents only learned of the actions of Company X when their neighbours in Village C informed them that the company had begun digging for a water supply. The residents of Village B, including *régulo* JJ, were not informed of the activities of Company X on their territory. Company X acquired its DUAT using an inadequate procedure; the company had not held its community consultation with Village B, the area named in the DUAT, but by soliciting signatures from the neighbouring Village C. After determining that Company X did not follow proper procedures, the residents of Village B protested the district administration through the peasants' union, which also supported the protests of Village A. A trace of the digging, but no land preparation, remained at the time of the fieldwork in 2016.

4.5 Impact of Political Intervention on Village Governance

This subsection draws out the implications of the comparison between the two above cases. Regardless of whether there is antagonism within the consultative council, the pro-Frelimo administration negatively influenced the implementation of the land law. What is more important is its applied logic. The district administrative body and the consultative council are highly politicised in favour of the party in power, so that, in the case of Village A, with a pro-Frelimo *régulo*, the consultative council suppressed the objections itself, while in Village B, the administrative body rejected opening the route for any kind of benefit to the pro-Renamo component.

These land disputes provide us with three points for consideration. The first point is the district administration's lack of neutrality. According to the Land Law of 1997, when the land size marked out in a DUAT application in a rural area is less than 1000 ha, the district administration should play the role of mediator between the applicant and the community and mediate the issue of the distribution of benefits generated from land resources and their management. The access route to the management of resources should be equally open to all the communities concerned. However, in practice, the district administration opened the route only to selected residents of Village A; it did not open it to residents of Village B. One reason for this may be the political position of the pro-Renamo *régulo* of Village B, who plays a crucial role in the handling of customary law over land resources. This element should not be overlooked, especially for the clashes between Renamo's military wing and national forces in rural areas, including Nampula, from 2012 to the present. This shows that the substantial given-party-centred centralisation goes deep into village government and makes administrative bodies supportive of certain parties.

The second point is the representation of the *régulo* in village governance. In the case of Village A, the route to access the distribution of benefits was set, and the minimum number of people required to sign a DUAT application accessed the route behind closed doors. The people using this limited route, including the pro-Frelimo *régulo* OM, did not represent the interests of the community. Their judgement for the DUAT application was not based on customary law, although in the Land Law of 1997, the *régulo* is given legitimacy as an executor of customary law. In Village A, the pro-Frelimo *régulo* did not fulfil this mission, but sought personal benefit instead, abusing the position as an executor of customary law. The introduction of customary law into the Land Law of 1997 did not simply bring about the protection of customary law, but also created a new political link between rural communities and politically biased administrations.

The third point is related to Frelimo's intention, as seen in the relationship between the *régulo* and the community leader. The mobilising power of the community leader of Village A, whose *régulo* was pro-Frelimo, was weak, while that of the community leader of Village B, whose *régulo* was pro-Renamo, was strong. The community leader of Village B did not come from this community, but was relocated from elsewhere in 1997, just before the first local elections in 1998. The assignment of active personnel in Village B represented a positive strategy taken by Frelimo, intending to obtain support in a Renamo-dominant area and competing with a pro-Renamo *régulo*. Legal recognition by the state in 2000 of the community leader and *régulo* as members of the communal authority and the payment of a salary was added to motivate them and reward their contribution to increasing Frelimo's support. Both are components of the consultative council for the implementation of the land law.

As mentioned above, in today's Mozambique, district administrations are not always neutral, and they work in favour of the ruling party. Besides, although the position of the traditional authorities represents the community, their behaviour is not necessarily representative of the community; it may instead be for individual interests, which in some cases have been encouraged by the administrative bodies, which are politically biased. Furthermore, the ruling party has been increasingly influential in rural governance since independence and continues to be so today.

So, summarising the above three points in the context of land law reform in Mozambique, it can be said that the philosophy of land law in Mozambique was not free from the interests of party politics in the country. The philosophy was to protect the common resources of rural areas by establishing usufructuary rights and recognising customary law. At the same time, it was to make land usufructs tradable, thus commodifying land resources and attracting capital. However, the ruling party has gained increasing influence in rural governance. What we can observe in present-day Mozambique's political environment is a situation where the administration, lacking neutrality, uses the operation of the law as a tool for political profit distribution.

5 Conclusion

Since the mid-1980s, the Frelimo government pursued the land law reform presented by donors at the end of the Cold War in exchange for economic support, in line with the wishes of donors and aid agencies. The law was highly praised nationally and internationally on its enactment, as it progressively adopted customary laws. It was elaborated through public hearings and discussions that were open to the entire country. There was an atmosphere full of promise that seemed to embody the building of a democratic society after the end of the civil war.

However, the Frelimo government has not only responded to the demands of donors and aid agencies for institutional design. The government is trying to promote more centralised governance through rural land resource management. When it comes to implementing these policies and institutions, domestic politics often influences practices, and the policies implemented with external funding are themselves used as political resources by the ruling party and present a very narrow, profit-driven administration by the Frelimo regime to strengthen its support base from the democratisation of the 1990s. In addition, the discovery of promising natural resources in the countryside in the 2000s has led to a growing interest in local governance by the central government. Correspondingly, Frelimo has designed a new system of local governance to put members of the Frelimo party through elections into the positions of the provincial governor and district administrator.

The Mozambican Land Law of 1997 is not free from these political influences. Although the 1997 Land Law was drafted in line with international legal support, it is often used politically as a means of profit-sharing to broaden Frelimo's political base. The top-down chain of command created by the Frelimo government easily spread antagonism, formerly confined to the central level, to the villages. Considering Frelimo's intention, it is rarely claimed that the enforcement of competence for rural land is a way to protect communal land; rather, it destabilises their land usufruct, radicalises political antagonism at the local level, and promotes local antagonism that has its origin at the central level.

When the state awards recognition of what already possesses social legitimacy, the assessment of the state among its citizens generally improves. However, in the case of Mozambique, as the state politicised the social legitimacy of customary law, social dissatisfaction is only increasing, and the assessment of the state has worsened. This has been a major element destabilising this country in recent years in several places, principally targeting the state under the Frelimo regime, including the military attacks by Renamo's military wing in the central region and the acts of terrorism committed by Islamic extremists in the northern region surrounding the world's leading natural gas development area.

In 2017, on the 20th anniversary of the implementation of the 1997 Land Act, the Frelimo government launched a series of public hearings to review it. The government then proceeded, in July 2020, to launch a public consultation process on the review of the National Land Policy, published in 1995, under the assistance of the technical commission for the elaboration of new national land policy. The commission is

composed of ten professionals, including jurists, sociologists, architects, and social activists under coordination with the consultant of the FAO (Carta de Moçambique, 2020). Given the recent trends of land reform in Mozambique and the political environment surrounding it that have been examined in this chapter, it is predictable that the new land policy will become even more market economy-oriented as a justification for the progress of land registration in rural areas. However, as we have seen in this chapter, it is the political environment surrounding those who administer the law, rather than the law itself, which causes problems that arise around land resource management in Mozambique.

Acknowledgements Research for this paper was funded by the Grant-in-Aid for Scientific Research (B) ('Resource Management and Political Power in Rural Africa' Project Number: 18H03439) and a series of workshops in Pretoria, South Africa, in 2018 and 2020 in Huye, Rwanda, organised by the African Study Centre of Tokyo University of Foreign Studies.

References

- AIM (Agência de Informação de Moçambique). 1997. Assembly discusses land law. *AIM News Report* 114. www.poptel.org.uk/mozambique-news/newsletter/aim114.html#story6. Accessed 31 April 2021.
- Burr, K. 2005. The evolution of the international law of alienability: The 1997 land law of Mozambique as a case study. *Columbia Journal of Transnational Law* 43: 961–997.
- Buur, L. and H.M. Kyed. 2005. *State recognition of traditional authority in Mozambique: the nexus of community representation and state assistance*. Nordiska Afrikainstitutet. <http://urn.kb.se/resolve?urn=urn:nbn:se:nai:diva-114>. Accessed April 21, 2021.
- Carta de Moçambique. 2020. *Revisão da política nacional de terras: 'estado continuará a ser proprietário da terra e outros recursos naturais'—garante Filipe Nyusi*. <https://cartamz.com/index.php/politica/item/5641-revisao-da-politica-nacional-de-terras-estado-continuara-a-ser-proprietario-da-terra-e-outros-recursos-naturais-garante-filipe-nyusi>. Accessed April 21, 2021.
- De Moçambique R. 1996. Resolução nº 10/95: Aprova a Política Nacional de Terras e as respectivas Estratégias de Implementação, *Bolteim da República, I Série* 9: 1–6.
- De Renzio, P. and J. Hanlon. 2007. Contested sovereignty in Mozambique: The dilemmas of aid dependence. Managing Aid Dependency Project, *GEG Working Paper* 2007/25, Department of Politics and International Relations, Oxford University College, Oxford.
- Dinerman, A. 2001. From 'abaixo' to 'chiefs of production': Agrarian change in Nampula province, Mozambique, 1975–87. *The Journal of Peasant Studies* 28 (2): 1–82. <https://doi.org/10.1080/03066150108438766>.
- Forquilha, S.C. 2010. Governação distrital no contexto das reformas de descentralização administrativa em Moçambique. In *Desafios para Moçambique 2010*, eds. L. de Brito, C. Nuno, Castel-Branco, S. Chichava, A. Francisco, 31–49. Maputo: Instituto de Estudos Sociais e Económicos.
- Gonçalves, E. 2006. Finding the chiefs: political decentralisation and traditional authority in Mocumbi, southern Mozambique. *Africa Insight* 35 (3): 64–70. <https://hdl.handle.net/10520/EJC17432>. Accessed April 21, 2021.
- INE (Instituto Nacional de Estatística). 2006. *Anuário estatístico 2005*, INE, Maputo.
- INE. 2007. *Anuário estatístico 2006*, INE, Maputo.
- INE. 2011. *Anuário estatístico 2010*, INE, Maputo.
- INE. 2012. *Anuário estatístico 2011*, INE, Maputo.

- INE. 2013. *Anuário estatístico 2012*, INE, Maputo.
- INE. 2014. *Anuário estatístico 2013*, INE, Maputo.
- INE. 2015. *Anuário estatístico 2014*, INE, Maputo.
- INE. 2016. *Anuário estatístico 2015*, INE, Maputo.
- INE. 2017. *Anuário estatístico 2016*, INE, Maputo.
- INE. 2018. *Anuário estatístico 2017*, INE, Maputo.
- INE. 2019. *Anuário estatístico 2018*, INE, Maputo.
- INE. 2020. *Anuário estatístico 2020*, INE, Maputo.
- Kloeck-Jenson, S. 2000. Locating the community: administration of natural resources in Mozambique. *Working Paper* 32, Land Tenure Center, Madison. <http://digital.library.wisc.edu/1793/21949>. Accessed April 21, 2021.
- MAE (Ministério da Administração Estatal). 2005. *Perfil do distrito de Monapo Província de Nampula*. Maputo: MAE.
- MINAG (Ministério da Agricultura) 2011. *Plano estratégico para o desenvolvimento do sector agrícola: PEDSA 2011–2020*. Maputo: MINAG.
- MITADER (Ministério da Terra, Ambiente e Desenvolvimento Rural). 2016. *Agriculture and natural resource landscape management project: environment and social management framework*. Maputo: MITADER.
- MNRC (Mozambique News Reports and Clippings). 2015. *Renamo proposal for provincial autonomy*, MNRC 282. www.open.ac.uk/technology/mozambique/news-reports-2015-0. Accessed April 21, 2021.
- Ntsebeza, L. 2005. *Democracy compromised: Chiefs and the politics of land in South Africa*. Boston: Brill.
- Oakland Institute. 2011. *Understanding land investment deals in Africa-country report: Mozambique*. Oakland: Oakland Institute www.oaklandinstitute.org/sites/oaklandinstitute.org/files/OI_country_report_mozambique_0.pdf. Accessed April 21, 2021.
- Obarrio, J. 2018. Third contact: Invisibility and recognition of the customary in northern Mozambique. In *The politics of custom: Chiefship, capital, and the state in contemporary Africa*, ed. J.L. Comaroff and J. Comaroff, 305–335. Chicago: The University of Chicago Press.
- Oomen, B. 2005. *Chiefs in South Africa: Law, power and culture in the Post-Apartheid era*. Oxford: James Currey.
- Pitcher, A.M. 1998. Disruption without transformation: Agrarian relations and livelihoods in Nampula Province, Mozambique 1975–1995. *Journal of Southern African Studies* 24 (1): 115–140. <https://doi.org/10.1080/03057079808708569>.
- Schut, M., M. Slingerland, and A. Locke. 2010. Biofuel developments in Mozambique: Update and analysis of policy, potential and reality. *Energy Policy* 38: 5151–5165. <https://doi.org/10.1016/j.enpol.2010.04.048>.
- Serra, C.M. 2014. *Estado, pluralismo e recursos naturais*. Lisboa: Escolar Editora.
- Strasberg, P.J. and S. Kloeck-Jenson. 2002. Challenging conventional wisdom: Smallholder perceptions and experience of land access and tenure security in the cotton belt of northern Mozambique. *Working Paper* 12794, University of Wisconsin-Madison, Land Tenure Center. <https://doi.org/10.22004/ag.econ.12794>.
- Takeuchi, S., ed. 2014. *Confronting land and property problems for peace*. Oxon: Routledge.
- Tanner, C. 2002. Law-making in an African context: the 1997 Mozambican land law. *FAO Legal Papers Online* 26. www.fao.org/fileadmin/user_upload/legal/docs/lpo26.pdf. Accessed 21 April 2021.
- Tanner, C. and M. Bicchieri 2014. When the law is not enough: paralegals and natural resources governance in Mozambique. *FAO Legislative Study* 100. www.fao.org/3/i3694e/i3694e.pdf. Accessed April 21, 2021.
- USAID (United States Agency for International Development). 2007. *Land use rights for commercial activities in Mozambique*. www.tipmoz.com/land. Accessed April 21, 2021.
- Verdade. 2014. *Líderes comunitários exigem salários em Nampula*. <http://www.verdade.co.mz/economia/49355>. Accessed April 21, 2021.

Open Access This chapter is licensed under the terms of the Creative Commons Attribution 4.0 International License (<http://creativecommons.org/licenses/by/4.0/>), which permits use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.