

“WE WILL NOT STAND BY OURSELVES”: ENLIVENING PROPERTY THEORY  
THROUGH THE EVERYDAY DYNAMICS OF LIMBA CLAIM-MAKING IN  
NORTHERN SIERRA LEONE

by

ANYA MICHELLE BONANNO

(Under the Direction of Laura German)

ABSTRACT

Property—an often taken-for-granted construct—significantly shapes broader socio-ecological relations. Revisiting property’s conceptualization and practice is timely given that property is embedded within myriad contemporary issues and proposed solutions to these issues. This dissertation re-examines property’s conceptualization in social theory through both theoretical and empirical analyses and posits a few possibilities for enlivening property theory. It draws on institutional property theories, socio-material approaches in the social sciences, insights from Indigenous and African scholars, and diverse feminist writings. Rooted in this framework, Article I identifies a problematic social/material dichotomy that underpins many contemporary theoretical approaches to property. This dichotomy, it argues, undermines analytical clarity of how property is practiced in an entangled and dynamic world. As a corrective, it conceptualizes property as a socio-material phenomenon nested within particular circumstances, relations, and structures. This novel conceptualization forms the foundation for the dissertation’s empirical analyses of Limba property relations in

northern Sierra Leone. Article II contrasts the ways property is deadened in modernist abstractions with the everyday practices and more-than-human relationships that make property real within Limba communities. The paper identifies a Limba orienting framework of values and relational-ontological dynamics that underpins people's property practices. Limba property emerges from an array of more-than-human relations and daily practices, and connection to place. Yet, as the article highlights, people may cultivate and value more-than-human relations while ultimately prioritizing human needs. Article III queries neoliberal Women's Land Rights (WLR) discourses that are often deployed to justify land tenure formalization. These discourses tend to identify culture as a primary impediment to WLR while relying upon implicit cultural, political, and economic hegemonies. Article III crafts a counternarrative to WLR that draws upon intersectionality, African feminist and humanist scholarship, and ethnographic case studies from Sierra Leone. Rather than cultural determinism, a convergence of social position, land loss, political dynamics, and patriarchal norms variously shape women's property relations in Kalanthuba. Case studies of three Limba matriarchs highlight not only the great diversity in women's experiences with patrilineal land relations, but also how their agencies are variously empowered or restricted by the intersection of their multi-faceted positionalities with broader structural conditions.

**INDEX WORDS:** Property, Social/material dichotomy, Institutional theory, More-than-human relations, Claim-making, Women's land rights, Sierra Leone

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## DEDICATION

I dedicate this work to the late Joseph Koroma, Andrew Sesay, Sara Beton Turay, Sama Turay, and Pa Lamin. I was blessed to know each of you during our short time together. May your memory bring comfort to your living kindred and may you rest in peace with the ancestors forever.

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## CHAPTER 1

### INTRODUCTION AND LITERATURE REVIEW

#### *1. Property: A Cornerstone of Our Shared Futures*

“...it is time to consider how the truths of history and of interconnection with the nonhuman world might change our entrenched ideas about proprietorship. It may be possible for property to be justified in an entangled world, but it will not be the property that has been taken for granted for so long” (Davies, 2020: 1114).

Property, a construct beleaguered by seemingly endless treatises, theories, and laws, merits our renewed attention. At the cusp of massive shifts in our world systems—ecological, political, economic, social, and technological—property is woven through each, shaping the distribution of benefit and harm and how people relate to one another, places, and non-humans (Borras & Franco, 2023; Davies, 2020; German, 2022). How property is conceptualized, legislated, claimed, and enacted is thus of critical importance in defining the processes and outcomes of these shifts. Whatsmore, as this dissertation and other scholarship explore, the normative and onto-epistemological assumptions upon which Western/modernist (neo)liberal property is based, while still prominent and active, are beginning to fray (Davies, 2020). These assumptions include: a fundamental separation of humans from environments, the primacy of the independent individual, the neutrality of the state, that private property is natural and thus its expansion is justifiable,

that the earth is inert and endlessly exploitable, that Indigenous and peasant lands are “unimproved” and would be “improved” through privatization, and the anthropocentric arrogance that only humans labor and have social lives (Bhandar, 2018; Borrás & Franco, 2023; Davies, 2020; Depuy et al., 2021; German, 2022; Ingold, 2005; Jones, 2009; Tsing, 2013).

The fraying of old thought, systems, relationalities, and infrastructures presents an opportunity: as a socio-material construct—i.e., a *creation*—property can be redefined and reworked. Common Property Scholars, Ethnographers, and others have shown that there are diverse possibilities for property, and that its manifestations are historically and culturally particular (e.g., Amanor, 2015; Berry, 1989; Blomley, 2007; Bromley, 1991; Fairhead & Leach, 1996; Gluckman, 1965; Goody, 1962; Lentz, 2006; Ostrom, 1990; Peters, 2010; Schroeder, 1999; Scott, 1998; Shipton, 2009; Strathern, 2009). While it certainly can be instrumentalized to exclude, marginalize, dispossess, and extract (e.g., Bhandar, 2018; Blomley, 2007; Dwyer, 2015; German & Braga, 2021; Greer, 2012; Marx, 1978 [1867]; Marx & Engels, 1978 [1848]), in certain forms and circumstances property can also be employed to include, safeguard, enfranchise, and nurture (e.g., Ostrom, 1990; Shipton, 2009; Singh, 2013). Property is thus a double-edged instrument capable both of enhancing and undermining shared more-than-human worlds.

This dual potential demands that we return to consider the basics: what is property, how does it function, how do we get it, how does it shape our socio-material world, and who/what benefits and who/what is harmed? From these inquiries, it is possible to address the more critical questions of what forms of property are more likely to advance more just and sustainable shared futures, and why; what conditions—broader

relations, institutions, processes, and structures—are necessary; and how can current conditions be made more amenable to support property alternatives?

The present dissertation makes one contribution to these questions, hoping to join Musembi (2007)'s efforts to “[breathe] life into dead theories” about property and Davies' (2020) open-ended deliberation on the possibilities for reimagining property in a decolonizing and more-than-human world. It draws on institutional property theories, various socio-material approaches in the (post-)humanistic social sciences, insights from Indigenous and African scholars, and diverse feminist writings including feminist political ecology, intersectionality, and African feminisms. In dialogue, these literatures provide a rich framework with which to re-think property, balancing critical and constructive possibilities. From this framework, the dissertation conceptualizes property as a socio-material phenomenon that is nested within particular circumstances, relations, and structures. The dissertation's empirical analysis of Limba property relations in Sierra Leone is rooted in this socio-material conceptualization of property. It shows how Limba property emerges from more-than-human relations, daily practice, and connection to place and highlights how women's experience of customary patrilineal property varies depending on how their positionality intersects with local normative frameworks and broader conditions of structural marginalization.

Broadening the scope to consider property as a socio-material institution embedded in circumstances, relationships, and structures helps visibilize how property is enacted in the world. This focus on property in practice facilitates critical analysis of inequality in land access/control by illuminating how and why certain social positionalities come to matter in land relations. With a clearer vision of how property is

claimed, the dynamic context within which it is embedded, and the sources of inequality that shape property relations, it may be possible to nurture fruitful alternative visions for property that better safeguard marginalized people and the landscapes they inhabit—as well as collective futures on a vulnerable Earth—than the current neoliberal property project is likely to do.

## *2. Dissertation Overview*

The broad question this dissertation pursues is, “What are the possibilities for overcoming the social/material dichotomy that is embedded in property theory, and what does an integrated socio-material perspective reveal about how people practice property in diverse conditions?” The dissertation addresses this question in three manuscripts: the first is a theoretical contribution that develops an analytical framework by drawing on existing scholarship, and the second and third manuscripts are empirical contributions from original data gathered in northern Sierra Leone that apply elements of the framework developed in the first article.

**Article I** proposes an integrative socio-material framework to conceptualize and analyze property practices. It shows how the social/material dichotomy that is germane to Western/modernist thought underpins both conventional and more critical institutionalist approaches. This dichotomy, it argues, impedes these approaches’ ability to analyze how property is made real through embodied entanglements among humans and non-humans in place. It suggests integrating socio-material scholarship with institutional property theories to better encompass the more-than-human nature of property, how property is

materialized through its enactment in daily practice, and how property arises through embodied connection to place. Specifically, it develops the Property Interactions Framework which situates property within three nested socio-material/institutional dimensions: circumstantial, relational, and structural. The *circumstantial* dimension represents those more spontaneous or emergent conditions, interests, and engagements that arise with each encounter. The *relational* dimension captures patterns of interaction among people, other beings, places, and things that develop over repeated engagements. The *structural* dimension encompasses engagement with the more stable, power-laden, and often intergenerational patterns, infrastructures, and environments that frame life within socio-ecological systems. Together, interactions across these dimensions shape the possibilities, limits, incentives, and actions that make property real. The paper goes on to apply the framework to published case studies selected from India, the United States, and Australia, discussing what is gained by drawing these lenses together. Drawing on these insights, the paper concludes by suggesting a revised definition of property.

**Article II** contrasts the ways property is deadened through multiple modernist abstractions (e.g., bureaucratic registration, commodification, financialization) with the lively relational dynamic within which property claims are materialized and secured in place. An “enlivened landscapes of property” perspective foregrounds the everyday practices and more-than-human relationships that make property real. The paper draws on original ethnographic data to identify a Limba orienting framework of foundational values and relational-ontological dynamics that underpins people’s property practices. It then describes an array of more-than-human practices people utilize to claim land and land-based resources in the context of collective patrilineal land tenure. These include

affirming belonging, working, planting, and engaging supernatural forces. While Limba people acknowledge the importance of more-than-human relationships, they tend to frame them as instrumental for human community and well-being and reject the tendency in more-than-human scholarship to decenter human needs and to relate people and non-humans in an egalitarian way. The paper concludes by pointing to the need to acknowledge that people may recognize and value more-than-human beings precisely for their role in meeting human needs in the context of structural hardship.

**Article III** queries neoliberal Women's Land Rights (WLR) discourses that underpin development agencies' and donors' promotion of formalization reforms. These discourses often identify culture as a primary impediment to WLR and advocate for cultural change. Recognizing the cultural, political, and economic hegemony behind these discourses, the paper turns to contextual approaches to intersectionality, insights from African feminists and humanists, and empirical case studies from Sierra Leone to craft a counternarrative on WLR. It shows that social position, conditions of land loss, political dynamics, and patriarchal norms variously shape women's property relations in Kalanthuba. Three matriarchs, each embedded in local patriarchal norms and patrilineal land relations, approach property in markedly divergent ways. It considers how their social position intersects their respective socio-material situations, particularly place-based histories, relationships with other kin and neighbors, immersion (or not) in the local production system, experiences of land loss from the national hydropower project and conservation area located in Kalanthuba, and political marginalization. The cases highlight not only the great diversity in women's experiences with patrilineal land relations, but also how their agencies are variously empowered or restricted by

circumstances, relationships, and structures. Together, the cases belie the reductionist neoliberal strategy of locating oppression's source within culture while invisibilizing structural disempowerment and extraction's impacts on African women's daily lives.

To frame and contextualize these inquiries, the introduction next turns to the literature to provide some definitions and highlight key developments in property theory in Western/modernist history and current trends. It then presents foundational theoretical threads woven throughout this dissertation, which point to some possibilities for considering property otherwise. Following these theoretical matters, the introduction provides a brief overview of the research site for Articles II and III. It briefly introduces Sierra Leone and then describes Kalanhuba Chiefdom in more depth, including its geography, political system, agroecology, experiences with state infrastructure and conservation developments, and a few aspects of its culture. Some notes about the research process follow. Finally, the introduction outlines the contributions this dissertation makes to four literatures: institutional scholarship, socio-material scholarship, feminist literatures on the environment and development, and the ethnography of West Africa.

### *3. A Short Introduction to Property*

#### *3.1 Key Concepts*

It is useful to begin with some basic definitions to frame the dialogue this dissertation undertakes. This dissertation uses "*property*" in a capacious sense. It is not

referring only to Euro-American liberal formalized private “property” nor to ownership, although it is inclusive of these meanings, but to a category of institutions and relationships concerning the distribution of benefit and responsibility in society in relation to something of value. Property is a construct—it is not essential or natural and it is not to be confused with objects of value, such as land (Borras & Franco, 2010; Bromley, 1991; Hann, 1998; Kronenburg García & van Dijk, 2020; Macpherson, 1978). Unlike access, which is the ability to benefit from a resource, property is a legitimized claim to benefit from a resource (Kronenburg García & van Dijk, 2020; Ribot & Peluso, 2003; Sikor & Lund, 2009). As this dissertation illustrates, property claims arise from interactions among people, places, other beings, and things. Property is embedded in other systems including political-economy, ecology, and culture, and it is based on shared onto-epistemologies (Davies, 2020; DePuy et al., 2021; German, 2022; Shipton, 1994, 2009; Simpson, 2014). Importantly, property is historically and culturally particular: its agents, beneficiaries, objects of value, claims, responsibilities, benefits, processes, and norms vary widely across contexts (Benda-Beckmann et al., 2006; Cleaver & de Koning, 2015; German, 2022; Hann, 1998; Shipton, 1994, 2009). Yet, as with other institutions, property is habitualized and normalized so that its particular attributes appear natural by those immersed in it (Blomley, 2013; see Cleaver & de Koning, 2015 and Lammers et al., 2014 for discussion of institutionalization more broadly). These normalization processes occur through a variety of means including coercion and violence, materialization, discourses, and everyday performance, embodiment, and bricolage (Baba et al., 2012, Blomley, 2007, 2013, 2014; Bhandar, 2018, Cleaver & de Koning, 2015; German, 2022; German & Braga, 2021; Shipton, 2009; Shipton & Goheen, 1992).

Following Kronenburg García and van Dijk (2020), this dissertation utilizes the language of “*claims*” to capture assertions of property rather than the more common “rights” language used in Western/modernist framings. While “rights” usefully suggests the possibility of multiple overlapping interests (e.g., Maine, 1986 [1861], Schlager & Ostrom, 1992), it can also convey a static view of property, downplaying how property must continually be negotiated and maintained (Kronenburg García & van Dijk, 2020). The conventional use of “property rights” also emphasizes exclusionary benefits over shared duties (the extent of which are, again, culturally particular), whereas “claims” are somewhat more neutral in this regard. Analyzing claims rather than rights is also useful because it foregrounds diverse actions used to communicate claims. Kronenburg García and van Dijk (2020) identify three types of claims, including grounding claims (physical markers in context, e.g., a fence), talking claims (speech, e.g., storytelling), and representational claims (abstract markers outside of context, e.g., cadastral maps). While the dissertation does not explicitly apply this typology, the conceptual definitions the authors elaborate have informed the methodology and analysis of this research.

Property claims are based on and also reinforce “*institutions.*” Institutions, given their invisible and relative nature and their entanglement with other intangible domains like “culture” can be difficult to delineate. Property is one category of institutions, but the concept extends beyond property. For the purposes of this dissertation, “institutions” are rules, relations, and patterns of interaction that structure the context, incentives, and power dynamics within which action occurs (Cleaver, 1998; North, 1990; Ostrom, 1990). While institutions provide stability, they are also dynamic; their apparent stability is the result of considerable cultural work (Blomley, 2013; Cleaver & de Koning, 2015; Moore,

1978). As Baba et al. (2014) observe, institutions paradoxically constitute both generative action (“to institute”) and a regulatory function that constrains innovation and thus “...challenge us to understand the processes of change and stability not as separate or contradictory but as related aspects of the same phenomenon” (76). Helpful in this endeavor of connecting processes of change and stability is the idea of “*institutional bricolage*” posited by Cleaver and de Koning (2015), whereby agents refashion existing institutional forms and processes to serve new purposes. Doing so makes institutional innovation consonant with established convention and thus more socially acceptable and apparently “stable.” Articles II and III in this dissertation each contain ethnographic examples of institutional bricolage.

It is also important to clarify why this dissertation uses “property” rather “*land tenure*,” the more common term used in anthropology. Land tenure refers to the broader system and relations under which land is held. There are no fundamental problems with the land tenure concept that this dissertation is seeking to sidestep. The choice to use “property” is pragmatic and supports two goals of the dissertation. The first is to engage the concept of property theoretically beyond strictly land or space, even though the empirical explorations presented here happen to focus on land. Secondly, using “property” facilitates engagement with other disciplines and policy spheres. In these spheres, which may not use “land tenure” at all, it is also common that “land tenure” refers to informal institutional contexts which are often presumed to be deficient while “property” is used to refer to formal institutional contexts which are presumed to be more secure. Extending and normalizing the use of “property” (in the broad sense described

here) in diverse contexts enables us to engage and push back against these very assumptions.

Finally, the notion of *“land”* is variable and contested (Shipton, 1994). Western and modernist framings, which are dominant in contemporary land governance discourses, consider land to be the inert physical surface of the earth. This surface can be parceled into abstract chunks that contain and collapse everything above and below (e.g., trees, infrastructure, soil, minerals, etc.) (DePuy et al., 2021; German, 2022; Li, 2014). Others, however, know land in different ways. For example, people in the Indian Himalayan floodplain do not separate land from water but emphasize their essential correspondence (Cortesi, 2021). Indonesian highlanders have many relevant terms for things Westerners would simply call “land,” instead identifying specific material qualities (e.g., soil, grassy patch), uses (e.g., fallowed garden), and social and spiritual relations. DePuy et al. (2021) synthesize many additional examples from ethnographic and Indigenous writings. For the Limba people who participated in the present study, *kekenko* or “earth/soil” and various terms for “bush” were the most salient land-like concepts. These concepts center the agroecological production Limba people in this area undertake via rotational bush-fallow and the socio-material relations and place-based particularities this system entails.

### *3.2. Some Western/Modernist Property Theory and Then and Now*

Defining and reforming property has been a fixation in Western thought since the Enlightenment. There are certainly other prominent property traditions (e.g., Islamic), but

this dissertation seeks to grapple with the legacy and spread of Western property theories in particular because they were widely promulgated through colonial political-economy and continue to underpin development policy agendas. While there are common ontological assumptions that underpin Western property theories (e.g., universal evolution toward private property, the need to “improve” land, etc.), there have also been notable debates on its origins, moral valence, and governance. Below are a few key ideas that have been consequential in remaking property landscapes worldwide and continue to shape contemporary conventional thought.

Though property is not generally regarded by contemporary social and legal theorists as a natural thing, this idea has popular vernacular salience. Its philosophical roots extend back to early Western property theory. While they diverged totally in their conclusions, both Locke (1978 [1704]) and Rousseau (1978 [1755]) argued that property is a natural right derived from the application of one’s labor to an object. Labor, Locke argues, inheres in the thing itself and makes it ownable (1978 [1704]). As Wily comments, Locke’s argument is not limited to defining labor as one source of property—he goes even further, arguing that “property *only* comes into being by man’s labour” (2012: 16, emphasis added). What counts as “labor” was, of course, very specific, centering on “improvements” in forms recognizable and favorable to elite Europeans (e.g., cultivation and enclosure) (Bhandar, 2018).

Locke’s arguments went beyond defining the origin of property. For Locke, collective agreement is not needed to separate an object as one’s private property from the pool of commonly held resources, and individuals are naturally entitled to all that they can use. This entitlement negates the right of any government to place upper limits

or in any way interfere with the individual's right to private property. Further, lands for which no "improvements" had been made or that were deemed inefficiently used were *terra nullius* (empty of owners) and could be expropriated (Bhandar, 2018; Li, 2014; Wily, 2012). Locke's argument for the legitimacy of legally unlimited private property was challenged by Rousseau, who argued that unlimited—and therefore, unequal—appropriation violates some people's natural rights to the means of their own subsistence. For Rousseau, any government that does not limit private property is unjust (MacPherson, 1978).

Other classical theorists rejected the natural law basis of Locke and Rousseau's arguments, as well as Locke's labor theory of property, turning instead to institutional conceptualizations of property. These conceptualizations form the basis of contemporary property scholarship. Hume (1968 [1738]) viewed property as a social convention that arises to reconcile humans' self-interest to their need for cooperation. Hume theorized that human nature is based in both reason and "passions" and believed that conventions arise because personal interests are best secured through coordination with others; this coordination produces a stabilizing effect, where everyone continues to coordinate because others coordinate. Hume's theory does not require a government to create or uphold property.

While Hume's ideas are picked up by those contemporary institutionalists interested in informal property arrangements (e.g., Ostrom's Common Property School), other contemporary institutionalists, especially those involved in the current land governance project, are more philosophically rooted in Bentham's approach. Bentham, the founder of utilitarianism and an advocate for codifying all customary law, argued that

property is a creation of law that must be continually secured through law (1978 [1930]). For Bentham, security is the ultimate aim of the law, and just law must uphold security to maximize total societal utility (or, in today's parlance, the "public good"). Thus, the redistribution of property imperils civil society and must be avoided—by undermining security, he argues, redistribution will cause a regression to savagery. As a state of savagery would be worse for all, inequality is an unfortunate but necessary byproduct of maintaining security (see Bhandar, 2018 for a discussion of property and racialization and the "savage" trope).

Liberal private property has always had its critics. Proudhon (2010 [1840]) advocated the abolition of private property, arguing that the logic of property is inherently contradictory: all arguments supporting the just basis of property (be it occupation, labor, or law) rest ultimately on the idea of equality, a condition which property negates by excluding (some) people. Marx and Engels (1978 [1848], [1867]) were also concerned with inequality in their historical material analyses of enclosure and class creation. Seeing property as the key institution in the evolution of modes of production, they explained it as an instrument of power and critiqued previous property theories as politically convenient discourses produced to legitimize and secure elite interests. They posit an alternative view: bourgeois political economy operates by expropriating workers' self-earned means of production and exploiting their labor for profit (1978 [1867]). Marx and Engels therefore advocate abolishing the bourgeois private property system (1978 [1848]).

It is important to note what was happening while these theories rose to prominence and what they were used to justify (and, in the case of critics, contest). In

fifteenth century England, the Lords accelerated prior efforts to enclose the commons. They sought to appropriate land for “improved” husbandry in response to the depressed feudal economy following the Black Death (Goldstein, 2013). As the profit potential of improved practices became apparent, Lords and some entrepreneurial commoners rushed to enclose common and “waste” lands. By the time Locke justified unlimited private property in the early eighteenth century, the enclosure movement was in full throttle—he was not advocating a novel alternative to the common right economy, but providing cover for the scores of ad hoc and violent acts of dispossession that had already occurred and moral sanction for its unfettered continuation. As Goldstein comments, “[Locke’s] theory of property can be read as an outright affront to the common field economies of Britain...” (2013: 369-370). The enclosure movement continued through the 18th and 19th Centuries, providing land for new industrial uses and sanctioned by Acts of Parliament (Wily, 2012). The results of the English enclosure movement are well known—it transformed English society, creating a class of landless workers and consolidated the means of production to the wealthy, enabling the rise of capitalist industrialism fueled by wage labor and buttressed by the liberal state (Marx, 1978 [1867]; Marx & Engels, 1978 [1848]).

The enclosure movement also proved useful for English and European imperial interests. As Bhandar (2018) profiles, European settlers used Locke’s notion of improvement as justification for appropriating and privatizing Indigenous land in settler states such as Canada, Australia, and Palestine.<sup>1</sup> Lands in Australia were declared *terra*

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<sup>1</sup> Greer (2012), however, counters that the colonization of North America did not proceed initially through privatization but through the establishment of settler commons that progressively displaced Indigenous commons. Later, settler commons were transformed into private property.

*nullius* and were used experimentally to develop a new notion of property based on state title, i.e., the Torrens system. This logic divorces property from possession and use, abstracts it, and secures it through the state. Likewise, Wily (2012) contextualizes the post-2008 global land rush within the long history of dispossession by Europeans, first through the application of “superior” English common law as a force for enhancing the “public good” in Ireland, to the EuroAmerican argument that Native Americans had not truly acquired proprietary rights in land given that their activities did not “improve” it, to colonial powers nullifying existing property in Africa by shifting the ultimate ownership to heads of state whose colonial governors had the power to issue grants and register titles.

These historical discourses and justifications have had considerable staying power. Though the World Bank has long sought to formalize property rights worldwide (German & Braga, 2021) and de Soto’s (2000) work provided governments a pro-social reason to do so by arguing that formalization reduces poverty, the post-2008 land rush wherein investors sought cheap land as a secure investment amid converging financial, food, and fuel crises added a dose of urgency and reignited old ideas and debates (Borras & Franco, 2023; German, 2022). Further, recent campaigns and agreements on climate change mitigation heighten the relevance of land and property in the 21st Century’s neoliberal political economy, drawing in new contexts, creating new interests, and engaging new actors (Borras & Franco, 2023; Fairhead et al., 2012; Peluso & Lund, 2011).

States serve as a primary broker of these new interests, particularly in Sub-Saharan Africa. This outsized role is a legacy of colonial property regimes, where

ultimate claim over customary lands was shifted to the state (Borras & Franco, 2023; Wily, 2012). State involvement in current property transformation processes constitutes a complex set of conflicts of interests where donors' aid conditionalities (e.g., neoliberal land reforms favoring outside investors) converge with a desire to raise GDP and the private interests of local elites and officeholders, creating antagonism with the citizenry (Borras & Franco, 2023; Peluso & Lund, 2011; Schoneveld & German, 2014). Governments often facilitate large-scale land acquisitions (LSLAs) directly by providing long-term leases and may use coercive means to subdue local resistance (Borras & Franco, 2023; Bottazzi et al., 2016; Dwyer, 2015; Makki, 2014).

What discourses drive these current trends? In continuity with historic Western/modernist/colonial discourses, current policy discourses center around notions of improvement and progress, efficient land use, public good, deficiencies and threats in customary and informal land relations, the need for securitization through state-backed registration, and the rule of law (Borras & Franco, 2023; Bromley, 2009; German, 2022; German & Braga, 2021; Makki, 2014; Musembi, 2007; Peluso & Lund, 2011). The primary interventions derived from these discourses include land tenure formalization, or the bureaucratic surveying and registration of property rights with the state, and various multi-stakeholder soft law frameworks (e.g., the Voluntary Guidelines on the Responsible Governance of Tenure) that promote participatory land governance (DePuy et al., 2021; German, 2022; Peluso & Lund, 2011). Both instruments, even where they may recognize customary and collective tenure, ultimately facilitate the transformation of embedded land relations into abstracted, state-backed, capitalist private property that can be easily transacted (Borras & Franco, 2010, 2023; DePuy et al., 2021; German, 2022;

German & Braga, 2021; Li, 2014). In the process, this transformation shifts the jurisdiction over land disputes from customary authorities to the state legal apparatus (Peluso & Lund, 2011; Wily, 2012). Thus, capitalist corporate interests are consistently centered over those of subsistence and customary land users and states are made more deeply beholden to these interests (Borras & Franco, 2023; DePuy et al., 2021; German, 2022; German et al., 2020; Peluso & Lund, 2011).

Contemporary scholarship engages these political-economic property trends in two primary ways. The first is an instrumental approach that either provides justification or evidence for these policy measures, or uses research to overcome obstacles in advancing them. These instrumental approaches tend to assume the superiority of private property and state-backed title for various market or socially progressive ends, often linking formalization with enhanced trade, dynamic land markets, expanded access to credit, agricultural investment, poverty reduction, and gender equality advancements (e.g., Ali et al., 2014; Deininger & Binswanger, 1999; de Soto, 2000; Holden et al., 2013). The second scholarly approach is critical of these policy agendas and capitalist property more broadly. Critical scholars unpack and critique the assumptions embedded within instrumental approaches and neoliberal tenure reform policies (e.g., Bromley, 2009; German, 2022; Musembi, 2007). They show how formalization discourses center the technical process of registration and thereby silence the political processes inherent to this transformation (Boone, 2019; van Leeuwen et al., 2021). Some have cautioned that social inequality is likely to result from such reforms (German, 2022; Lastarrhia-Cornhiel, 1997; Shipton, 1994), and others highlight how these reforms actually facilitate enclosure rather than protecting the rights of smallholders (Bhandar, 2018; Bottazzi et al.,

2016; Dwyer, 2015). Privatization and neoliberal land reforms are explained as instruments of capitalism that enable states, corporations, and elites to dispossess land users and catalyze broad agrarian transformation and class formation (Bhandar, 2018; German, 2022; German & Braga, 2021; Harvey, 2003; Maganga et al., 2016; Peluso & Lund, 2011).

Policymakers and scholars are not the only groups active in redefining property. Grassroots movements also target property questions through advocacy and direct action in the domains of land, housing, Indigenous rights, wealth inequality, and resistance to resource grabs. There has always been resistance to privatization and colonial property regimes from below (e.g., Bhandar, 2018; Blomley, 2007; Scott, 1998), but recent years have seen a proliferation of diverse grassroots movements contesting the expansion of neoliberal property. These include La Via Campesina and various groups of land defenders, farmers' coalitions, and Indigenous rights movements (Dunlap, 2020; Le Billon & Lujala, 2020; Rosset, 2013), commoning movements (Morrow & Martin, 2019; Singh, 2013, 2017; Varvarousis, 2020), and efforts to recognize housing as a human right (Ramirez, 2020). Many of these efforts rely on practicing and performing property differently than the status quo.

#### *4. Theoretical Framework*

Given the importance of property at this historical moment and the many contemporary efforts to redefine it, where might we go from here? The following theoretical threads offer three perspectives to help re-frame property, both to better

analyze existing systems and to envision alternatives to neoliberal property. These threads provide the basis for the questions, methods, and analysis this dissertation undertakes.

#### *4.1 Institutionalization in Daily Life: Practice, Performance, and Embodiment*

The questions and analysis this dissertation pursue are rooted in the anthropological tradition of exploring the mundane: everyday patterns of behavior, relationships, and the deeply embedded ideas that shape them. Observing the mundane allows us to move beyond armchair theorizing about property's origins and debating its moral valence or optimal structure to finding out how people actually live property “on the ground” (Davies, 2020) and making theory from these explorations. And, property on the ground is important, as *de facto* claims and processes often differ from and may be more salient than *de jure* articulations of property (Ribot & Peluso, 2003; Robbins et al., 2009; Scott, 1998). Further, as property is never a finished product but something continually in the making, and given the many current concerted efforts to reform it, it is imperative to identify the processes through which it is made in particular contexts, by particular actors. This granularity is useful in showing exactly how “...habitual actions and interactions of subjects or agents are what constitute the production and reproduction of institutions...” (Baba et al., 2012: 80).

There are, as any review of the history of anthropological theory will attest, numerous potential epistemological approaches to exploring a phenomenon like property on the ground. Given this dissertation’s aim to overcome the social/material dichotomy

embedded within institutional property theory, it is especially influenced by those anthropological and institutional scholars who incorporate postmodern and poststructural priorities into their frameworks to overcome overly deterministic and structural biases. For example, it draws on works that emphasize the connection between discourses and power in shaping international land governance agendas (e.g., German, 2022; German & Braga, 2021), question totalizing and colonial narratives on land, land use, and property (e.g., Fairhead & Leach, 1996; Li, 2014; Shipton, 2009), privilege dynamic processes of institutionalization over static institutional structure (e.g., Cleaver & de Koning 2015; Kronenburg García & van Dijk, 2020; Sikor & Lund, 2009) and explore how property and institutions are practiced, performed, and embodied in daily life (e.g., Blomley, 2007, 2013, 2014; Ingold, 2000, 2005; Schroeder, 1999; Shipton, 2009; Singh, 2013, 2017).

Practice, performance, and embodiment are key foundations of this study's framing. Works in Practice Theory, "...set out to conceptualize the *articulations* between the practices of social actors 'on the ground' and the big 'structures' and 'systems' that both constrain those practices and yet are ultimately susceptible to being transformed by them" (Ortner, 2006: 2, emphasis in original). Practice provides a sense of the recursive constitution between actors and structures based on lived experience (Ingold, 2005; Jones, 2009). Unlike earlier practice theory that underemphasized power, history, and culture in their explanations (Ingold, 2005; Jones, 2009; Ortner, 2006), more recent explorations of property practice engage these questions head-on (e.g., Amanor, 2015; Blomley, 2007, 2014; Lentz, 2006; Schoneveld & German, 2014; Torvikey, 2021; Turner & Moumouni, 2019). Power, history, and culture shape the possibilities for practice (what

can be done and how?), the impacts of practice (who benefits? how does it sustain or rework the status quo?), and its meaning (how is it interpreted and valued?).

Related to practice is the notion of performance. Blomley (2013) conceptualizes property as performance, where property has no essential form but arises from performances that reference other performances and are understood by an audience (see also Kronenburg García & van Dijk, 2020). The performance of property not only creates claims, but also remakes people and things as subjects and objects (Davies, 2020). What performance adds to practice is the idea that property claims are not made in a solitary void. To have any value, they must be meaningfully communicated to an audience (Davies, 2020; Kronenburg García & van Dijk, 2020).

Both practice and performance intersect the phenomenological notion of embodiment, the idea that human experience is located within physical, emplaced bodies that perceive, feel, and shape the world in situated ways (Desjarlais & Throop, 2011; Ingold, 2005; Jones, 2009). Important here is the re-centering of material engagement in the world as simultaneous and constitutive with social life and history (Ingold, 2005; Jones, 2009). Ingold (2005, 2021) contends that people perceive and shape their environments primarily through immersive day to day life in the landscape, or “dwelling.” This “dwelling perspective” situates human social relationships as inseparable from environments, which include both material things and other beings, and highlights that the embodied tasks people undertake have lasting physical effects on the landscape. Through embodied dwelling, or “being at home in the world” (Ingold, 2005: 503), people cultivate relationships with places, imbuing them with memory, meaning,

and a sense of community and self (see also Feld & Basso, 1996; Heatherington, 2011; Salmón, 2012; Shipton, 2009; Singh, 2013).

Applied to property, practice, performance, and embodiment shift focus away from abstract rights and law to embedded relationships located in the shared life of particular places, ecologies, and communities. Even when attempts are made to abstract property (discussed in Article II), it is never fully possible: abstractions tend not to stand on their own merit, but require influential performance, often violence, to move from paper to facts on the ground (Blomley, 2007; Le Billon & Lujala, 2020). And, even if human communities accept these abstractions, the dynamic more-than-human world destabilizes and sometimes undermines them (Cooke & Lane, 2018; Morrow & Martin, 2019; Ojalammi & Blomley, 2015).

#### *4.2 More-than-Human Relations: Post-humanist, Multispecies, and Indigenous Perspectives*

“...all creatures, human and non-human, are fellow passengers in the one world in which they all live, and through their activities continually create the conditions for each other’s existence” (Ingold, 2005: 503)

Daily life in the landscape, as Ingold (2005) notes, is not something humans undertake alone. In the last two decades, some social scientists and humanities scholars have begun to turn away from anthropocentric approaches toward those that expand the viewframe to include non-humans. These works are variously called “post-humanist,”

“more-than-human,” and “multispecies.” In this dissertation, I tend to use the term “more-than-human” for its greater specificity than “post-humanist” and its broader scope than “multispecies.”

More-than-human scholarship makes explicit the many relations with non-humans through which human day-to-day life is possible and, in turn, shapes. Multispecies work points to the “entanglements” of human and non-human life that define indeterminate, or continuously unfolding, possibilities for human and non-human life together (Haraway, 2016; Ingold, 2005; Tsing, 2015). Given ethnographic and historic case studies highlighting the importance of trees (Sheridan, 2016), hedges (Blomley, 2007), sheep (Brown, 2007), and termites (Fairhead & Leach, 1996) in the making and legitimization of property claims, a more purposeful turn to more-than-humans in property scholarship is warranted. Enlivening the material world in theoretical framings draws attention to non-human socialities (Hartigan, 2014; Tsing, 2013, 2015), continuities between human and non-human life (Puig de la Bellacasa, 2019), and diverse cultural conceptions of relationality and personhood (Di Giminiani & González Gálvez, 2018). Multispecies scholars emphasize multivalent relational possibilities: there are relations of competition, control, and refusal, but also relations of collaboration, care, affection, communication, mutual flourishing, and teaching/learning (Cooke & Lane, 2018; Fernando, 2022; Haraway, 2016; Ojalammi & Blomley, 2015; Singh, 2017; Tsing, 2015).

Early more-than-human works focused on the agencies of other beings. Agency is understood in this literature to be the ability to respond to and affect the world. They explore how animals, plants, fungi, microbiota, and other entities mediate the possibilities of human life (e.g., Archambault, 2016; Cooke & Lane, 2018; Ogden et al., 2013;

Ojalammi & Blomley, 2015; Sheridan, 2016; Tsing, 2015; Van Dooren et al., 2016). More recent contributions expand the field to consider how “non-living” entities or assemblages such as bodies of water and soil are active in world-making (e.g., Di Giminiani & González Gálvez, 2018; Puig de la Bellacasa, 2019).

Yet, as Fernando (2022) shows, there remains a barrier between “real” or “natural” more-than-human entities and “supernatural” entities which have thus far been largely excluded from more-than-human studies. Indigenous scholars have more thoughtfully engaged sacred relationalities and supernatural entities in their explanations of Indigenous ontologies of place. Land for Indigenous scholars represents an integration of social and sacred relationships and materiality through a shared life force (Coulthard, 2010; Moreton-Robinson, 2015, Salmón, 2012, Watts, 2013). In addition to people and other living beings, land includes the “...spirits, sounds, thoughts, feelings, energies, and all of the emergent systems, ecologies, and networks that connect these elements” (Simpson, 2014: 15). For Australian Aborigine peoples, land is the materialization of the Dreaming, where the bodies of ancestral beings created land and became and remain tangible and thus relatable through its physiographic forms and living inhabitants (Moreton-Robinson, 2015).

Fernando (2022) associates the avoidance of the supernatural within more-than-human studies with a persistent secular humanist reluctance in the academy to accept what is non-observable as real, active, and potentially having power over people. This hesitancy to fully release the notion of the liberal subject who can conceivably find equal footing with other beings but cannot be subordinate to them, I believe, operates in tandem with the field’s sidestepping of structural disadvantage and justice concerns (see Chagani,

2014 for an exploration of the justice problem in this literature) and an avoidance of the politics of difference. Feminist perspectives, explored next, offer a constructive corrective.

#### *4.3 Politics of Difference: Feminist Political Ecology, Intersectionality, and Subaltern and African Feminisms*

There are countless feminist approaches to social difference, structural inequality, and gender and the environment. The first approach foundational to this dissertation is feminist political ecology (FPE). FPE critically engages how social difference, especially gender, mediates environmental politics, knowledge, rights and experiences (Agarwal, 1994; Rocheleau et al., 1996; Rocheleau & Edmunds, 1997). Some have illuminated the ways environmental use reproduces gender (Leach, 1992) and the relationships between identity and place-making (Nazarea et al., 2013). An important focus has been denaturalizing assumed relations between women and the environment, seeking to explain why women occupy certain environmental positionalities (Leach, 1992; Rocheleau et al., 1996). Denaturalizing environmental subjectivities is relevant for property studies, where there is a need to denaturalize myriad assumptions about the relations and norms that surround it. Feminist political ecologists also query arenas of assumed common interest, examining power relations within the household or community to explain the micro-politics of resource control (Carney and Watts, 1990; Li, 1998; Rocheleau & Edmunds, 1997; Schroeder, 1999). Heterogenous actors in these studies negotiate and contest institutions and labor obligations amid changing

environments and fields of power, drawing on diverse “cultural repertoires” (Li, 1998) of meaning and embodied practice. These insights have been particularly important in formulating the inquiry and interpretations presented in Article III.

Recently, FPE has been inspired by intersectionality theory from Black feminist scholar-activists. This is particularly evident in how gender and subjectivity have been reformulated, moving from an emphasis on roles in gendered divisions of labor to framing gender as fluid and intersected by other shifting axes of social difference (Elmhirst, 2015; Mollett & Faria, 2013). The key conceptual shift is that gender is not reducible to roles or norms based on stable, pre-existing identity categories, but is an emergent and ongoing product of dynamic intersecting relations performed in daily life (Elmhirst, 2015). Political ecologists increasingly examine how these intersections of identity (e.g. race, gender, sexuality, etc.) shape and are shaped by institutions and interactions with the environment (Mollet & Faria, 2013). While the notion of gender has been revised, earlier post-structural FPE accounts considered how gender is performed and re-worked through negotiation and contestation over labor, space, and meaning in changing institutional and environmental circumstances (e.g., Carney & Watts, 1990; Leach, 1992; Schroeder, 1999).

This dissertation is also shaped by critiques of how intersectionality has been co-opted and drained of its potential to illuminate and shift systems of structural disadvantage (McKinzie & Richards, 2019; Nash, 2011). These critiques advocate explaining the situations and processes that create or reinforce subjectivities rather than simply describing how power and resources are differentiated according to ever more complex but still essentialized identities (McKinzie & Richards, 2019; Nash, 2011).

African feminist and humanist scholars agree that African subjectivities and experiences must be contextualized in the global system and history. African men and women's positions are overdetermined by the predatory and dehumanizing relations it has had and continues to have with the West (Pala, 2005 [1981]; Sithole, 2020; see also subaltern feminists Lughod and Mohanty). This context is a key explanation for inequality and poverty in African societies, infiltrating every aspect of African society and foiling the possibility of imagining African futures before the present is fully decolonized (Sithole, 2020). While acknowledging these structural constraints, African authors also point to the resilience and generative potential of African lifeways (Sesanti, 2016). They explore African notions of womanhood and gender relations that are premised more on motherhood and collaboration and complementarity between genders than on the West's gender antagonism (Dipio, 2023; Nnaemeka, 2003; Okot, 2022; Oyěwùmi, 2004). They also highlight the flexibility of African property systems and their potential to support more livelihoods than imported formal and private property systems (Musembi, 2007; Okot, 2022; Ossome, 2014; Torvikey, 2021).

## *5. Field Research Background*

### *5.1 Site Description*

Sierra Leone presents an interesting and important context to study the dynamics of customary property relations. The majority of the rural population depends on agrarian livelihoods and direct engagement with environments. As Fairhead and Leach (1996),

Frausin et al., (2014), and Richards (1985) have shown, rural Sierra Leoneans maintain a keen knowledge of ecology and the possibilities their landscapes present for agricultural production. Meanwhile, Sierra Leone is a new hotspot for agribusiness investments (Bottazzi et al., 2016; Ryan, 2018; Yengoh et al., 2016) and also hosts many mining operations. In the region where this research was conducted, there is a hydropower project (Bumbuna Hydroelectric Project, or BHP) and conservation reserve (Bumbuna Conservation Area, or BCA) that have reshaped land access and control (described in greater detail below). Further, while village residents in the provinces are generally recognized to possess morally upheld rights to use land for subsistence, access to land is not equal (Bottazzi et al., 2016; Leach, 1997; Ryan, 2018). Differences in access and decision-making have been observed along the lines of gender, lineage, age, marital status, and residence (Bottazzi et al., 2016; Nyerges, 1992; Peters & Richards, 2011; Richards et al., 2015; Ryan, 2018). Yet, there is also recognition that social position and identity are dynamic and develop over one's lifetime (Richards et al., 2015), are strategically constructed (Ferme, 2001), and may be fundamentally transformed in periods of political-economic upheaval (Bottazzi et al., 2016).

It is also important to contextualize Sierra Leone in the global political economy: it currently ranks 181 of the 191 countries on the Human Development Index. Despite the issues involved with measuring countries in this way, the HDI score provides a general sense of the scope of material hardship in Sierra Leone. These dynamics in Sierra Leone broadly and my previous connections and research in Kalanhuba Chiefdom, created an apt opportunity to explore the socio-material and intersectional nature of property in this setting.

*Geography:* Kalanthuba Chiefdom is located in the northernmost tip of Tonkolili District, Sierra Leone. Its land area is just shy of 250 square kilometers, and its population was last censused in 2015 at about 11,400 people (Statistics Sierra Leone, n.d.). The land is composed mainly of steep hills that slope towards the Seli River. It is a recognized biodiversity hotspot that hosts chimpanzee populations and has high butterfly and moth diversity. This research was conducted primarily in two nearby villages with many additional interviews in nearby villages to nuance and validate findings. Table 1.1 provides a summary of the research villages.

**Table 1.1** Summary of Research Villages

Site	Role in Research	Adult Population	Land Interventions	Important Features
Village A*	Primary Research Village	14	None	Known for extensive land and matriarchal heritage
Village B	Secondary Research Village	12	BCA	Residents are embroiled in conflict with land heir. Village has active land conflicts with Villages A and E
Village C**	Primary Research Village	44	BHP & BCA	Extreme land loss and proximity to reservoir/dam and SalCost camp
Village D	Secondary Research Village	No Data	None	Seat of Section Chief. Borders neighboring Chiefdom.
Village E	Secondary Research Village	No Data	BCA	Seat of Section Chief. Has the Chiefdom's only clinic and one of its primary schools.

Village F	Secondary Research Village	No Data	BHP & BCA	Remote and borders the reservoir. A client village of a neighboring village/land-owning family.
Village G	Author's Host Village	~1,000	None	Population and commercial center of the Chiefdom. Some ethnic diversity and informal land market.

\*Referred to as “land-abundant village” in Ch. 3 of this dissertation.

\*\* Referred to as “land-scarce village” in Ch. 3 of this dissertation.

*Political System:* As with all Chiefdoms in the provinces, Kalanthuba is governed by a Paramount Chief (though it is currently ruled by a Regent Chief), a Chiefdom Council, and several sub-chiefs called “Section Chiefs.” Villages each have a Chief, Women's Leader, and Youth Leader. This rural governance structure is a legacy of British indirect rule which redrew political boundaries, territorializing rulers and their citizens into assigned spatial governance units of Chiefdom and Sections. The British allied with and appointed particular ruling clans, making the Paramount Chief responsible for assessing and collecting taxes, among other duties (Channing, 2020).

The British combined Kalanthuba, a dominantly Limba area, with Dansogoia Chiefdom, a dominantly Kuranko area, in 1953 to form Kalansogoia Chiefdom (Reed & Robinson, 2013). According to formal and informal interviews with five of Kalanthuba’s leaders<sup>2</sup> there has historically been conflict over the Chieftaincy of Kalansogoia, where Kalanthuba residents boycotted the first post-civil war election and the subsequent rule of

<sup>2</sup> Including its current Regent Chief and Chiefdom Speaker, the former Regent Chief, the person serving as District Councillor during the time of this research, and an NGO founder who is a favored candidate for the Paramount Chieftaincy.

elected Paramount Chief, Alimamy Yallah Koroma III, a Kuranko from Dansogoia. Kalanhuba residents believe he treated them unfairly and neglected the development needs of their territory, and did not represent their interests in the process of completing the BHP and BCA. This sense is not one-sided historically: the first Paramount Chief of amalgamated Kalansogoia, Alimamy Talan Turay I who originated from the Kalanhuba side, was appointed by the British Colonial Government in part because he was favorable to mining in Dansogoia's territory (Reed & Robinson, 2013). The political history and interests are complex and merit further investigation, but suffice it to say here that ethnically tinged governance conflicts between the sides have mutually eroded perceptions of legitimacy on either side, contributed to a sense of marginalization and disempowerment, and shaped resource and development interests in the area since the mid-20th Century.

In response to these tensions, the Government of Sierra Leone (GoSL) recently "deamalgamated" Kalanhuba from the former Kalansogoia Chiefdom. The deamalgamation is locally celebrated for restoring historical Kalanhuba as a Limba chiefdom. However, shortly after deamalgamation, the ruling All People's Congress (APC) party (with whom many Limba people are aligned) lost power to the Sierra Leone People's Party (SLPP) which apparently viewed deamalgamation as a political strategy to increase APC influence in the provinces (most of the deamalgamated chiefdoms happen to be APC strongholds). The SLPP has been slow to facilitate Chieftaincy elections (these are coordinated by GoSL's Ministry of Local Government and Rural Development), which several Kalanhuba leaders view as a convenient counter maneuver. The SLPP installed a Regent Chief who is apparently aligned with the SLPP but with whom other

Kalanthuba leaders have built a working collaboration. All spoke of a mutual interest in returning governance to Kalanthuba.

The absence of a Paramount Chief for these last several years has, however, created a gap in governance and representation, as a Regent Chief cannot make decisions with lasting impact over land (for example, arbitrating local land disputes to their permanent resolution) nor can they fully represent residents' interests in negotiations with business and development organizations. This representation gap has contributed to much local consternation as negotiations with the Ministry of Energy and Seli Hydropower (a private foreign company slated to implement the next phase of the Bumbuna Hydroelectric Project located in Kalanthuba) have proceeded without the benefit of an active Paramount Chief to advocate for residents' long-term interests.

It is important to note that Paramount Chiefs, at least in this region, do not directly own the land within their chiefdom in their office as Chief. While they are the recognized "custodian" of all the land within the Chiefdom and do interface with outsiders on land matters and resolve internal land disputes, they are not directly involved in allocating land to farmers. Land ownership instead rests with land-owning lineages who hold land collectively and allocate particular parcels and uses to their members and land borrowers. Family heads, as the de facto managers of these lineage holdings, make up an important local political group and are often invited to Chiefdom meetings to represent village and farmer interests. That said, Paramount Chiefs usually originate from a prominent family that owns land or are able to arrange private land access through other land-owning families given their elevated position.

*Agroecology, Economy, and Property:* Kalanthuba's residents are embedded in the local agrarian economy, producing rice, cassava, fruits, and vegetables and rearing livestock for subsistence and local markets. Additional cottage industries complement these activities, including processing cassava, palm oil production, palm wine tapping, foraging, and small-scale fishing. Some local residents are employed in nearby Bumbuna or work for Salini Impregilo (a construction company that operates the dam with a base in Kalanthuba) or the nearby mining company. Other occupations include small-scale trading, motorcycle taxi drivers, teachers, law enforcement and military personnel, shopkeeping, catering, and tailoring. Those with off-farm trades often also farm or have household members who farm. As other non-farm employment is often casual or subject to periods of insufficient funding for employee salaries, agriculture provides a safety net.

The primary agricultural system in this area is a rotational-fallow system where bush lands are cleared, planted for two years, then fallowed until deemed ready to plant again. In addition to providing the staple crop, rice, this system structures the local social and ritual calendar. The primary crop planted in the farm's first year is upland rainfed rice, Limba people's culturally preferred food. Other crops such as sorghum, sesame, and pigeon peas are mixed in to extend the season and maximize produce. Fields are often reused for a second year where farmers subdivide their farm among women relatives and other women borrowers who plant individual *huyere* (portions) of peanuts, hot peppers, corn, okra, eggplant, onions, and other vegetables. After farms return to fallow in the third year (fallow periods range substantially depending on site conditions and people's needs, but are several years at a minimum), people may continue to collect firewood, tap trees, and forage for wild yams, medicinal herbs, and other products there. This rotational

and rainfed upland agricultural system suits the environment in Kalanthuba given the lack of low wetland areas and the complementary agricultural and foraging opportunities upland rotational planting affords.

Upland rotational farms are always initiated by a man who must be able to muster sufficient labor (whether household, hired, or provided through reciprocal labor groups) to undertake the endeavor. Those who do not have a male farmer in their household or who cannot provide sufficient labor often undertake various forms of gardening. Even those who do farm usually maintain additional garden sites—every respondent that farmed upland rice (N=43) also maintained at least one garden site. In addition to rainy season *huyere* gardens, research participants also cultivated dryland cassava gardens, dry season vegetable gardens in available lowland areas, and mixed fruit and vegetable gardening around household compounds (permanent/kitchen gardens).

Table 1.2 summarizes the extent to which women research participants in the three primary research villages have<sup>3</sup> either joint (with household members) or individual upland farms and various types of gardens. There is certainly some meaningful local variation associated with the land losses in Village C and difficulties with the heir in Village B (discussed further in Article III), but the broad picture is that many women in these villages maintain and have some level of claim over multiple farm and garden sites, the most common types being permanent/kitchen gardens near compounds and rainy season *huyere*. It is also important to note that this portfolio is dynamic—e.g., women may cultivate a cassava garden one year, but not in other years. The explanations given

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<sup>3</sup> “Having” a garden or farm for the purposes of this tabulation denotes some level of decision-making and claim over the harvest. Several respondents work on a relative’s farm but do not claim it as their own, whether to help in times of hardship or working to receive a small share and daily food but not claiming any decision-making role over the enterprise.

for why respondents may not undertake certain cultivation from one year to the next were diverse, ranging from marital troubles that prevented a husband's help to clear, the need for fallow, lack of funds for seed, insufficient labor, poor harvests the previous year that eroded seed stock, or adverse terms from landowners.

**Table 1.2** Number of Women Respondents with Upland Farms and Various Gardens

Number of Women Respondents with:					
	Upland Rice Farm	Permanent/Kitchen Garden	Rainy Season <i>Huyere</i> Garden	Cassava Garden	Dry Season Garden
Village A ( <i>N</i> =10)	Y: 4 N: 6	Y: 12 N: 2	Y: 9 N: 1	Y: 7 N: 3	Y: 5 N: 5
Village B ( <i>N</i> =9)	Y: 1 N: 8	Y: 6 N: 3	Y: 4 N: 5	Y: 5 N: 6	Y: 2 N: 7
Village C ( <i>N</i> =22)	Y: 14 N: 8	Y: 16 N: 6	Y: 20 N: 2	Y: 7 N: 15	Y: 13 N: 9
Totals:	Y: 46% N: 54%	Y: 83% N: 27%	Y: 80% N: 20%	Y: 46% N: 54%	Y: 49% N: 51%

Land for each of these activities is accessed through land-owning lineages. Most, but not all, of the people interviewed in this study belonged to a lineage that owns land. However, lineages own different amounts of land, and some are significantly affected by land use restrictions near the conservation area and dam that limit the number of allocations they can reasonably make and necessitate borrowing land elsewhere some

years to allow their own fields sufficient fallow time. Those who did not access land, or sufficient land, through their own patrilineage turned to neighboring patrilineages with whom they developed relationships over time, to access needed land. As Articles II and III explore, claims to use and control land vary substantially depending on local history, land pressure (including from infrastructure-driven losses), positionality, and relationships.

*Local Social Structure and Norms:* Limba people in this area acknowledge theirs is a patriarchal society, where men dominate leadership of the Chiefdom, communities and households. People structure family patrilineally and women tend to move to their in-laws' place of residence. Family heads are usually male (though not always), and women often cite that men generally hold decision-making power. A common local explanation of gender roles is that "a hen does not crow outside because the rooster does" demonstrating a shared sense that men hold more public roles. That said, there are important exceptions and nuances embedded within these norms, and women are honored for their role in nurturing the family and imparting knowledge about Limba traditions.

The norm is that all Limba men and women will marry. Polygyny is common, where 59% of women interviewed were or had been in a polygynous marriage. Divorce or permanent separation is not common but is also not rare and can be initiated by either spouse (11% of women interviewed have been divorced/permanently separated). Only 5% of women interviewed had no living children or never had children. Nearly half of the women interviewed took responsibility for other dependents (elders, disabled adults, or foster children).

Most men and women are initiated into their respective traditional societies which are gender-exclusive and help network people across the region. Societies provide education on livelihoods and the environment, gender roles, sexual education and child rearing, and each has their own set of rituals, dances, medicines, and initiation ordeals. Given the nature of the societies as secret to outsiders, this research does not attempt to explore the role societies play in local social dynamics. It is clear though, that those elevated in the society hierarchy are respected and afforded certain privileges.

Finally, church membership is very important to most research participants. Many communities have their own small church meetings. Church provides an opportunity for younger and otherwise more marginalized people to assume respected leadership roles. For example, Village C, which has a total adult population of 44 people, has a church with three pastors and several chorus leaders, all young adults living there.

*State Infrastructure Projects:* The Bumbuna Hydroelectric Project (BHP), SalCost Camp, and Bumbuna Conservation Area (BCA) are located in Kalantheta near its largest population center, Kamankay Village. Construction of the BHP dam began in the 1970s but experienced delays and was halted in the mid-1990s due to the civil war. As part of a push for post-war recovery, the GoSL pursued completion of the BHP (completed in 2009) to form the basis of Sierra Leone's energy sector. The project received funding from multiple donors, including the African Development Bank, the Italian Government, GoSL, DFID, the World Bank, and OFID (African Development Fund, 2013). Its construction was carried out by Salini Impregilo, an Italian infrastructure corporation, which continues to maintain the infrastructure and holds other construction contracts throughout the country. Many workers are housed at the SalCost camp which

also provides a local office for the Bumbuna Watershed Management Authority (BWMA), the branch of GoSL's Ministry of Energy that administers the BHP and BCA.

To mitigate the environmental impacts of the dam on wildlife, GoSL established the Bumbuna Conservation Area (BCA) through an act of Parliament. The BCA is also administered by the BWMA, and it spans land in several villages. There are significant restrictions on land use within the BCA—no farming, hunting, nor foraging are permitted—so, as many people told me, they are simply not allowed to go there. People view the land as “taken” “held” and “owned” by the government for wildlife. However, in conversations with BWMA staff in previous years, they claim that the land is still owned by the local families, they are just not permitted to use it.

The BCA is loosely demarcated with a few signs posted but its main enforcement has been through regular sensitization meetings and occasional penalties for non-compliance (particularly with those communities most proximate to the dam who must interact more often with BWMA staff). There is also a local belief that the BWMA uses camera surveillance that enables them to see what people do within the BCA through their computers while they sit and watch in Freetown (they do use wildlife camera traps). Despite this fear of surveillance, compliance with these restrictions, which are highly resented, is mixed particularly in villages further from the dam and SalCost camp.

The various land losses and use restrictions on villages affected by the BHP and BCA have gone unremunerated in any meaningful way. Residents note that a few goats, tree saplings, and fishing nets were provided to communities. Some communities that were “on the map” received emergency food aid from 2007-2009, but communities that were not “on the map,” including Village C in Article III, did not receive this subsidy.

Taxi fares for motorboat transportation on the reservoir were subsidized for several years, but this program has ended. Upon a deeper look into project documentation, it appears that there was a planned Bumbuna Trust (BT) fund that was to be established from electricity sales as a social mitigation measure for project affected persons. The BT was to provide both legacy compensation payments to those who lost land as well as funds for long-term benefit-sharing projects such as skills training, support for youth organizations, and community infrastructure projects (Skinner et al., 2009; World Bank, 2015). GoSL ultimately did not approve the BT plan, which the World Bank’s monitoring team and Kalanthuba’s leaders attributed to GoSL’s lack of sustainable financing, the underperformance of the dam (which impacts energy sales revenue), and project-related debt to Salini. The failure to launch the BT contributed to the World Bank’s evaluation of the BHP as having a “high” risk to development and its overall project outcome as “unsatisfactory” (World Bank, 2015). Given the chronic underperformance of the dam, GoSL is currently in the process of beginning a BHP Phase II that will expand its capacity. Several communities affected by the first stage will suffer further land losses, and many households will be resettled nearby. There is local concern that Village C, arguably one of the most impacted sites from the existing infrastructure, will no longer be a viable place to live even though they are not slated for relocation nor compensation.

## *5.2. A Few Notes on the Research Process*

The global COVID-19 pandemic impacted the scope and timeline of this research. The original proposal focused entirely on property relations in Sierra Leone. The aim was

to identify the range of socio-material strategies people use to make property claims, map the sources of legitimacy and authority upon which these claims were based, and finally, to assess whether and how claim-making strategies differed based on intersectional positionality and experiences of land loss. I was to spend several months learning the Limba language (HuLimba) and building relationships before beginning formal research activities. Yet, given necessary delays to international research in 2020 that extended into 2021, it became necessary to shorten the research timeline to six months and to narrow its scope. I pivoted to learning HuLimba during the research process while more heavily relying on research assistants for translation. Each research method was condensed, especially planned participant observation and structured questionnaires. Given this reduced research scope, Article I was redesigned as a theoretical desk study written during research delays. Question two (on authority and legitimacy) was tabled for the present study, as the concepts of authority and legitimacy posed challenges for translation and, it soon became apparent from initial focus groups, would be best addressed through significant periods of participant observation that were no longer possible in the truncated research timeline.

It is also important to comment briefly on my positionality. Ethnographic fieldwork, while valuable, remains fraught with colonial relationalities, places wealth disparities front and center in relationships, and digs up valid questions about power and expertise. These are larger questions that cannot be easily resolved, though I have attempted to center the experiences and knowledge of research participants in this work and to navigate these tensions with respect to those who welcomed me into their communities. I sometimes faced scrutiny and misunderstanding about my purpose. Some

people wondered if I had a connection to Seli Hydropower (the company in charge of BHP Phase II) while others hoped the presence of a presumably well-off and powerful foreigner would “bring development.” I found that positioning myself as a student was the most helpful framework for people to understand my activities. To further mitigate these perceptions and to build relationships, my partner and I lived with a local family in their modest house, used local transportation, attended funerals and religious services when invited, engaged in conversations about our work and lives in the United States, regularly visited with neighbors around town, and participated in everyday activities as time allowed, such as washing laundry, caring for our landlord’s children, and working in our household garden. These small acts, while imperfect, helped build trust and mutuality with our neighbors, and provided opportunities to further explain my research activities.

## *6. Contributions to the Literature*

This research makes contributions to four bodies of scholarship: institutional literatures, socio-material/more-than-human/post-humanist literatures, feminist literatures on the environment and development, and the ethnography of West Africa.

*Institutional Literatures:* This work identifies a persistent false social/material dichotomy that underlies institutional literatures and limits institutional analysis. As Article I shows, the dichotomy originates in Western Enlightenment onto-epistemologies. This dichotomy results in institutional explanations where dynamic social processes happen to inert material things. Although an emphasis on the social character of property helps to de-naturalize and de-essentialize it, this focus also creates a critical blindspot.

Bracketing out what is “social” from the “material” realm rather than analyzing them as essentially integrated causes us to miss the inextricable interplay of social and material processes. As the articles illustrate, the social/material dichotomy biases institutional works toward social explanations of property change, elevates representational and abstracted means of claiming property while invisibilizing important embodied practices that make property real, may contribute to inaccurate perceptions of human agents working alone within inert or abstract landscapes, and can obscure how structural inequalities produce social-material disparities in land relations. These blindspots are especially relevant for the property relations of marginalized users in customary property systems where representational strategies may at times be less accessible or impactful for some individuals than taking material action in the landscape. Thus, capturing property more fully as a socio-material phenomenon also enables us to visibilize and advocate for the property practices of the disempowered.

To overcome this dichotomy, the dissertation places institutional literatures in dialogue with scholarship from other epistemological traditions. These include multiple “socio-material” approaches such as Ingold’s work on dwelling, various works on embodiment and practice, Haraway’s post-humanist writing, the more-than-human studies emerging across disciplines in philosophy and the social sciences, and Indigenous scholarship on ontologies of place. The dissertation draws insights from these works into a novel analytical framework that integrates institutional and socio-material approaches. This “Property Interactions Framework” suggests that property is embedded in three nested socio-material/institutional dimensions: circumstantial, relational, and structural. Interactions across these dimensions shape the possibilities, limits, incentives, and actions

that make property real. The framework provides a way to visibilize how property is materialized in place, the many more-than-human actors and human/non-human relationships it involves, and how historical processes and current political-economy structure property in practice. Article I concludes by articulating a revised definition of property as a socio-material phenomenon which can enable interdisciplinary scholars to calibrate property research around this new conceptualization.

*Socio-Material Literatures:* Turning to socio-material literatures, this dissertation elaborates the idea of property as a socio-material and more-than-human institution conceptually and offers empirical cases that illustrate its integrated socio-material dimensions and emergence from more-than-human relations.

A second contribution this dissertation makes is responding to Fernando's (2022) call to extend "more-than-human" to the illusory supernatural realm. Article II accomplishes this by showing how people's relations with human ancestors and place spirits shape property claims and Limba relational ontology. This extension of theory is important given the importance people in both Western and non-Western societies place on spiritual agencies as mediating their practices, communities, and environmental experiences.

Third, Article II demonstrates the need to avoid romanticizing more-than-human relationships. One pitfall of the more-than-human approach is focusing so heavily on the "more-than" that the "human" and their interests and actions begin to disappear from view, thus inadvertently abstracting the relationships. This effort is intended to be corrective of centuries of centering humans as the only world-makers. However, attention needs to be paid to the real motivations people have in engaging in more-than-human

networks. As Article II shows, Limba people acknowledge and value their more-than-human interactions, but in this context of extreme precarity, they value these relationships particularly for their role in fostering human well-being. In expanding and realigning the viewframe to non-human agents, we should not lose sight of how people may value, engage, and nurture more-than-human relationships toward instrumental ends that support human needs.

A fourth contribution the dissertation makes is to point to the need for a more critical structural approach in more-than-human literatures. More-than-human works often emphasize emergent encounters but fall somewhat short in explaining how broader political-economic and historical structures shape the possibilities of these encounters. Critical institutionalism, feminist political ecology, and feminist works on difference (e.g., intersectionality, African feminisms) can be fruitfully integrated to show how and why certain more-than-human relationalities exist or are foreclosed.

*Feminist Literatures on Environment and Development:* Article III makes two contributions to feminist literatures. First, it critically examines the contemporary “Women’s Land Rights” discourse that is pervasive in the development policy field. It shows how this discourse hinges on perceived African cultural barriers to women’s land rights, thus locating the cause of inequality within culture and eliding the ways global structural inequality hinders women’s land access and control. It contrasts these assumptions with insights from context-driven intersectionality frameworks and African scholars, both of which point to the ways structural oppression rooted in colonial neoliberal extractivism constrains women’s agency and adversely impacts their ability to benefit from land.

Secondly, Article III provides an empirical case that illustrates the importance of context-driven approach to feminist analysis (called for by McKinzie and Richards, 2019 and others). Its ethnographic comparison of three matriarchs shows how positionality and culture alone do not determine women's experiences under a patriarchal customary property system. Instead, women's experiences may diverge significantly based on structural conditions of land loss, political marginalization, and embeddedness in local production systems. The cases push back against the neoliberal notion that patrilineal property norms are the main barrier to women's land rights in sub-Saharan Africa and that neoliberal policies would universally benefit African women.

*Ethnography of West Africa:* Finally, this dissertation contributes to the ethnography of West Africa. It provides one of few ethnographic accounts of Limba culture, land relations, agriculture, and gender norms. Article II explores key values and ontological framings that underpin Limba property relations, adding to ethnographic knowledge of land tenure in West Africa and the moral frameworks within which small-scale cultivators relate to each other and to land. Further, Article III provides comparative ethnographic case studies of women's experiences with patrilineal land tenure in a highly patriarchal cultural context.

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CHAPTER 2  
RE-EXAMINING PROPERTY: A FRAMEWORK FOR ENLIVENING  
INSTITUTIONAL APPROACHES <sup>4</sup>

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## *Abstract*

The property question arises with renewed importance amid the current political economy characterized by escalating resource competition, economic downturns, and demands for greater social equity. Given both the constructed nature of property and the high stakes it poses for socio-environmental futures, there is an ongoing need to examine property in practice and revisit analytical toolsets. Institutional property theories offer insight on the norms, incentives, relationships, and political-economic structures that shape property across scales. However, the social/material dichotomy that permeates institutional approaches fails to capture how property is made real through embodied entanglements among humans and non-humans in place. This paper argues for the need to place institutional and socio-material approaches in dialogue while attending to property interactions across circumstantial, relational, and structural dimensions. The Property Interactions Framework proposed here aims to mitigate the social/material dichotomy and a tendency in more-than-human literatures to romanticize micro socio-material interactions. By broadening analysis to socio-material practices situated across institutional dimensions, it becomes possible to analyze property practices, processes, and outcomes more holistically while furthering debates on which types of property advance more equitable and sustainable futures.

*Keywords:* property, institutions, social/material dichotomy, more-than-human, interactions

## *1. Introduction*

Property debates have repeatedly resurfaced amid key political-economic transitions throughout the modern era, especially when interest in land acquisition has surged (Bhandar, 2018; Blomley, 2007; Davies, 2020; Hann, 2007; Macpherson, 1978; Shipton, 2009). Now, the property question emerges in a 21<sup>st</sup> century political-economy characterized by contests over resource control, waves of economic downturn, and demands for greater equity and sovereignty levied by marginalized groups worldwide (Apostolopoulou, 2022; Borras et al., 2011; Dunlap, 2020; La Via Campesina, 2017; Peluso & Lund, 2011; Persaud, 2022; Spice, 2018).

Amid these converging trends, states and organizations such as the World Bank, USAID, and Gates Foundation seek to extend private property through land titling reform. The stated aim of these reforms is poverty reduction (Borras Jr. & Franco, 2010; Deininger & Binswanger, 1999; Mousseau, 2019; Persaud, 2022; USAID, 2021). Critics view these efforts as attempts to entrench neoliberal capitalism in new frontiers (Dwyer, 2015; German, 2022; German & Braga, 2021; La Via Campesina, 2017; Özsü, 2019). These moves have not gone uncontested. While the grassroots has always resisted capitalist property and dispossession (e.g., Bhandar, 2018; Blomley, 2007), current Indigenous, Black, peasant, and working class movements that fight or create alternatives to privatization have gained visibility—e.g., Land Back, La Via Campesina, land rights defenders, commoning movements, and calls to recognize housing as a human right (Apostolopoulou, 2022; Dunlap, 2020; Le Billon & Lujala, 2020; Ramirez, 2020; Rosset, 2013; Singh, 2017; Spice, 2018; Varvarousis, 2020).

These divergent efforts to spread, entrench, contest, and reimagine property all strike at a core issue: property is continuously in the making, and is therefore always changing and open to redefinition. As Moore reminds us, institutional stability is the product of considerable social effort, and institutions (e.g., property) are never truly static (1978). This dynamic is echoed by Li: “Clearly, assembling land as a resource available for some purposes to the exclusion of others requires a great deal of complex cultural work” (2014: 592). Given the dynamic nature of property and the high stakes it poses for socio-environmental futures, researchers must continue to examine property empirically and re-evaluate premises and modes of analysis. And, as theory is often used to legitimize action, scholars should prioritize generative approaches that embody potential for inclusion and justice (DePuy et al., 2021; Haraway, 2016).

In the social sciences, much work on property has emerged from institutional theories. For the purposes of this paper, institutions are the systems of norms, rules, relations, and processes within which particular rights, duties, claims, and practices acquire meaning and are governed. Institutional literatures clarify that property is a social construct rather than a physical thing; that is, property is not a parcel or a house, but a social relationship defining who can legitimately benefit from these things. This insight shifts attention to the social structures and relationships that constitute property and enables comparison across contexts. Yet, as will be explored in the following sections, institutional approaches remain grounded in the modernist premise that the world is dichotomized between human and natural realms, separating social relationships, cognition, and culture from materiality, bodies, and nature.

Whereas institutional approaches emphasize the social, a socio-material approach considers social phenomena to be fully integrated with the material world, other beings and bodies, and physical processes and places. It integrally links historical processes with environments and recognizes that, not only does human life occur alongside other lives, but that all lives, human and non-human, are bound up together, being made possible through and shaping each other and our shared environments. In this perspective, there are no social systems, processes, and relationships that occur separately from material environments and processes. There are only socio-material systems, processes, and relationships as humans “dwell” (Ingold, 2005) and “become with” (Haraway, 2016) ourselves and multitudinous others in this world.

There is growing recognition that property is material as well as social (Blomley, 2007; Brown, 2007; Kronenberg García & van Dijk, 2020; Strang, 2011) and involves non-human agencies (Braverman, 2009; Bresnihan, 2015; Davies, 2020; Di Giminiani & González Gálvez, 2018; Ojalammi & Blomley, 2015; Sheridan, 2016). These works connect with broader attempts in the social sciences to move away from a social/material dichotomy and to re-enliven more-than-human beings and things. Many Indigenous perspectives and recent post-humanist/more-than-human scholars begin with the premise that the world is fundamentally integrated, and that humans and non-humans co-produce the conditions of life through endless agentive entanglements (Davies, 2020; DePuy et al., 2021; Haraway, 2016; Ingold, 2005; Salmón, 2012; Simpson, 2014; Spice, 2018; Todd, 2016; Tsing, 2015). If we embrace these premises—that the world is integrated rather than dichotomized, that social relations emerge through embodied life processes, and that humans do not act alone—how then can we understand property?

While these latter premises offer radically different possibilities for understanding and re-making property, older insights from institutional approaches remain important to explaining property in ways that can be missed by socio-material approaches. For example, socio-material works tend to train attention on emergent micro-interactions, but this overly narrow focus can overlook the ways these interactions are embedded in histories, systems, and structures. And, with a renewed appreciation and curiosity for symbiotic agencies that may open possibilities for creating system alternatives, there is a risk of romanticizing and normalizing interactions that occur as part of unjust or unsustainable histories or that bury human culpability for the state of the world (Chagani, 2014).

This paper endeavors to bring institutional and socio-material perspectives into dialogue by analyzing interactions that occur across circumstantial, relational, and structural dimensions. It argues that such an approach can mitigate the risks of maintaining a false social/material dichotomy in institutional approaches while also avoiding a myopic and romanticized focus on emergent and micro more-than-human encounters. Doing so can enable us to see how property is situated within, and emerges from, complex webs of entanglements among people, beings, things, places, systems, and histories.

To operationalize this argument, this paper develops a framework of three nested dimensions of socio-material interactions within which property practices are situated: circumstantial, relational, and structural. These interactional dimensions are differentiated by their relative flexibility/rigidity. The *circumstantial* dimension represents those more spontaneous or emergent conditions, interests, and engagements that arise with each

encounter. The *relational* dimension captures patterns of interaction among people, other beings, and things that develop over repeated engagements, or that anticipate continued interaction. The *structural* dimension encompasses engagement with the more stable, power-laden, and often intergenerational patterns and infrastructures that frame life within socio-ecological systems. Together, interactions across these dimensions shape the possibilities, limits, incentives, and strategies for action that make property real.

The paper begins with a review of institutional literatures on property noting the origins of the dichotomy and outlining the field's strengths and weaknesses. It then considers several theoretical possibilities for overcoming the social/material dichotomy, and argues that pairing these insights with institutional approaches offers a way to theorize and analyze property more holistically, as it is enacted in the world. The paper goes on to develop and apply the Property Interactions Framework to published case studies selected from India, the United States, and Australia, discussing what is gained by drawing these lenses together. The case studies were selected to show the applicability of the framework across diverse contexts and to exemplify the value of analyzing property with a socio-material lens. The paper concludes by suggesting a revised definition of property based on insights from institutional and socio-material approaches. It gestures toward the need for research to support and contribute to normative debates on whether extensions or continuations of certain forms of property are desirable, and for whom—a question at the core of the political economy of property.

## *2. Institutional Approaches to Property*

### *2.1 Foundations*

The foundations of Western institutional thought form the common basis of contemporary institutional approaches in early political-economy and highlight the origins of casting property as social. Institutional property theories arose in response to Locke's (1978 [1704]) thesis that (private) property is a natural right derived from the application of labor to an object, where an individual's labor joins the object and makes it ownable (regardless of others' consent; see Goldstein, 2013). Early institutionalists disagreed, arguing that property is neither a physical thing nor a natural right, but a category of social institutions and relationships that establishes norms defining the distribution of benefit and responsibility toward a resource and other actors. Hume argued that these institutions arise organically as social convention (1968 [1738]) while Bentham saw property as the creation of the state (1978 [1830]). Maine suggested that property is a bundle of rights and duties representing multiple interests that may be consolidated or distributed differently depending on the law (1986 [1861]). These contributions mark a shift toward social/material dichotomization in property theories by defining property as social and human in origin (whether arising from relationships or the state) and separate from the material realm but overlaid on top of it through law. This shift denaturalized property, which rather than arising from people's interactions with the material world (e.g., labor), became conceptualized as something fundamentally social in nature. Marx's work represents an important exception to the status quo social/material

dichotomization in his historical materialism approach and modes of production and labor theory of value concepts (Marx & Engels, 1978 [1848]; Marx, 1978 [1867]).

Institutional approaches today build on the foundational idea that property is a quintessentially social institution that takes different forms across social contexts.

Contemporary institutional approaches can be grouped into three schools: property rights framings, property relations framings, and critical agrarian studies (summarized in Table 2.1). The following sections profile each approach's foundational concepts, contributions, and critiques.

## *2.2 Property Rights Framings*

Rights theorists define property as a recognized and enforceable social relationship that delineates various rights and duties with regard to a benefit stream (Benda-Beckman et al., 2006; Bromley, 1991; Demsetz, 1967; Macpherson, 1978; Schlager & Ostrom, 1992). In addition to rights and duties, these analyses examine the institutional arrangements within which they occur (e.g., rules and normative structures) as well as incentives, costs, benefits, and tradeoffs that rational resource users attempt to balance (Bromley, 1991; Demsetz, 1967; Furubotn & Richter, 2005; Ostrom, 1990).

Some argue that private property rights are the foundation of prosperity and efficiency, and thus advocate their extension through policy reforms such as titling and strengthening land markets (De Soto, 2000; Deininger & Binswanger, 1999). Many critique this position, including property rights theorists in Ostrom's Common Property School (CPS).

Ostrom's school coalesced to counter Hardin's (1968) proposition that common property systems inevitably fail to sustain shared resources due to the overconsumption of self-interested users. Based on evidence across contexts, CPS scholars distinguished, where Hardin did not, between features of a resource (i.e., common pool resources like pastures and fisheries) and the institutional arrangements applied to it. CPS scholars developed a heuristic of four types of property systems: public, private, common, and open access (a non-property system in which no property exists) (Bromley, 1991; Ostrom, 1990). These systems are defined primarily by who the recognized rights holders and beneficiaries are, and in the case of the distinction between common and open access, by the presence of shared rules governing use. An important CPS contribution is the observation that institutions are derived from users' experiential interaction with a community of users and the resource. The idea that institutions emerge from practice, even if framed in overly rationalistic ways, marks a departure from other theorized drivers of institutional development such as Bentham's focus on the state and Demsetz and Hardin's focus on individual incentives.

Rights-based approaches can effectively capture snapshots of the array of rights available and claimed in a property system, enable comparison and generalization across systems, and show how property rules, norms, and situational incentives shape behavior. Yet, a focus on rules and norms conveys a misleading sense of structural constancy, masking how property is continually negotiated and can change rapidly as systems "rupture" (Lund, 2016). An emphasis on institutional structure and economic incentives as a determinant of behavior can also obfuscate how agency, relationships, and power shape behavior in ways that may deviate from predictions derived from system rules or

rational decision-making (Cleaver & De Koning, 2015; Karambiri et al., 2020; Kronenberg García & van Dijk, 2020; Peluso & Ribot, 2020; Singh, 2017). Further, as Peluso and Ribot (2020; 2003) argue in their theory of access, actors can benefit from resources outside of rights and there is often a gap between *de jure* rights and *de facto* situations where rights may not materialize or afford value. And, while some rights approaches consider how material conditions and embodied practice shape possible rights (e.g., the CPS), materiality in this approach is conceptually separated from social norms and characterized as static and human-utility oriented (e.g., ‘nature’ as resources).

### *2.3 Property Relations Framings*

Property relations scholars also move away from notions of property as a thing, focusing instead on its interactional context and processes. This focus highlights how agency, negotiation, power dynamics and social position drive institutional change and inequitable resource control (Cleaver & De Koning, 2015; Karambiri et al., 2020; Peluso & Ribot, 2020). These contributions conceptualize property (or resource access) as an actively negotiated set of relationships embedded within dynamic socio-political environments.

Relations scholars insist that property, like all seemingly stable social institutions, requires considerable effort, or performance, to constitute and maintain (Blomley, 2013; Moore, 1978). Turning attention less on structures and outcomes allows a move away from considering only the “crystallizations” of property at a particular time to instead examine the processes through which actors build institutions and make property real

over time (Cleaver & De Koning, 2015; Kronenberg García & van Dijk, 2020). This focus on process provides clarity on how and why things come to be, enabling actions such as appropriation (Strang & Busse, 2011), legitimization (Sikor & Lund, 2009), performance (Blomley, 2013), claim-making (Kronenberg García & van Dijk, 2020) and bricolage (Cleaver & De Koning, 2015) to come to the fore.

For these scholars, the processual dynamics of property are permeated with power. Ribot and Peluso (2020; 2003) describe how the ability to benefit from a resource, which they call access, depends both on the assemblage of social powers each individual holds, and broader webs of power, both of which change over time. Others argue that property *is* power (Okoth-Ogendo, 1989), or a product of legitimized power, i.e., authority (Sikor and Lund, 2009). A focus on power has led property relations scholars to recognize how social positions differently enable actors to shape and benefit from institutions (Agarwal, 2003; Blomley, 2014; Cleaver & De Koning, 2015; Mollett & Faria, 2013; Mollett, 2014) and examine how property and social difference (e.g., race, gender, class) are co-produced (Bhandar, 2018; Ranganathan & Bonds, 2022). Ethnographic examples have shown how resource control is often mediated by gendered power relations, particularly through negotiations over labor and meaning in households and communities (Agarwal, 2003; Carney & Watts, 1990; Li, 1998; Rocheleau & Edmunds, 1997; Schroeder, 1999), and how gender is deployed discursively to legitimate particular property formations (German, 2022). Others link current inequitable property relations with racist and colonial histories and examine how ongoing global agendas to privatize and develop land further entrench these inequities (Bhandar, 2018; Blomley, 2014; Mollett, 2014; Persaud, 2022; Ranganathan & Bonds, 2022).

Property relations perspectives contribute much to understanding how property is practiced and why inequities abound, underscoring the ways norms and incentives are negotiated within social fields of power. Yet, this approach risks overemphasizing power relations, sometimes flattening multidimensional relationships into ones of power. Likewise, it often overlooks different kinds of power, emphasizing *power over others* and misses the ways people and non-humans may assemble to exercise *power with others* (see e.g., Guyer & Belinga, 1995). And, as with rights approaches, relations approaches tend to limit analysis to everything social happening between human actors, rarely considering human-non-human entanglements, embodiment, and the materiality of property (excluding feminist political ecology contributions such as Rocheleau & Edmunds, 1997 and Schroeder, 1999).

#### *2.4 Critical Agrarian Studies Framings*

A third stream of institutionalists take a broader view of property, focusing on cross-scalar institutions, (historical) global political-economy, and the state. Critical agrarian scholars argue that global policy makers and investors instrumentalize discourses about “underutilized land,”<sup>5</sup> development, conservation, and women’s rights to expand and entrench neoliberal capitalism (Borras et al., 2011; Fairhead et al., 2012; German, 2022; German & Braga, 2021; Harvey, 2004; Li, 2014; Maganga et al., 2016; Makki, 2014; White et al., 2013). While this research has a long history with roots in

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<sup>5</sup> See Goldstein, 2012 for a historical analysis of how common wastes (marginal lands) were re-figured as wasted commons (underutilized lands) in the enclosure of the English commons. This phenomenon of figuring environments as “terra economica” continues in contemporary neoliberal enclosures.

Marxian critique, it has gained renewed importance since the 2008 land rush where investors turned to land acquisition as a source of investment capital (Borras Jr. & Franco, 2010; Fairbairn, 2020; White et al., 2013).

Critical agrarian scholars characterize the land rush as part of the ongoing capitalist project of “accumulation by dispossession” (Harvey, 2004; Makki, 2014; White et al., 2013). While violence is still instrumental in dispossessing smallholders (e.g., Berman-Arévalo, 2021; Le Billon & Lujala, 2020; Peluso & Lund, 2011) and silencing local activists working in their defense (Menton & Billon, 2021), these contributions also highlight how more subtle and palatable mechanisms for “polite dispossession,” marketed as means to protect vulnerable people and environments, have gained legitimacy (German & Braga, 2021). These mechanisms include land rights titling, community consultation, and market-based conservation (Fairhead et al., 2012; German & Braga, 2021; Peluso & Lund, 2011). In the face of little or mixed evidence for these initiatives’ success in supporting smallholders and ecological sustainability, critics have pointed to other motivations, including the drive to expand commercial food regimes (McMichael, 2014), extending state and international power (Makki, 2014; Peluso & Lund, 2011), and new efforts to commodify and financialize land (Fairbairn, 2020) and appropriate nature (Fairhead et al., 2012; German et al., 2017).

Researchers have used institutional analysis to unpack how these appropriations play out across scales and webs of actors. Some have examined residual legal vulnerabilities from post-colonial land laws and argue for land law reform (Anafo & Guba, 2017; Wily, 2011) while others argue that increased state involvement in customary land governance could further undermine the rights of marginalized users due

to the complexities of legal pluralism and perverse incentives (Schoneveld & German, 2014). Scholars have also analyzed institutional efforts to improve land governance at the international level, namely soft law guidelines for “responsible” land investment practices (Borras Jr. & Franco, 2010) or community consultation and consent (FAO 2012). Critical agrarian scholars argue that these mechanisms have not safeguarded smallholder property and distract from the causes of land grabbing while legitimizing continued enclosures (Borras Jr & Franco, 2010; German & Braga, 2021).

Critical agrarian studies have contributed needed perspective on the ways international actors and structures instrumentalize property and leverage progressivist discourses for the extraction of land-based resources. These works remind us that seemingly localized institutional arrangements and negotiations are embedded in wider structures. Yet, an emphasis on perverse global political-economic structures can become deterministic and invisibilize resistance, alternatives to privatization, and the potential for generative grassroots power. And, while critical agrarian studies recognizes the materiality of dispossession and enclosure, like other institutional approaches, this literature tends to underemphasize the more-than-human dynamics of global property relations by focusing on global inequality, power, discourse, and knowledge. Non-humans are most often discussed as resources or are subsumed into complex socio-ecological systems disrupted by extraction or privatization, rather than as agents and placemakers themselves.

The contemporary institutional approaches to property described above are summarized in Table 2.1, which highlights the key concepts, contributions, and critiques that define each respective approach.

**Table 2.1** Summary of Contemporary Institutional Approaches to Property

	<b>Property Rights</b>	<b>Property Relations</b>	<b>Critical Agrarian Studies</b>
Concepts	<ul style="list-style-type: none"> <li>• Rights &amp; duties</li> <li>• Rules &amp; norms</li> <li>• Tradeoffs</li> <li>• Incentives</li> <li>• Collective Action</li> <li>• “Bundle of rights” (Schlager &amp; Ostrom, 1992)</li> <li>• Property regimes (private, public, common, and open access/non-property)</li> </ul>	<ul style="list-style-type: none"> <li>• Processes</li> <li>• Access</li> <li>• Negotiation &amp; contestation</li> <li>• Institutional bricolage (Clever &amp; de Koning, 2015)</li> <li>• Performance</li> <li>• Power <i>over</i> others</li> <li>• Reciprocal relationship between property &amp; authority (Sikor &amp; Lund, 2009)</li> <li>• Social identity/position</li> </ul>	<ul style="list-style-type: none"> <li>• Enclosures</li> <li>• Land/green grabbing</li> <li>• Neoliberalism</li> <li>• “Accumulation by dispossession” (Harvey, 2004)</li> <li>• “Polite dispossession” (German &amp; Braga, 2021)</li> <li>• Instruments of capital expansion (tenure formalization, land governance guidelines)</li> </ul>
Contributions	<ul style="list-style-type: none"> <li>• Captures distribution of rights</li> <li>• Highlights relationship between normative orders, incentives, and behavior</li> <li>• Clarifies difference between common property, common pool resources, and open access</li> <li>• [Ostrom/CPS] Notes that institutions emerge from peoples’ experience with an environment</li> </ul>	<ul style="list-style-type: none"> <li>• Highlights how property institutions/claims are made and contested, explains the “how” and “why”</li> <li>• Explains relationship between property and power/authority</li> <li>• Analyzes differentiated access, benefit from, and ability to shape institutions based on social position</li> </ul>	<ul style="list-style-type: none"> <li>• Analyzes property within global political-economic structures and trends</li> <li>• Shows how property/land reform are instruments of neoliberal capitalist expansion</li> <li>• Critiques ineffective policy safeguards that legitimize continued enclosures</li> <li>• Highlights role of progressivist discourses in legitimizing dispossession</li> <li>• Recognizes the materiality of dispossession and enclosure</li> </ul>
Critiques	<ul style="list-style-type: none"> <li>• Overly structural – static analysis</li> <li>• Some proponents assume rational utility maximizing behavior</li> <li>• Social/material dichotomy</li> <li>• Non-humans as non-agentive resources</li> </ul>	<ul style="list-style-type: none"> <li>• Overemphasis on perverse local power dynamics</li> <li>• Social/material dichotomy</li> <li>• Non-humans and environment more broadly are largely absent</li> </ul>	<ul style="list-style-type: none"> <li>• Overly structural – totalizing analysis</li> <li>• Overemphasis on perverse global power dynamics</li> <li>• Underemphasizes more-than-human dynamics of property</li> <li>• Non-humans as non-agentive commodities or resources</li> </ul>

### *3. Overcoming the Socio/Material Dichotomy*

The institutional approaches described above have provided key insights on the nature of property, its various forms, the interpersonal relations and normative orders through which it emerges, and the multiscale processes that drive change. Despite these key insights, institutional approaches tend to conceptualize property as primarily social while separating and deadening matter. We see this when property is defined as a socially recognized relationship between people that establishes claims over objects (e.g., Benda-Beckman et al., 2006; Bromley, 1991), when frameworks delineate the social attributes of users and the physical attributes of resources (e.g., Ostrom, 1990), and when analyses decenter property's materiality to emphasize the socio-political relations that produce it (e.g., Ranganathan & Bonds, 2022).<sup>6</sup> Yet, property and its performers defy social/material dichotomization: property is an idea materialized in place and the humans who enact it live embodied lives that are entangled with human and non-human others.

There is a rich history of Indigenous, anthropological, and feminist critiques of dichotomies, especially those prevalent in Western/modern thought such as subject/object and nature/culture dichotomies (e.g., Descola & Pálsson, 1996; MacCormack & Strathern, 1980; Mauss, 1967 [1925]; Salmón, 2012; Simpson, 2014; Watts, 2013). Likewise, phenomenologists have theorized the integration of people and environments through embodied perception (e.g., Merleau-Ponty, 1962). The following discussion touches on how recent materialist and post-humanist contributions and Indigenous

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<sup>6</sup> In fairness, Ranganathan and Bonds do devote attention to the materiality of property in their editorial, but this sentiment expressed in their work captures the common but often implicit bias in relations scholarship that privileges the social dimensions of property and all but ignores its materiality.

ontologies of place unsettle conventional assumptions on the nature of property and its analysis while offering alternative basic assumptions.

In his famous “dwelling” concept, Ingold (2005; 2021) posits that people perceive and shape their environments primarily through daily life in the landscape. This perspective situates human social relationships as inseparable from material and embodied life—people perceive and move through the world through sensing it directly, and this embodied living and sensing is the basis for all human relations, cognition, culture, and institutions. Further, the tasks people undertake, structured by social and material realities, have lasting physical effects on the landscape and all its constituents, creating a layered archive of human and non-human lives that shape future possibilities.

Ethnographic analyses that adopt an approach similar to Ingold’s dwelling perspective illuminate how property is materialized through emplaced and embodied relations over time. For example, Shipton’s (2009) ethnography shows how Kenyan Luo agro-pastoralists materialize claims to property and belonging by situating their homesteads and fields in a patterned way according to status, burying afterbirth behind the house, and by placing gravesites at home. These practices provide constant and socially recognized claims of belonging to fixed places and kin groups. Likewise, Walker’s (2012) case study from Sussendenga District, Mozambique explains how a “spatio-temporal mosaic” of property resulted from sequential Portuguese settler colonialism, post-colonial state villagization, regional conflict and migration, and new commercial farming projects. Now, land use possibilities, its rightful occupants, and strategies for making and contesting claims are wrapped up in what happened, where. Individuals navigate these patchy property landscapes where fragmented land use,

competing histories, sources of legitimacy, and new interests complicate and raise the stakes for defining property claims.

In addition to encompassing embodied and spatialized histories, dwelling incorporates affective dimensions of living—senses and emotions—which are often overlooked in institutional approaches. People's connections and claims to place are often not simply premised on what they can legitimately access where, but also and perhaps more importantly, how they know and relate to the land and its human and non-human constituents. People may develop a deep sense of kinship or belonging to a place, experiencing it through their senses, knowing it through observation and time spent with it, and building emotion-filled connections (DePuy et al., 2021). In Heatherington's account of how a Sardinian commons was converted into a state conservation area, residents grieved the commons as the loss of a family member (2011). Singh's work, discussed further in the following sections, shows how commoning is made possible through the joy and commensality that comes from caring for village forests (2017; 2013). And, Salmón, a Rarámuri scholar, discusses how “eating the landscape” keeps memories, knowledge, and identities alive, thus sustaining Rarámuri people's connection to land.

Affective relationships to place articulate with literatures emerging from the post-humanist/more-than-human/multispecies turn in humanities and social sciences. Per Whatmore's (2006) early assessment, these works aim to, “re-animate the missing ‘matter’ of landscape, focusing attention on bodily involvements in the world in which landscapes are co-fabricated between more-than-human bodies and a lively earth...interrogate ‘the human’ as no less a subject of ongoing co-fabrication than any

other socio-material assemblage...[and redistribute] subjectivity...” (603). More-than-human studies highlight how the multiplicity of entanglements between humans and non-humans constitute continuously unfolding possibilities for life together (Haraway, 2016; Tsing, 2015).

By decentering human agency and reconsidering the world in a more fully enlivened way, more-than-human literature demonstrates how the interplay of agencies between people and other beings creates and sustains the world. These scholars conceptualize agency as the ability to affect the world and have explored how animals, plants, fungi, microbiota, and other entities mediate the possibilities of human life (Archambault, 2016; Ogden et al., 2013; Ojalammi & Blomley, 2015; Sheridan, 2016; Tsing, 2015; Van Dooren et al., 2016). Others expand the field further to consider how “non-living” entities or assemblages such as bodies of water and soil are active in world-making (Di Giminiani & González Gálvez, 2018; Puig de la Bellacasa, 2019). Enlivening nature in our theoretical framings draws attention to non-human socialities (Hartigan, 2014), continuities between human and non-human life (Puig de la Bellacasa, 2019), and diverse cultural conceptions of relationality and personhood (Di Giminiani & González Gálvez, 2018). Multispecies scholars emphasize multivalent relationalities: there are relations of competition, control, and refusal, but also relations of collaboration, care, affection, communication, and teaching/learning (Cooke & Lane, 2018; Haraway, 2016; Ojalammi & Blomley, 2015; Singh, 2017; Tsing, 2015).

Seeing more-than-human relations more fully necessitates re-considering the role of non-humans in shaping systems and institutions. Scholars increasingly explore how human property, governance, and livelihoods intersect and are re-worked by non-human

territories and modes of survival (Brown et al., 2019; Ojalammi & Blomley, 2015), how people involve non-humans in materializing and enacting institutions (Blomley, 2007; Brown, 2007; Schroeder, 1999; Sheridan, 2016), and how intimate knowledge of and caring for non-humans can motivate and sustain institutions (Heatherington, 2011; Singh, 2013, 2017). The relevance of more-than-human perspectives for institutionalists extends beyond better analyzing existing property systems or claims. By identifying examples of interspecies “flourishing” that occur in spite of ecological crisis or oppression, more-than-human works point to possibilities for resilience, generative alternatives, and opportunities to re-work institutions for more just and sustainable futures together (Carney, 2017; Davies, 2020; García-López et al., 2021; Haraway, 2016; Tsing, 2015).

It is worth noting in this review that for some Indigenous scholars, the above insights on dwelling and more-than-human entanglements are neither novel nor adequate. For many Indigenous scholars, Indigenous ontologies rooted in connection to place offer more radical and authentic possibilities for living in and decolonizing the world (Coulthard, 2010, Simpson, 2014, Moreton-Robinson, 2015). Many suggest that a defining difference between Western and Indigenous ontologies is a Western tendency toward rationalist separation of place and thought (Watts, 2013) or of selves/bodies from earth (Moreton-Robinson, 2015). These separations, Watts argues, enable the detrimental elevation of human rationality and agency over other beings (see also Depuy et al., 2021).

Of importance to property considerations are the ways that “land,” one of the primary objects to which property claims and theories are applied, are defined in Indigenous ontologies. The Indigenous scholars reviewed here define land as much more than a lifeless object or surface in the way that it is often framed in Western, modernist,

and capitalist conceptualizations (Coulthard, 2010; see also Depuy et al, 2021, Li, 2014). Instead, land represents an integration of relationships and materiality. It consists of many elements (people, animals, soils, lakes, trees, etc.) that are embedded in a field of relationships (Coulthard, 2010), as well as the “...spirits, sounds, thoughts, feelings, energies, and all of the emergent systems, ecologies, and networks that connect these elements” (Simpson, 2014: 15). Land for Australian Aborigine peoples is the materialization of the Dreaming, where the bodies of ancestral beings created land and became and remain tangible and thus relatable through its physiographic forms and living inhabitants (Moreton-Robinson, 2015).

A radical socio-materiality underlies Indigenous frameworks: humans are one constituent part of land/earth/creation that interacts with all other parts through a shared life force (Coulthard, 2010; Moreton-Robinson, 2015, Salmón, 2012, Watts, 2013). Direct embodied experience with land creates Indigenous knowledge and identity (Salmón, 2012; Simpson, 2014), intersubjectivity with others (Moreton-Robinson, 2015), and ethical systems of obligation to the more-than-human world (Coulthard, 2010, Depuy et al. 2021).

While there are dangers in appropriating parts of Indigenous ontologies to remediate Western ideas, as Coulthard writes, there are lessons and values that can be drawn from Indigenous framings and embraced by others. These include reciprocity, egalitarianism, respect for autonomy, and upholding obligations to other people, beings, and places (2010). This paper recognizes that many of the ideas embedded throughout have originated with Indigenous and non-modernist lived cultural worlds and are kept alive through persistent resistance to the violences of oppression and colonization. It does

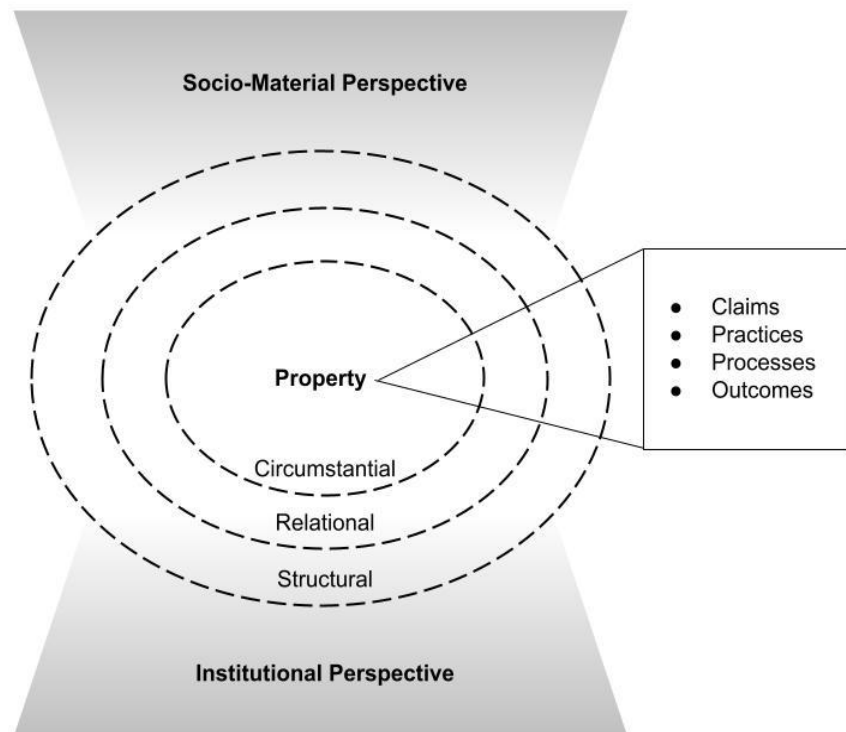
not adopt a particular socio-material approach but draws inspiration from all those considered here, including the values that Coulthard invites non-Indigenous peoples to adopt.

#### *4. Introducing the Property Interactions Framework*

The research streams profiled above highlight several possibilities for overcoming the social/material dichotomy that can be applied to institutional approaches to property. While some might conclude that it is best to abandon institutional approaches, this paper argues that an institutional lens provides useful clarity on how property processes play out, encouraging us to think about the many structures, norms, incentives, and relational interactions and constraints that shape property outcomes and continue to constitute the norms, relations, and processes that shape future possibilities. Integrating a socio-material orientation with institutional analytic tools enables us to understand property more holistically, in the ways it is enacted in a dynamic world by human and non-human *bricoleurs*.

To draw together socio-material and institutional approaches, we propose the Property Interactions Framework (Figure 2.1). The framework situates property—including claims, practices, processes, and outcomes—within three nested dimensions of interactions that shape it: circumstantial, relational, and structural. These dimensions of interaction are both socio-material, i.e., encompassing embodied, materialized, and human/non-human entanglements and conditions, and institutional in that they consider systems of norms, rules, relations, and processes within which particular interactions

acquire meaning and are governed. Each dimension suggests a different degree of flexibility/rigidity, permanence, and breadth: engagements at the circumstantial dimension tend to be more in flux and localized, those at the relational dimension are somewhat steadier and accumulated, and those at the structural dimension, while still negotiated and mutable, carry more history, precedence, and durability across generations and may apply more broadly to a greater number of property scenarios.



**Figure 2.1** The Property Interactions Framework

The circumstantial dimension is the most spontaneous of the three, and represents how actors negotiate their present situation, including novel conditions where the

decision-making “calculus” changes. Circumstances might include an emerging ecological crisis, the establishment of a conservation area or new development project, conflict within a community, new political or economic interests, or more subtle shifts in established norms or relationships. Interactions around circumstances include how actors or collectives navigate these conditions, particularly the incentives, tradeoffs, emotions and senses they experience and the institutional, relational, and embodied strategies they may use to do so.

The relational dimension encompasses longer-term patterns of engagement among people, other beings, and physical entities. Relationships here are multidimensional entanglements that are dynamic but embedded in existing networks and socialities. Interactions encompass power dynamics, care-taking, negotiation, conflict, collective action, kinship, co-learning and communication that occur among people (kin, neighbors, adversaries, outsiders, ancestors, etc.), spirits/the divine, plant, animal, fungi, and microbial networks, places and physical entities, whether natural or constructed, that may or may not be considered alive. This dimension is more regularized and contingent than the circumstantial dimension, with interactions building and evolving over time (like Lichbach’s, 1998 distinction between “spontaneous” and “contingent”).

Structural interactions are engagements with more stable institutions and infrastructures that span generations and are difficult, though not impossible, for individuals to substantially rework. Structures encompass ontologies that give meaning to the world, the ways historical land use is spatialized, long-standing religious practices, gendered and racialized norms of entitlement or environmental relations, contemporary political-economy, histories of dispossession and counter-memory etched into the

landscape, and legacies of colonial legal systems and extraction on socio-ecological systems. Interactions at this dimension are those actions and strategies actors take that engage these systems, whether in compliance, resistance, or reform.

The framework should be used heuristically. Clearly, interactions at each dimension are not always separable in reality. The purpose of differentiating them here is to improve clarity on the interplay of many socio-material and institutional interactions that occur with any property practice. Each is porous and interconnected to capture intersections and processes through which circumstances become relationships, and relationships can become structures over time (as proposed in structuration theory, see e.g., Lamsal, 2012 and Leach et al., 1999).

An anticipated critique of this framework is its holistic scope. Researchers rely on excluding aspects of reality, lest the task of analysis become impossible, with every factor entangled in every other preventing us from identifying meaningful patterns and explanations within the milieu. The framework presented here is not meant to suggest that every case study must exhaustively analyze each dimension. Indeed, interactions at different dimensions may vary in importance depending on the case. Instead, the framework suggests the essential interplay of these dimensions and invites researchers to explicitly locate their questions and approach within it. The key utility of this framework is how it facilitates reflexivity and thoughtfulness about explanations and conclusions. Analysis of dynamics within a given dimension should recognize and consider the ways dynamics within the others might also be influential.

Finally, extending our analyses to the socio-material context and more-than-human entanglements that underpin property does not mean that all relations and

institutions are (primarily) about property. It is only to say that the bounds of property and what constitutes it are not clearly delineated, but are instead embedded in so many other facets of life—family, care, production, ecology, fragmented histories, sentiment, conflict, cooperation, politics, religion, etc. Analytical impulses create a desire for clearly defined edges. Yet, the reality of the textured, multifaceted, indeterminacy of the world demands that we sit with the ambiguities of life and come to analyze them as they are.

### *5. Illustrating the Framework's Utility through Published Case Studies*

The following case studies were selected from contrasting regions, the first in Odisha, India, and the others in Boston, U.S.A. and exurban areas around Melbourne, Australia to illustrate how the Property Interactions Framework may be applied in diverse socio-ecological contexts. These cases already adopt a socio-material starting point, avoiding a dichotomized or primarily social approach to property, and include all or most considerations outlined in the framework above. They showcase how institutional scholars might move toward understanding property with all its socio-material entanglements among humans and others while retaining institutional analysis.

#### *5.1 Embodied and Affective Property Relations in an Indian Forest Commons*

“We tell our children, ‘come let us go to the forest... We will have a feast.’ The children accompany us happily. We cook and eat inside the forest and return home in the evening.” (Singh, 2017: 757)

Theorizing property often abstracts it, diverting attention from the ways property relations and claims are rooted in and strengthened by embodied and affective interactions among constituents of a place. Singh's study (2013; 2017) of village forest commoning in Odisha, India illustrates the ways commons and commoners are co-constituted through affective labors of care and regular embodied engagement with the forest.

In Odisha, an impoverished province in India where most residents live in rural villages, an astounding wave of approximately 10,000 villages self-organized over the past several decades to conserve community forests through village forest patrol groups, or *thengapalli* (2017). As Singh (2013) explains, this wave of self-organization arose in response to extreme degradation of colonial and subsequent state appropriated forests. Forest degradation became particularly acute between the 1950s and 1970s, when intensified industrial logging under continued colonial-era policies, rapid land use change, and heavy subsistence reliance converged. The effects of forest degradation intersected structural inequality. Odisha has a relatively high population density where the vast majority of residents depend on subsistence livelihoods, including forest products, nearly half of the population lives below the official poverty line, and a large percentage of the population comprises socially marginalized groups.

The intersection of these structural conditions with high poverty rates, social marginalization, and dependence on the forest constituted a dire socio-ecological crisis for communities. Circumstances became intolerable. Forest resources for firewood and food became scarce and villagers noted how the loss of localized forest cover adversely

affected heat and rain within their lands. As Singh writes, fuelwood became so scarce that some women started to dig roots to use for home fires.

Catalyzed by these newly intensified and precarious conditions, by the early 1990s, many villages instituted rules excluding outsiders from accessing forest resources and placed limits on extraction for villagers, effectively initiating a common property regime on *de jure* state-owned land. Here, we see how villages navigated emergent conditions created by longer-term structural degradation and marginalization. They utilized positive incentives (forest regeneration), negative incentives (further forest degradation, penalties for rule-breaking), and embodied sensibilities (reflection on observed environmental change and resource scarcity) to respond to these circumstances despite the tradeoffs (opportunity costs created by time and resources used for collective organizing and patrolling and personal restrictions on use).

Singh notes the long-standing success of these commoning initiatives, and explores how so many villages have been able to independently sustain forest monitoring mechanisms when doing so entails significant personal costs in the absence of formal rights or financial incentives. Singh argues that sustaining the commons has become possible through the co-becoming of commons and commoners, that is, the relations people sustain with the forest through daily forest monitoring. Here, we see how socio-material engagements at the relational dimension come to the fore. The relational engagements that emerge most prominently are not coercive power relations among villagers or the state, but rather the joy and commensality people experience with each other and the forest while caring for it through embodied acts of presence, observation, clearing, harvesting, and eating together. While forest care was revitalized because

people experienced material deprivation, its continuation is facilitated by the embodied relationships and connections villagers foster with trees, plants, animals, birds and each other during visits (2013). Regular forest care strengthens villagers' intimate ties to it expressed "...in songs about the cool, lovely shade of trees (e.g., *ahare chai kete sundara chai*) and in narratives in which they refer to the forest as a friend (companion in sorrow and happiness), mother or child" (2013: 6).

The intimacy, as Singh describes it, is based on radical presence. "People began to care for the forest – including the trees, plants, and the wildlife that returned to the forest as it regenerated – in the same way as intimate social relations are developed, by spending time together and paying attention to each other" (2017: 757-758). Cases where forest care has been delegated to hired staff contrast sharply: peoples' opportunities to develop bonds with the forest have diminished, and so too has enthusiasm for the forest (Singh, 2017). Here, common property is made viable and worthwhile through the ability to affect and be affected by others, both human and non-human, through being together in place. Singh reminds us that humans are not simply rational utility maximizers, but are also "'thinking-feeling' empathetic beings" (2017: 752) and that "...thinking and feeling happens not only in our brains but is also connected to embodied ways of being and negotiating our way through the environment." (2017: 760).

Locating this property system within intersecting circumstantial, relational, and structural dimensions of interaction enables us to understand it more fully. Thanks to Singh's thoughtful and integrated analysis, we can see how the *de facto* forest common property system is embedded within the *structural* conditions of extraction, poverty, and marginalization, is sustained by *relations* of embodied care and commensality, and arose

due to acute *circumstances* of material deprivation experienced in place. It is also apparent that villagers' initial responses to circumstances have developed into deeper relations of care and intimacy which are building up new institutional and environmental structures. Considering dynamics across all dimensions helps situate and orient our analysis more fully to the ways socio-material and institutional dynamics are entangled across dimensions while also emphasizing a key explanatory finding at one dimension, that relations of care and commensality with others and the forest are essential to the sustainability of this common property system.

## *5.2 Plant-Human Property Dynamics in the Boston, U.S.A. and Melbourne, Australia Regions*

“Walking home, Sam enters a neighbor’s yard to check on an apple tree that he and the League of Urban Canners...have received permission to harvest”

(Morrow & Martin, 2019: 1486)

“For Maria, spraying [non-native] blackberries with herbicide in her patch of forest revegetation had become an ‘endless cycle.’ As Maria mentioned, ‘You could pay a million dollars [to] get it pristine this year, [but] all the blackberries down the road will be in here, all the blackberries over the hill will be in it [the

year after].’” (Cooke & Lane, 2018: 1720)

The cases examined here consider how plants mediate and re-work property in industrialized settler colonial contexts. Their respective findings show the multivalent possibilities in plant-human property relations. The Boston case emphasizes how people may intentionally re-work property norms and access through plants, particularly those valued for food. Here, plants are the mediating and motivating force in people's relationships to neighbors, urban food provisioning collectives, and otherwise off-limit places (Morrow & Martin, 2019). The Melbourne ex-urban case, in contrast, positions plants as in conflict with people, where plant spread undermines neoliberal conservation efforts to restore pre-colonial ecologies on privately held land (Cooke & Lane, 2018). Here, the mobility of unwanted plants across property boundaries has become cause for concern. Both cases showcase how plants become involved in enactments of property and how their planty characteristics and agency shape it.

Urban food provisioning, ranging from foraging to growing and preserving, has become popular in the greater Boston area. As Morrow and Martin describe, several groups and initiatives have emerged to meet the interest and demand for urban food. These include groups that plant trees, garden on vacant lots or maintain urban orchards; homesteaders' associations; an enterprise that connects landless gardeners to landowners; a canning collective that harvests and preserves fruit from privately owned trees; and a business that farms backyards across the area. Each initiative is made possible by the existence or potential to harvest food plants. The plants' need for care has become the basis for access and harvest rights and negotiations on property norms among participants (Morrow & Martin, 2019). As the authors explain,

One of the foundational rights of private property ownership is the right to exclude others. However, less visible, but equally important, is the corollary right to include others. These rights are practiced in negotiations around property access between landowners and urban foragers, harvesters, farmers, and gardeners. In the context of urban commons, these negotiations take place within a collective of people and plants that extends beyond the individual. (1494)

While the work of plants could be centered more directly in this case, it is clear that plants themselves are the agent mediating property relations between yard/plant owners and harvesters.

*Circumstantial* interaction is especially apparent in examples of opportunistic foraging, where someone spots a desirable fruit or a plant that could be harvested. Though the authors do not explore this aspect, senses are at work here, where a person sees ripe fruit, perhaps smells the aroma, or samples or imagines the taste. In the moment, the person must weigh the risks and benefits of harvesting (or other appropriate activity) and consider existing property norms. While people sometimes choose to appropriate, there are also instances where the person first establishes a relationship with the recognized property owner to secure permission to access it.

Many of these circumstantial interactions have developed into longer term *relationships*. One couple, originally wanting to discourage inappropriate use of derelict public land abutting their yard, began clearing it of rubbish and undergrowth. They continued caring for and appropriating the space by pruning overgrown plants and placing a beehive and garden there, and, so far, public agents have turned a blind eye. By

developing a relationship to the place through continued care (and, as the authors note, exercising a degree of privilege in doing so), they have extended their claims to the space. Likewise, the League of Urban Cannors (LURC) identifies fruit trees in the area and contacts property owners to negotiate initial access, but their continued access is premised on giving a share of the preserved food to owners and caring for the trees by pruning and clearing debris. Over time, these socio-material relations have formed the basis for continued access.

The *structural* dimensions of this case include a socio-legal setting that protects and normalizes private and public property to the exclusion of other forms of property. The people renegotiating access are engaging systems and norms that privilege private landowners and that place stringent restrictions on what activities can be legitimately performed where. Of course, who can engage in certain activities is also mediated by structural inequality. For example, white urban foragers may safely be able to harvest fruit that hangs over a fence, while BIPOC foragers are more heavily surveilled (Morrow & Martin, 2019). A further structural interaction at work in the Boston cases when people exploit the ambiguities that exist within the private/public property grid, for example, spaces that appear to be in-between or unclaimed, where fruit may overhang, or where an area may fall into neglect until someone undertakes its care (Morrow & Martin, 2019).

Whereas the Boston case demonstrates how plants become active mediators in peoples' efforts to re-work property relations, the Melbourne ex-urban area case highlights how plants refuse to conform to human property institutions, defying boundaries and efforts to control what grows, where. As Cooke and Lane describe, rural areas in Victoria are increasingly undergoing land use change as farms transition to ex-

urban residential areas. This transformation intersects a move toward neoliberal market-based conservation policy in Australia. The particular conservation initiative examined here, EcoTender, solicits conservation management proposals from property owners who blindly bid for funds to complete the project on their privately owned land. This system enables EcoTender to fund the most cost efficient plans based on the projected conservation value of each bid (Cooke & Lane, 2018). Selected property owners then enter into a five-year contract obligating them to complete the proposed activities.

At the *circumstantial* dimension, we see the nuances of plant-human dynamics emerge. Within broader landscape transition trends, plants categorized as “non-native” “non-indigenous” and “invasive” have increasingly moved into available niches. Their opportunistic dispersal mechanisms defy human attempts to parcel space and concerted efforts to remove them: they grow through fence lines, travel via wind and wildlife, and sucker. While a plan might initially seem largely beneficial to a property owner, actually engaging plants can prove frustrating and leave property owners concerned about fulfilling contractual obligations. For example,

As Jenny noted, “I’ve spent days [weed spraying] in [my EcoTender planting]...part of it is this bloody problem property across the road... a lot of the seed would’ve blown in.” Weed control is part of Jenny’s contractual obligation, an obligation that is challenging to meet when weeds consistently blow in from an adjoining absentee exurban landholder. (1724).

There are also *relational* interactions at play. Nearly all the property owners interviewed had spent more than five years on the property, and over two-thirds had spent over ten years. This suggests that although many EcoTender participants were new to conservation practices, many had longer term relationships to the land with established patterns and infrastructures within it, for example, many had fences and a vision for their yard as well as knowledge about it (if not about the area surrounding it). The contract term of five years also necessitates and conditions longer-term engagement with both the program and the plants and yardscapes. Through repeated efforts and interactions with troublesome and unwanted plants, many landowners began to see the limits of their own control and the constraints of conservation structured around private property. Despite these frustrations with the ongoing mobility of plants and inaction of neighboring landholders, participants were still obliged to fulfill contractual requirements. The authors note that the conservation design assumed that any achieved conservation outcomes would remain after the five years and that enrolled participants would continue these efforts independently. However, the palpable frustration that interviewees express over their inability to control vegetation and their re-consideration of which plants really “belong” or not based on emerging vegetation assemblages in their yards suggests that property owners will renegotiate their own relations to plants in their yards after contract completion.

These circumstantial and relational interactions around plant-human property relations are embedded in wider *structural* dynamics. As the authors note, today’s fragmented ecologies are rooted in the long-reaching historical landscape change of settler colonial intensive agro-pastoralism that involved clearing vegetation, introducing

non-native vegetation and livestock, building fences, cropping and grazing. The current transition to more residential and leisure oriented landscapes has created a mosaic of patchy ecologies including residential landholdings (some cared for, others neglected), agricultural areas with introduced pasture grasses, and precolonial forest remnants (Cooke & Lane, 2018). And, as with the Boston case, this is an area where private property norms are long-standing. The EcoTender program assumes the private property grid and the norm of owners exercising individual control over their landholdings regardless of what is happening on neighboring parcels and in the landscape.

Both cases show the importance of considering multispecies interactions in shaping property processes and outcomes. In each case, the property claims being made are situated within circumstantial, relational, and structural interactions, each having an impact on assumptions about property as well as the actual practices and results that emerge from plant agency in property relations.

## *6. Discussion*

These cases demonstrate the value of integrating socio-material and institutional approaches to property. A focus on embodied practices among people, places, and non-human beings highlights how forest monitoring institutions in Odisha are sustained through commensality and radical presence, and how plant-human relations in Boston and Melbourne areas respectively motivate and undermine human negotiations around property. These socio-material insights are central to how property claims, practices, processes, and outcomes actually occur in these cases. Without this lens we might

overlook important explanations about property, such as *how* villagers maintain forests despite the costs of monitoring, *why* urban homesteaders bother with renegotiating entrenched property norms, and *why* neoliberal conservation premised on private property fails.

Likewise, an institutional lens highlights how rules, norms, incentives, power relations, broader structures and systems both shape the context within which embodied, and more-than-human property relations play out and are re-shaped by these relations across dimensions of interaction. Without an institutional lens, we might miss *why* villagers started forest monitoring in the first place, seeing only emergent encounters between people and forest life. We might also overlook the ways plants' agencies not only defy the property grid, but also how the people that interact with plants are pushed to renegotiate, and thus, even ever so slightly, shift entrenched property norms.

Considering dimensions of interaction helps avoid myopic and romanticized analyses that overlook unjust or unsustainable histories, power dynamics, and systems while still allowing the novelty and promise of alternative modalities to emerge as meaningful examples of how property might be reworked.

Further, by taking this approach, these cases effectively unsettle notions of property as abstractable, fungible rights created through legal and financial mechanisms. Theoretically, and legally, property can be abstracted from place, and from real people and non-humans (e.g., when it is commoditized and financialized in land markets). However, these cases show that abstracted property on paper is not the end of the story. In practice, property emerges and is re-worked through people's direct engagement with the particularities of the physical world and with real human and non-human others—

whether these engagements are generative, equitable, and sustainable, or permeated by power dynamics and result in degradation. If we assumed property to be an abstract institution or rights alone in these cases, we would miss many of the claims being made and obscure how embodied interactions in place make property known, important, possible, sustained, and legitimate, or even irrelevant.

The above explorations suggest the need for a revised conception of property that reflects insights from socio-material and institutional approaches. Given the literature and case studies considered here, we propose the following working definition of property:

Property is a socio-material relationship that accords responsibilities and benefits among people and their network of human and more-than-human relations.

Property is embedded within histories, socio-material structures, power dynamics, places, cultural and political systems, and a network of entangled human and non-human others. It is continually negotiated and performed within this milieu of socio-material systems and relations. Depending on the systems and motives at play, property simultaneously embodies both the potential to foster generative and just socio-ecological outcomes and destructive and violent outcomes.

## *7. Conclusion*

Property is a keystone of our shared future in this socio-material world. It is instrumental in shaping how people relate to others, the structure and impacts of our political-economic systems, and how we live in environments that are threatened by

unfettered extraction, pollution, and consumption. As property is continually constructed and performed, there are always opportunities to reshape it. Many are already involved in these projects, spanning neoliberal advocates of privatization to grassroots movements for re-commoning and protecting longstanding ties to place. Our analytical toolsets shape how we evaluate key questions about property, and have an impact on what is thinkable, what is valued, and what is possible.

This paper has profiled three streams of contemporary institutional approaches to property (property rights, property relations, and critical agrarian studies) as well as their foundations in Western thought. It has shown how institutional approaches continue to rely on early theorists' faulty dichotomization of the world into "social" and "material" realms, where human subjects act upon and objectify the material world. After centuries of growing inequality, colonial extraction, and ecological crisis, it is time to move away from this flawed foundation toward one that recognizes that the world, and all its beings, relations, and structures, are essentially socio-material.

This paper has argued that there is a need to draw together socio-material and institutional approaches to property in order to analyze and situate how people make property real given the constellation of circumstances, relationships, and structures within which they act. It argues that property is a socio-material institution embedded in histories, places, and relationships with humans and non-humans. After reviewing several possibilities for overcoming the social/material dichotomy, it proposes the Property Interactions Framework as one way to draw these lenses together. The Framework provides conceptual scaffolding for the analysis of socio-material and institutional interactions across circumstantial, relational, and structural dimensions. By doing so, we

can clarify how property fits into wider contexts, more fully see the practices people and other beings use to make and resist it, and trace the sources of inequality or harm in its outcomes as well as opportunities to improve it.

Extending our analytical frame to include human-non-human collectives and networks, sensibilities and embodied experience with environments, and socio-material structures points to normative questions about what kinds of property are desirable and for whom. As property is ultimately a moral question (Macpherson, 1978), our scholarship should not shy away from normative discussions and collaborations with those in other fields or outside academia to engage diverse viewpoints. While researchers can and should provide perspective, evidence, and critique that shapes debates about property futures, these questions must ultimately be answered through radically inclusive (anti-colonial, anti-racist, gender equitable, class inclusive, non-corporate, and democratic) public discourse and decision-making. A major contribution property scholars make then, must extend beyond our scholarship to humbly support and nurture forums that advance truly public discourse and decision-making that is rooted in an understanding of the world as an integrated socio-material whole.

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### CHAPTER 3

## ENLIVENED LANDSCAPES OF PROPERTY: THE EVERYDAY VALUES, PRACTICES, AND MORE-THAN-HUMAN WORK OF LIMBA PROPERTY CLAIMS <sup>7</sup>

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<sup>7</sup> Bonanno, A. M. To be submitted to *Agriculture and Human Values*.

## *Abstract*

Property—a socio-material relation that accords responsibilities and benefits—is created in a lively dynamic where everyday human and non-human interactions make and secure claims. These interactions are disrupted when states and other actors deaden and abstract property, disembedding it from place and relationships to become transactable in markets and legible to states. These deadening processes are promulgated throughout West Africa as remedies to real and perceived land insecurities. Meanwhile, socio-environmental crises worldwide warrant a fundamental shift in theorizing property. This paper proposes an “enlivened landscapes of property” perspective which foregrounds the everyday practices and more-than-human relationships that make property real. The field-based research presented here highlights ideas, relationships, and practices that enable and underlie Limba property claims in northern Sierra Leone. It identifies an orienting framework of Limba values and relational-ontological dynamics that shape property claims and multiple claiming strategies based on belonging, working, planting, and engaging supernatural forces. Unlike deadened property abstractions, Limba property claims are made through relationships with human and more-than-human counterparts in place, yet Limba people frame this dynamic as supporting human community and wellbeing. The paper thus highlights the need to acknowledge that people may recognize and value more-than-human communities while ultimately prioritizing human needs.

*Keywords:* property, claim-making, everyday practices, more-than-human, Sierra Leone

## 1. Introduction

Property has diverse meanings, forms, and functions across cultures, shaping how it is actualized in daily life. Broadly, property can be conceptualized as “...a socio-material relationship that accords responsibilities and benefits among people and their network of human and more-than-human relations...” (Bonanno & German, forthcoming). As this paper argues, property is created in a lively dynamic where daily practices and relationships make and secure claims. This dynamic is often submerged and disrupted in today’s dominant Western/modernist systems centered around private, formally recognized rights.

The abstract notion of property that underlies Western/modernist systems suggests that property rights simply *are*, rather than *emerging* from practice and relations.<sup>8</sup> Yet, daily practice is still what makes Western/modernist property real: much of the “work” involves documenting parcels and associated rights, transacting rights, and policing the grid (Blomley, 2003). This article suggests that the illusion that these systems exist outside of practice results from abstracting and deadening property, i.e., disembedding property from place and relationships to become transactable in markets and legible to states. How property emerges from mundane interactions is more immediately apparent in vernacular (i.e., informal, customary) systems that are embedded in particular places.

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<sup>8</sup> As Blomley (2014) explains it, property is an *effect*, not an *essence*.

In West Africa, customary<sup>9</sup> land tenure systems intersect modernist efforts to formalize and privatize property. These reforms are driven by extrinsic policy agendas by organizations such as the World Bank. Although reform efforts have been long standing during the neoliberal era, the post-2008 land rush has only intensified the push (Boone, 2019; Bromley, 2009; De Schutter, 2011; German & Braga, 2021). Proponents argue that the informal property claims of the poor are “dead capital” that can be activated through their securitization as state-backed private property rights (de Soto, 2000). These reforms are presumed to naturally lead to a suite of benefits including gender parity, increased incomes, investment and “efficient” land use, and strengthened export economies (Ali et al., 2014; Deininger & Binswanger, 1999; de Soto, 2000).

Yet, as decades of critique and counterevidence have shown, formalization at best improves incomes for some and at worst enables capitalist resource extraction (Boone et al., 2021; Borrás & Franco, 2023; Bromley, 2009; De Schutter, 2011; German, 2022; Lastarria-Cornhiel, 1997; Musembi, 2007). By abstracting and thus deadening property, and obscuring the real people, places, non-humans, and work involved in making property claims, institutions and relations that might better fit the socio-material realities of life together in a place can be marginalized and curtailed. Given growing global wealth and power disparities and environmental crises, it is time to advance values other than capital and the deadened form of property it requires.

The “enlivened landscapes of property” approach offered here is an attempt to visibilize what conventional institutional analyses of vernacular property systems often

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<sup>9</sup> Customary refers to land tenure systems based on tradition and traditional authorities. Some scholars prefer “neo-customary” to recognize the role of colonization in shaping what is now considered traditional (e.g., Boone and Nyeme, 2015).

overlook and what formalization policies undervalue and attempt to replace. The approach examines property claims, i.e., assertions of property (Kronenberg García & van Dijk, 2020; Sikor & Lund, 2009). Through an empirical exploration of Limba property relations in northern Sierra Leone, this article shows that claims often include interactions with more-than-human beings—plants, animals, and places—but also with beings such as human ancestors, spirits, and other supernatural agencies. A focus on claim-making can reveal how everyday more-than-human interactions materialize, stabilize, or undermine property and how a system can be unraveled and rewoven without formal rule changes.

Specifically, this research asks, “What ideas and practices underpin Limba people’s property claims, and to what extent do relationships with other people, beings, things, and places shape claims?” Limba people in Kalanhuba, Sierra Leone practice rotational rice farming and gardening and live in villages where they have ancestral connections and deep knowledge of the environment. Villages are governed by land-owning patrilineages under a system of chiefs that was re-structured by British colonial administrators (Dieterle, 2023). Livelihoods and customs are shifting, though, as rice farming becomes less productive (Bolten & Marcantonio, 2023), land pressures intensify locally from a hydropower and conservation project, and ideas about “development” take root. This dynamic context where land is both critical for livelihoods and a matter of local concern presents an apt opportunity to analyze how everyday more-than-human entanglements and the values and ideas that underlie and shape these interactions, make property real.

The paper unfolds in three parts. First, drawing on critical literatures on property and the state, it elaborates on “deadened abstractions of property.” It contrasts this phenomenon with possibilities presented by the more-than-human turn that can foster a new analytical and ethical shift toward “enlivened landscapes of property.” The next section applies this enlivened approach, first introducing the research site and the ethnographic methods triangulated to explore Limba claim-making. The findings illustrate how Limba property is rooted in an orienting framework of key values (i.e., hard work, respect, an ethic of sustenance) and relational ontological dynamics (i.e., belonging and land’s responsiveness to human and more-than-human agencies). Claiming practices include both how people establish belonging and therefore entitlement, and how people claim spaces through work, planting, and engagements with ancestors and spirits. While people discuss property through the broader model of customary patrilineal tenure in West Africa, further discussion and observation suggests that in practice, claims are enacted through hands-on, pragmatic, and negotiated daily engagements.

The final section points to the need to deromanticize and ground more-than-human scholarship in the pragmatics of daily life. This includes expanding “more-than-human” to include the supernatural per Fernando (2022), and to grapple with the fact that people may value and nurture more-than-humans but ultimately center human needs. This theoretical nuance is especially salient for understanding more-than-human property relations in Indigenous and non-Western contexts where people often face considerable poverty and political disempowerment.

## *2. Literature Review*

### *2.1 Deadened Abstractions of Property*

Neoliberal formalization agendas are efforts to abstract, and thus deaden property. These campaigns, re-invigorated in the post-2008 financial landscape (German, 2022), continue a long history of property abstraction (Bhandar, 2018; Wily, 2012). Their ultimate aim is to make property in land an alienable commodity (Bhandar, 2018; Bromley, 2009; de Soto, 2000; German, 2022; German & Braga, 2021). As this discussion elaborates, abstracting property requires separating it from the particulars within which it is embedded, shifting its guarantor to the state, and protecting these changes through surveillance, force, and socialization. Abstraction is not part of a natural process but is a political technique leveraged by capital and the state (Li, 2014; Musembi, 2007; Shipton, 2009). Deadening follows abstraction, where the vital interconnections within which property is embedded are disturbed and stifled (e.g., Scott, 1998).

So, what is abstraction? The verb “to abstract” comes from the Latin verb “abstrahere” which means to “remove forcibly” or “to drag away” (Merriam Webster, n.d.). Definitions of abstract and abstraction center ideation and “consider[ing] apart from application to or association with a particular instance” (Merriam Webster, n.d.). To abstract property, then, is to forcibly remove it from association with particular instances or concrete things. It is to transform it from an experiential practice into an ideal form that can exist without regard to context. Abstracting property takes something fundamentally phenomenological and attempts to rehome it in Plato’s intelligible realm.

Vernacular property—all those forms which are variously called “customary,” “informal,” “common,” and “local”—is characterized by its embeddedness in particularities.<sup>10</sup> It emerges through specific relationships, places, histories, production practices, and systems of meaning (Benda-Beckmann et al. 2006; DePuy et al., 2021; Hann, 1998; Lentz, 2006; Scott, 1998; Shipton, 1994, 2009). Although shaped significantly by wider processes, vernacular property is a “living, negotiated tissue of practices” (Scott, 1998: 34) that is germane to local contexts, is legible to practitioners, and derives legitimacy from local sources (Ostrom, 1990; Scott, 1998). These systems are not necessarily egalitarian (Lentz, 2006; Osome, 2014; Peters, 2004; Scott, 1998). Yet, they do have proven advantages, such as protecting people’s long-standing connections to place (German, 2022) and being responsive and transparent to users (Ostrom, 1990; Scott, 1998).

The particular and dynamic nature of vernacular property makes it indecipherable to corporations and states and subject to gross misinterpretation (Scott, 1998). And states, whose territories encompass innumerable iterations of vernacular property, could never hope to understand the particularities of each (Scott, 1998). Yet, states cannot simply overlook property: they need to exercise resource control, and the continual definition of property and recognition of property rights is a fundamental source of state authority (Lund, 2016). Moreover, land transfers, essential for today’s investment economy, can be cumbersome or impossible in vernacular systems which are often developed to enable use but hinder permanent alienation (German, 2022; Li, 2014; Okoth-Ogendo, 1989; Shipton,

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<sup>10</sup> I derive the term “vernacular property” from Scott’s (2009, 2012, 2021) work on “local vernaculars”—i.e., practices and knowledge that make sense in and emerge from local contexts but are illegible to outsiders. Chimhowu and Woodhouse (2006) also describe “vernacular land markets” in sub-Saharan Africa.

1994, 2009). Where land is alienable, investors clamor for security against competing claims and illicit use. In contrast, vernacular systems often protect an array of contingent rights and distribute rights among users (Gluckman, 1965; Ostrom, 1990; Schlager & Ostrom, 1992).

The state-centric solution to these “problems” has remained basically the same since the 1800s: register property titles with the state. Registration is a key process in abstracting and deadening property, where property is titled to an owner, registered with the state, and often demarcated and represented on a cadastre (Bhandar, 2018; Li, 2014). One of the earliest and most widely adopted registration systems was created by Robert Richard Torrens in 1850s South Australia. Torrens desired a rapid and secure means to transact land. He argued that by titling holdings in association with a master state register, where the state provided a legal guarantee of title, the burdensome conveyancing process of checking a series of deeds could be eliminated (Bhandar, 2018).

What Torrens instituted was not a mundane administrative change—it represented a break with earlier Western property logics based on possession and use and instituted a new logic centered on the need for security (Bhandar, 2018). It also shifted the authorizing power of property to the state. These shifts are the beginning of abstraction, where the source of property rights is externalized from specific emplaced actions and community authorities to a distant site of power that tends to be less responsive to local concerns.

Further, registration does not simply document existing claims as contemporary proponents suggest (e.g., de Soto, 2000). Bhandar’s (2018) analysis unpacks how abstraction through registration instead erases prior ownership claims through legal

smoke and mirrors, enabling dispossessions of Indigenous land into the hands of colonial settlers. As she writes,

...that which is recorded on the document archived in the state registry becomes the proof of ownership, not the historical memory, social use, kinship ties, or other relations that were bound up with land use and ownership for centuries prior... (85)

And,

The specific concept of ownership that was imposed had as its primary objective to displace... prior ownership, from the juridical sphere. (95)

Registration, then, is a radical negation of not only prior claims and their basis, but denies that there ever was anything that came before. It creates its own origin.

The resultant abstraction jumpstarts the commodification of land (Castree, 2003; German & Braga, 2021; Li, 2014). The radical nature of this transformation is invisibilized and made to appear as a mundane administrative change (Boone, 2019; Scott, 1998; van Leeuwen et al., 2021). Recently, commodification has facilitated the further abstraction of financialization where land becomes a source of financial potential not for its production value, but as an asset that can play both a stabilizing and speculative function in investment portfolios (Fairbairn, 2014).

Deadened abstractions of property, then, are those property forms and broader relations that result when property is forcibly separated from the interplay of place, socio-ecological relationships, production, and local knowledge and meaning and is

transformed into something inert, general, and representational. The vital interconnections property has with whole systems of being and relating is diminished or curtailed in its abstraction. Property becomes an instrument for extraction, profit, and power. Rather than emerging primarily from negotiated daily practice, property appears to simply exist as it is represented in registers, maps, and investment portfolios. In this deadened form, it is superimposed back onto communities and ecologies and in the process creates significant incommensurabilities (e.g., Blomley, 2014; Cooke & Lane, 2018; Shipton, 2009).

The gaps that deadened abstractions of property wedge between representation and reality point to one of its most important qualities: despite the very real disruptions it causes, the abstraction can never be total. There are always fissures that represent possibilities for change: “shadow tenures” “lurk” behind formal regimes (Scott, 1998); people resist abstraction and enclosure (Blomley, 2007; Le Billon & Lujala, 2020; Scott, 1985); and other beings flout property boundaries and logics (Cooke & Lane, 2018; Ojalampi & Blomley, 2015). Even as a highly abstracted financial asset, land can never be fully emptied of its real productive potential (Fairbairn, 2014; Li, 2014). In fact, abstracted property is so tenuous that it often does not “stick” on its own merit. Other property logics (e.g., possession) may be applied when needed (Bhandar, 2018). Violence, or the threat of violence, is often used to implement and enforce property transformation (Berman-Arévalo, 2019; Blomley, 2003; Braverman, 2009; Peluso & Lund, 2011). Further, considerable cultural work—inscription devices (Li, 2014), socialization to the property grid (Blomley, 2003), and knowledge regimes (German & Braga, 2021)—is concerted to cement property change.

As Li (2014) queries, why does anyone accept these exclusions from land's life-giving affordances? Perhaps by adjusting our perspective we can learn to recognize the fissures and join existing grassroots efforts to open up the possibilities they hold for how things might be made otherwise.

## *2.2 Enlivened Landscapes of Property*

Countering “deadened” and “abstracted” property in theory and practice calls for seeing, interpreting, valuing, and fostering the opposite—lively, interconnected, and particular landscapes of property. As researchers and neoliberal subjects, the challenge is to see what the modern/Western/rationalist onto-epistemologies that many of us have been socialized into actively hides, to discover how these realities or alternatives are hidden, and to learn to value that which we have stopped valuing. This effort is thus simultaneously empirical and ethical, reflexive and systemic.

As Bonanno and German (forthcoming) show, the liveliness of property has been displaced in institutional theory in part due to the socio-material dichotomy embedded within it. This obstacle blunts our analytical capacity to show how property emerges in a dynamic, integrated, and more-than-human world. In order to resist the power-laden push for formalizing property described above, which makes deadened abstracted property appear inevitable, scholars need an approach that enables us to both understand and value vernacular property while “provincializing” (Chakrabarty, 1992) abstracted property and its underlying logic (Bonanno & German, forthcoming).<sup>11</sup> The tools of phenomenology

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<sup>11</sup> As Scott writes, “All of these projects of standardization and harmonization are represented as cosmopolitan universals. They are, of course, anything but universals. Any practice, any institution that

and ethnography, together with a growing focus on more-than-human entanglements, and a re-conceptualization of property as socio-material and emergent from interactions across circumstances, relationships, and structures (Bonanno & German, forthcoming), offer ways to observe and relate to property beyond its deadened abstracted form.<sup>12</sup>

Phenomenological approaches to embodiment and practice and more-than-human perspectives share an interest in “becoming” in the world through experience, encounter, and relations (Haraway, 2016; Howard & Küpers, 2022). They each reopen fundamental questions about how the world works, who shapes it and how, and to what end (Howard & Küpers, 2022). Likewise, ethnography has long illustrated the value of understanding human societies, cultures, and landscapes through mundane everyday interactions (e.g., Geertz, 2008). With these grounded approaches, we can problematize many limiting and taken-for-granted modernist/liberal premises including matter as inert, humans as autonomous individuals, the centrality of cognition to agency, and dichotomies between subject/object, living/non-living and social/material (Haraway, 2016; Howard & Küpers, 2022; Ingold, 2005; Tsing, 2015; Van Dooren et al., 2016; Whatmore, 2006). By abandoning the hubris of humans as *the* world makers/destroyers, it becomes possible to see lively landscapes teeming with other species and agentive things, assembling and entangling to create the world and shape its possibilities for all life (Haraway, 2016; Howard & Küpers, 2022; Ingold, 2005). Humans are one, albeit influential, set of actors in this cast, but one whose own agency is contingent on relationships with non-human

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becomes internationally hegemonic, began, once, as vernacular practice at a particular time and in a particular place” (2009: 25).

<sup>12</sup> See García-López et al., 2021 for a similar discussion on moves away from modernist/rationalist blinders in commons and commoning research.

others. The world is constantly emerging from interactions: nothing simply *is*, and no one acts alone (Howard & Küpers, 2022; Van Dooren et al., 2016).

These insights about becoming with others in an integrated socio-material world prompt a set of empirical and ethical questions about property. How does property emerge from daily routines, work, interactions, movements, and communication in place? What underlying values and ideas shape property? How do broader circumstances, relationships, and structures enable and constrain property practices? Who and what becomes involved in making property, and how do their respective embodiment, experiences, intersectional subjectivities and interests shape property making? What outcomes and possibilities do these property practices and relations engender? And, what other values, relations, and logics are possible, and how might a system be equitably shifted toward fostering lively collaborations rooted in the particularities of place?

I suggest that claims and claim-making are a useful entry point to these empirical questions. They are the very stuff of making and unmaking property and because they are performative, they are also intentionally visible (Kronenberg García & van Dijk, 2020). Identifying claims and claiming strategies enables us to trace the relationships, practices, values, meanings, and beings that become enmeshed in and co-constitutive of property. There are many possible methodologies available for this inquiry. As the next section elaborates, the present research began with human claim-making practices and worked outward across the relationships that emerged to identify the other beings, places, and things involved.

### 3. Research Site and Methods

I explored the dynamics of property claim-making for six months in Kalanthumba, a Limba Chiefdom in Tonkolili District, Sierra Leone. Residents' livelihoods are mostly agrarian; many people also tap palm wine, fish, forage, and trade. The agricultural system is based on rotational rainfed upland rice farming, where fields are cleared, planted with rice and intercropped, harvested, reused for women's rainy season *huyere* ("portions") of peanuts and vegetables, then fallowed before farming again. Farming is a unifying socio-cultural system that is crucial to Limba identity and structures the year with its rituals, tasks, and social events. As upland rice farming requires collective labor, many people join labor groups that rotate through members' farms. Wetlands, rare in this hilly area, enable secondary short season farms that require less labor.

While (rice) farming, *dungbuba*, in HuLimba (the Limba language) is of broad importance to livelihoods and sociality, gardening is crucial to household sustenance, at times providing its main nourishment and income.<sup>13</sup> In addition to women's *huyere*, people plant seasonal wetland gardens and cassava gardens that provide harvests throughout the dry season. Anchoring this mosaic of shifting farms and gardens, are the year-round gardens people, especially women, create near home. These are often a mix of fruit and nut trees and vegetables. Established households often farm together and

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<sup>13</sup> I use "gardening" and "gardens" as a category of convenience to refer to more individually managed spaces where non-rice crops are grown. The purpose here is to follow my Limba participants in differentiating these activities from farming, which refers strictly to rice and its intercrops and entails much social and ritual organization. While *gadin* in the widely used Krio language can refer to any non-rice plantings (even those located on the margins of the farm, or on last year's farm), other times people simply refer to spaces where fruit and vegetables are grown as *mutuamun*, or "plants." Where a larger area (either a former rice farm or a swamp) has been subdivided between multiple growers, usually women, *huyere* or "portion" might be used.

maintain various gardens between their members. Gardens are usually maintained by individuals, couples, or a woman and her children. The elderly, widowed, and those unable to muster sufficient farming labor focus on gardens.

This agricultural mosaic is integrated with and dependent on local property relations. Land is owned by lineages and governed by male elders although there is variation in practice particularly in women's role. From my previous short-term research, I became interested in how the commonly articulated procedure for rural land access, i.e., making a yearly request from male elders, varies widely in practice. As the findings show, people draw on a framework that forms the basis for their claims and also utilize diverse claim-making practices that include but go beyond this yearly request.

While I believe the question of how people make property real through daily entanglements is of general interest and should be considered in every society, situating this research in Kalanthuba enables an exploration of more-than-human property relations in the context of land loss, social change, and marginalization, where living off the land has become increasingly insecure (see e.g., Bolten & Marcantonio, 2023). Though Sierra Leone regularly ranks among the most impoverished nations, in part due to centuries of extraction, a brutal civil war, and recent struggles with the ebola epidemic and inflation, Kalanthuba's residents are poor and marginalized even by Sierra Leonean standards. Despite hosting an international construction company and bordering a chiefdom with a foreign mining company, amenities including paved roads, healthcare, education, and employment are extremely limited. Further, there is a shared sense of disempowerment from the political system. This is acutely felt by those who lost land and use rights to the Bumbuna Hydroelectric Project (completed in 2009) that dammed the Seli River, and its

associated environmental mitigation project (Bumbuna Conservation Area) which prohibits use of the lands now reserved for wildlife. It is in this context of structural disempowerment and poverty that this research must be interpreted.

Most research activities took place in two nearby villages that, although both agrarian with very small populations, have divergent land situations. One suffers from the loss of nearly all its farmland from the aforementioned projects. The other is known for its extensive and fertile farmlands.<sup>14</sup> To strengthen the validity of the findings, I also include data from four neighboring villages where I conducted structured questionnaires with women and data from casual conversations and observations in the more populated village where I resided. The broader research project was designed to center women's experiences to elevate recognition of the diversity of African women's property claims. The findings presented here, however, include responses from men and are not disaggregated by gender to show the breadth of everyday and more-than-human property relations.

This study triangulated ethnographic research methods to capture the subtleties of property relations. Data are drawn from six focus group discussions, 31 on-site garden interviews, 12 key informant interviews, countless casual conversations, and 77 structured questionnaires that include all adult residents of the two primary research villages and sampled women residents of four additional villages to provide perspective on how widespread certain beliefs, practices, and inequalities are. I also conducted a photovoice project with women in the two primary study villages which opened up

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<sup>14</sup> I refer to the villages respectively as the "land abundant village" and "land scarce village" throughout the remainder of this article. The land abundant village corresponds to "Village A" and the land scarce village corresponds to "Village C" in Chapter 4 of this Dissertation.

conversations that would not have arisen from my own questions. My participation in an ancestor ceremony and several farm workdays provided context for the data and created mutuality with research participants.

To overcome language barriers, I worked with two local women translators fluent in English, Krio (the national *lingua franca*), and HuLimba. Most interviews were translated twice, first *in situ* as the interview unfolded, and later using MaxQDA. The transcription/second translation process involved transcribing the HuLimba questions and responses and then translating them into English word for word with my assistants' help. In addition to refining the *in situ* translations, this process provided iterative opportunities for me to strengthen my HuLimba. Reviewing interviews enabled my research assistants to interact with the data analytically which aided my understanding.<sup>15</sup>

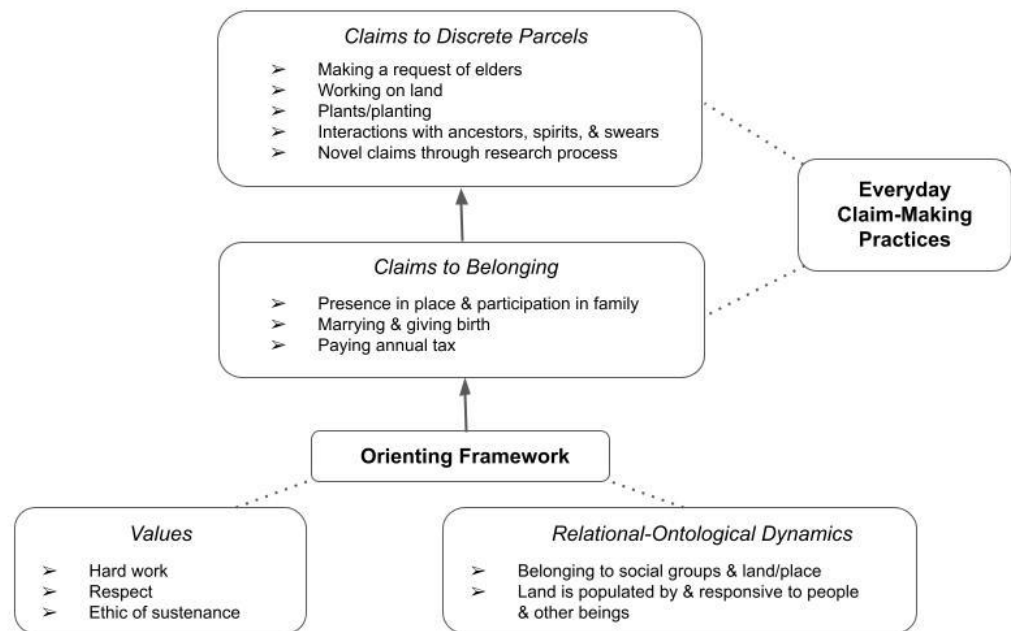
Finally, I wish to comment briefly on my positionality. The research presented here is the product of my own biases, interests, and experiences combined with that of the research participants. The findings are necessarily partial given the realities of cross-cultural research, language barriers, and power dynamics (both real and perceived) present in field research. As a white American woman, I was simultaneously restricted and privileged in this context, and there were many assumptions made about my socioeconomic status and ability to effect change. I am grateful to my hosts and research assistants for gently guiding me and the study participants as we navigated these dynamics together.

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<sup>15</sup> A translation note: neither HuLimba nor Krio use gendered pronouns. Translations use gendered pronouns where particular persons are referenced for clarity.

#### 4. Findings

During analysis, it became apparent that some responses and observations focused on how people make and secure claims, while others pointed to more fundamental beliefs and realities that shaped possible claims. The findings are thus grouped into two categories: an “orienting framework” that includes some fundamental values and ontological dynamics that shape property relations, and “everyday claim-making practices” that describe the various means people and their more-than-human counterparts employ to make claims to entitlement and land. Figure 3.1 illustrates how the data are presented. It is a heuristic rather than a comprehensive representation of the relationships between these emergent categories.



**Figure 3.1** Heuristic of the findings

## 4.1 Orienting Framework

The processes and interactions of making property claims cannot be abstracted from an orienting framework of culturally specific values and relationships. Here, I present some aspects of the study participants' framework. These include the values of hard work, respect, and an ethic of enabling others' sustenance, and the ontological dynamics of belonging and a responsive more-than-human landscape.<sup>16</sup> These aspects arose repeatedly and shape expectations about right relationships among people, ancestors, spirits, other species, and the land.

### 4.1.a Values

Limba culture and language emphasize *hard work*. Commentary on work is pervasive and fundamental to everyday conversation and estimation of people. The proper afternoon greeting, *nwali nwali*, is an expression of gratitude for doing the day's work (*nwali* means work).<sup>17</sup> Working hard is admired and garners respect. People often clued me into social dynamics by noting hard workers and lazy people. When I asked how leaders were selected, the answer often hinged on work ethic. Work was also a lens my neighbors and study participants used to evaluate me. Passersby were often concerned when they saw me at home during the day, presuming I was unwell or commenting that I

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<sup>16</sup> Unity is also a key Limba value, but this theme did not emerge as strongly in the present data as the other values discussed here. Examining how Limba ideas about unity (within households, extended families, and communities) shape property relations presents an opportunity for future research.

<sup>17</sup> This is similar to the custom of the neighboring Temne ethnic group, where Bolten and Marcantonio's assistant explained that greeting by thanking a person for their work is more than a courtesy, but a recognition of their essential and difficult efforts to produce life (2023).

was lazy. My research assistants would adamantly defend our “computer work” explaining that though we were sitting at home, we were hard at work. Alternatively, positive comments were made about my willingness to do physical work (e.g., weeding, laundry, etc.).

While Limba people do make character evaluations based on work ethic, this is not to be confused with an Anglo-American Protestant work ethic. There is a sense of pride in one’s efforts, certainly, but work is seen as one’s effort to participate in the shared endeavor of sustaining life. For example, people honor women’s kinwork, regularly thanking mothers for taking good care of their children. Work to produce food is also highly valued. Farm labor is often organized collectively through intergenerational households and rotational labor groups. Even where work is more individualized, it retains a collaborative character. For example, women often sit together under a shady tree to prepare their produce for the market. I observed these instances frequently, and usually they were characterized by joyous and humorous banter and flowing palm wine. Women working in their individual *huyere* plots often help each other or carry out conversations from their various workplaces across a hillside. And, co-wives, while being careful to maintain separate gardens to minimize financial conflicts, often assist each other.

Work is also the primary way Limba people explain their relationship to land. When I asked what land means to people, typical responses were that it is “Where we go to work” or “When we work there, we get what we can eat.” This value of hard work is passed on to children. When asked what they teach their children about land, participants emphasized work, explaining, “Like in the daybreak, tell your child about the land where

you stay. ‘If you work hard, you will get what you will eat. Do not go and steal.’”

Another woman responded, “If you give birth to the child, the work that the child met you doing, it is good for the child to do the same work so that they will get an understanding about the land.”

Another salient Limba value is *yiki* or “respect.” Respect must be accorded to those elevated in Limba cosmology: elders and other influential people, ancestors, and place spirits. “Giving respect” means following the proper process of seeking permission and blessing from elders, land or farm owners, ancestors, and spirits to carry out activities. Depending on the nature of the relationship, this may mean presenting an offering and engaging with humility. Respect is given to ancestors and place spirits in a similar way. A person approaches the ancestors, *forenibe*, first with a request that they listen by using a kola nut or animal intermediary. If agreement to listen is evidenced through, for example, the way the kola nut opens or if the rooster eats offered rice, the person proceeds to offer food, money, crops, or an animal sacrifice and requests good health and harvests. For the more ambivalent and powerful place spirits, *balinbe*, bringing *yiki* may secure good harvests, but efforts are focused on appeasing them. Elders should apprise land users of a spirit’s residence, demeanor, and needs so that the farmer can act with *yiki* while in the spirit’s territory which is essential for preventing tragic mishaps.

When a person affords proper respect to elders, ancestors, and spirits, they establish a mutual understanding that secures their land access. As a matriarch described her approach, “Other people will come and beg you for land. When they beg you and they please you, and even though the person says, ‘I want small’ you will give them a big portion because what the person is doing for me, I am happy.” Using *sempe* or

“power/force” (an absence of respect), however, is grounds to deny land access and sever relations. A sub-chief explained that children of landowning patrilineages should witness land borrowers’ bringing respect. Intergenerational witnesses to borrowing arrangements ensure that land borrowers and their descendents will not be able to claim land permanently through *sempe* and erode firstcomers’ territories. Giving *yiki* thus reinforces hierarchies.

As much as landowning families expect respect from land borrowers and reserve full entitlement to their own descendents, this tendency is tempered by a third value that emerged, an *ethic of enabling others’ terieke* or “sustenance.” Often, this ethic was expressed as recognizing the freedom to pursue sustenance. For example, my landlord grazed goats, harvested fruit, and planted a small garden in an unused lot owned by his better-off neighbor and colleague. Though my landlord took some risk by not seeking permission,<sup>18</sup> given their relationship and his household’s need for food, he presumed the neighbor’s tolerance of these temporary incursions.

Sympathy for those facing hardship is a common reason for enabling others’ sustenance. I frequently observed close friends and family members harvesting from others’ gardens in times of need and returning the favor in kind.<sup>19</sup> This ethic likewise shapes many land borrowing arrangements. A young woman whose household experienced significant land loss from the hydroelectric and conservation projects explained, “As we are thinking, because we are suffering, as we are feeling hardships, so

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<sup>18</sup> A visiting chieftom elder who helped with the logistics of my work was astonished that my landlord was appropriating in this way, but did not disapprove given the need for food and the wealth of the neighbor.

<sup>19</sup> This ethos is not unique in sub-Saharan Africa. Dipio (2023), in her analysis of the Ugandan folk tale “Hare and His Wife,” explains that “...it was permissible for a hungry person to go into the garden of another and respectfully help himself or herself to what was necessary to quench his or her immediate hunger. This was not theft but a necessity in the context of relational ethics” (157).

that is why we go and request [land]. They [landowners in neighboring villages] also, they think, they have sympathy for us, they give us.” And, as the matriarch in the land abundant village elaborated on reciprocity-building with land borrowers,

We will not differentiate! [i.e., allocate undesirable land to borrowers]. As long as they bring one bushel, anything that they get there, little things [as a post-harvest gift to the landowners], they themselves will rise up. Like those who are poor, they will be able to stand. We ourselves will not stand by ourselves without support from other people.... Someone will come and beg, we will place them at the middle. We will be at the edge because someone who comes and cries is poor [edges are subject to greater pest pressure].

Having visited the cluster of rotational farms in this village, it was indeed true that the chief’s farm was on the edge along the forest and stream and therefore subject to greater pest pressure.<sup>20</sup> He created a low woven fence that protected all the farms from wildlife.

While most land borrowing arrangements are short-term, landowning families sometimes incorporate borrowers permanently into their landholdings especially if there is a desire to enable *terieke*. There was one couple in which the man was a war orphan and the woman was estranged from her parents. This couple was granted a modest house and a tract of farmland by elders in the land abundant village. As the woman explained, “When we were coming here, we were poor. We did not have anything. When we came, we thanked them for embracing us. They are the ones that gave us a place to work.”

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<sup>20</sup> While farming along a stream might seem advantageous, people practice rainfed agriculture and do not utilize the stream to irrigate. During the rainy farming season, this stream becomes hazardous and is inhabited by a malevolent spirit.

I also saw an ethic of enabling others' sustenance in the way food gardens were considered appropriate uses of diverse spaces and left largely undisturbed. I reflected during my time living in Kalanthuba,

When I see gardens in certain locations, particularly next to or within businesses, churchyards, by statues, or house ruins, what I see first is not an extremely normal determination to grow food. Instead, I immediately see something strange and “out of place” where it doesn't “belong.” These moments are often comical—I find it humorous to see plants planted at the gas station or under a business sign. Being an avid gardener and occasional near garden squatter in the U.S. at different times myself, I also quickly appreciate what to me seems to be a bold appropriation and reclamation of space. Yet, when I reflect on the respect people give to other people's work, the way people affirm over and over again that people will not disturb another's plants, I remember that my responses are the result of internalized socialization I received and a cultural lens telling me what is “in” and “out” of place. Why do I assume that a certain spatial purity or monofunctionality is normal? Why do I question the motives and rights of the people who planted gardens where gardens “shouldn't” be? Why, in my cultural perspective, are places of worship, commerce, memorial, and ruin inappropriate settings to sustain one's life?

#### *4.1.b Relational-ontological Dynamic*

In addition to the values above, two relational-ontological dynamics stood out as shaping how people interact with human and more-than-human others and the land. These include belonging and that land is populated and activated by its human and more-than-human residents.

***Belonging*** is the basis of many property claims. Although belonging is sometimes essentialized, for example the connection between a person, particularly men, and their village of birth, it is also actively cultivated (see Ferme, 2001). Two types of belonging are pertinent here: belonging to social groups and to land. Membership in social groups is highly important and frequently discussed. Patrilineages are the most fundamental group one can belong to. This can be established through birth, marriage, giving birth, adoption/fostering, and being “active” in the life of the family. Membership in traditional men’s and women’s societies and local churches was also important to research participants. Society and church membership provide, among other things, moral frameworks for interacting with people, leadership opportunities, and spaces to strengthen connections with others. In the following section, I elaborate on specific ways people make claims to belonging (e.g., participating in family endeavors, marrying and giving birth, paying taxes) and explain how these practices create a foundation for claiming property.

People also have a sense that they belong to land. Most respondents agreed that as much as land belongs to them, they also belong to land. Reasoning for this sentiment centered on land’s prior existence—“No one can say I am the one who made the land, no

one on earth can say so”—and the fact that land is both the source of life and the place of death. One young woman reflected, “The land belongs to us and we also belong to the land. It is there we get our living and where we also end. The land is the death of man, and it is also where we get our living.” An elder woman exclaimed, “Land? It is the same...The plants that we eat, we will not plant those on the sky. We plant them on the land. If we want to pick, where do they fall? On the land. All on the land. It [land] owns<sup>21</sup> all the properties, even we that are here.” Land “owning” people is also apparent in people's connection with their ancestral village: even unknown relatives born elsewhere are known to return to their ancestral village after death as ancestors.<sup>22</sup>

The other emergent ontological dynamic is an understanding that *land is populated and its potential activated* by people, ancestors, spirits, and powerful objects (e.g., ancestor stones<sup>23</sup>). Each of these entities can affect the outcomes of human wellbeing and work on the land.<sup>24</sup>

Ancestors, who look as they did in life but more ghostly, mediate relations between people and spirits by providing guidance to the living through dreams of what offerings and sacrifices to make. Ancestors also mediate people's benefit from using land by protecting the harvest from pests. The people I spoke with were uncertain exactly how their ancestors affected outcomes, but they saw the evidence of ancestors' (in)action in

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<sup>21</sup> While the HuLimba word *bile* is translated as “to own” or “to belong to,” the connotation here and in some other responses is something closer to “to hold” or “to have/possess.”

<sup>22</sup> The living are alerted in dreams that someone has returned and now resides in the village as an ancestor and needs to be cared for.

<sup>23</sup> See Ryan (2018) for a discussion of ancestor stones from the neighboring Temne ethnic group.

<sup>24</sup> There is also a sense that wild animals have agency, but in the responses I collected, they are mainly regarded as pests. There are, however, traditional hunting societies that engage with wildlife in other more venerated ways but their knowledge and practices are privileged and did not factor into the present research. For this reason, this research does not focus on the agencies of wild animals, but it does not deny their potential involvement in Limba relational ecology.

daily life. For example, in years when the ancestors were not fed, harvests were poor, and in years where they were fed appropriately harvests were plentiful. Crop failure is not viewed as a retributive action by the ancestors, but the result of their lack of involvement when they are not directly engaged by the living through food and ceremony.

Likewise, land and what it produces can be affected by place spirits. In the land abundant village, there is a lively hive of bees, *bumain*, (spirits in disguise) occupying a giant cotton tree. This tree is locally renowned for drawing up a crystal clear spring that feeds a lush lowland swamp behind the houses, just the type of remarkable feature that powerful spirits typically inhabit. The spirits, who the chief described as “owning” the village, are viewed as potentially advantageous. When asked whether the *bumain* were beneficial or harmful, the matriarch explained, “...if we give them what they want, because they come in a dream, saying they are feeling hungry, if we give them, they will say, ‘Any plant, it will really do well.’”<sup>25</sup> Further discussion revealed that these spirits were a source of latent power for the village, holding the potential to bring future development by “opening up” the village to commerce and amenities.

Powerful objects can also activate land indirectly by bringing wellbeing in work and family care. The land abundant village is under the protection of an “ancestor stone” found in their stream whose shape and indentations resemble a human face. It is viewed as a wonder from the land meant to care for the village and cannot be removed from the village. The stone does not represent a specific ancestor, but functions ancestrally. This stone “fights” for mothers and children by ensuring their safety and health, including in farming and gardening. It “holds” the village and thus prevents outsiders from intruding

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<sup>25</sup> Some spirits elsewhere are regarded as maleficent, and people have made efforts to be rid of them.

and keeps other bad things from happening. I was invited to hold the fist-sized stone, but was not permitted to talk to it without first presenting *yiki*. Its “house” is a small iron pot filled seasonally with sesame, its favorite food. The stone’s caretaker is the eldest woman in the village who is a skilled herbalist and practitioner of traditional emergency cesareans in the event of maternal death. She views caring for the stone as an essential part of her responsibility to care for all the women and children of the village.

As these examples show, there are many more-than-humans who are recognized as inhabiting and activating this landscape. They are essential to the productivity and welfare of these communities, ensuring their success on the land through good harvests, health, and potential development. These examples also illustrate how more-than-humans are first activated by people and their labors of feeding and caretaking. Absent this activation, these entities will not elicit blessings from the land on behalf of people.

#### *4.2. Everyday Claim-Making Practices*

Within the orienting framework described above, people employ multiple socio-material practices to make claims. Often, claims are a byproduct rather than the primary aim of an action. Two types of claims are pertinent to how people discuss and enact property: claims of belonging to place and patrilineage and claims to discrete parcels of land or plants. Claims of belonging create entitlement to make claims to discrete parcels and plants.

#### 4.2.a. *Claims of Belonging*

People discuss belonging as a fundamental way to access land. Even though there are essentialized links between a person and their village of birth, people continually work to affirm that they belong by their presence in place and participation in family affairs, by extending the patrilineage through marriage and giving birth, and by paying taxes. Land access can be granted to outsiders, but the agreement may be shorter and less favorable. Thus “strangers” utilize many of these same relational strategies and also cultivate reciprocities to key patrilineage members through gifts of food and labor.

*Presence in place and participation in family functions* stabilizes relatedness. People expect family members to live in the village or nearby and to take part in family decisions and activities. Those who live elsewhere may not be included in important decisions and usually do not receive a share of proceeds from land borrowers’ gifts, timber sales, or other collective resources. One way family members affirm their connection is by participating in ancestor ceremonies. These ceremonies, in addition to feeding the ancestors and requesting their blessing also publicize firstcomer status and affirm people’s connection to the lineage. The ancestor ceremony held in the land abundant village coalesced the patrilineage and its allies, bringing together male kin from many neighboring communities. This enabled them to affirm connection to the lineage even though their daily activities are located elsewhere.

Unlike most men, women usually move between patrilineages during their life, being associated most strongly at first with their father’s family, then transitioning to

their in-laws lineage upon *marrying and giving birth*.<sup>26</sup> With this shift in social belonging is a shift in where a woman's strongest claim to access land lies: from her father's family her claim to belonging, and therefore her right to access land, shifts to her husband's family and she begins to belong to her new place of residence. As one young woman explained,

Yes, I have power [here] because as for there [her birthplace], if I go there, I have power, but I don't have much. As my brother has a wife, he has children, so he has more power than me. As she [sister-in-law] is not born there, as she has come there, she has given birth to children so she has power. So, I, the power, it is here. ...She has more right there than I because she has children there.

Belonging to a production unit with an able-bodied male family member, beyond defining where one's "power" lies, opens up opportunities for women's land access and work through the man's prior work of establishing a farm by making a request (if needed) and clearing land.<sup>27</sup> However, women have some agency in shaping where others view them as belonging. For example, one of my research assistants chooses to associate with her father's village and family who are comparatively more powerful than her husband's village and family. This enables her to access land freely and contribute to decision-making in her father's village.

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<sup>26</sup> Women may shift back to their father's/brothers' patrilineage if their marriage dissolves, when widowed, or when they "retire" from their marital career.

<sup>27</sup> Farming tasks are gendered. Men ceremonially begin a farm by clearing land and burning brush. Women then remove firewood, men plant rice, and women carry out the weeding and tend to intercropped plants. Everyone comes together to harvest, while women carry out the remaining post-harvest tasks.

After marriage, a woman's interests are realized in the recognition that she is the caretaker of her children, and thus should be provided the basis of a livelihood. This is true even for women who lost their children or are widowed. By asserting "I had children here," they make a powerful claim to belonging and affirm their moral basis for land access. These claims are not always honored given the need to preserve essentialized relationships between patrilineages and land that might be complicated should a widow remarry outside the family, but nonetheless, they hold moral weight.

A final way participants discussed affirming belonging is through *paying annual tax*. The national government requires one yearly tax payment of 5000 Le (at the time of research, about \$0.50) per adult, to be collected by chiefdoms. Chiefdoms rely on villages to collect taxes, and villages perceive potential advantage in registering a large population. In this region, people re-tool this tax to document belonging and therefore entitlement.<sup>28</sup> Due to the spread of bureaucracy, people, including those who are non-literate, ascribe legitimacy to having documents regardless of what they say. Thus, study participants discussed the "right" to "buy" taxes in places where they wish to make their belonging more apparent, for example, in a parent's or deceased husband's birthplace. Because producing a tax receipt strengthens requests to access farmland or other land-based resources and opportunities, some people strategically pay their tax multiple times in different localities or pay in a village other than where they reside. As participants discussed in two separate research engagements,

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<sup>28</sup> This practice is likely based on a former colonial policy where village registers were used to assign "native" status and thus determined an individual's ability to secure land, legal protection, and citizenship. (Fanthorpe, 2001). It represents a clear example of Cleaver and de Koning's (2015) "institutional bricolage" where people refashion existing institutions for new purposes.

To get power that, that I have power here, I am born here. What will prove that? When you pay tax. “Here my mother comes from....” Yes, if you say you are going there to cut the fruit of the palm tree, or to go and farm, they will give you free [access]. So, someone will say, “yes, we are seeing this one, we are seeing him/her on the tax list.” And,

[Gardener who resides in another village but is a fish buyer in the land scarce village]: Eee, because how we came to come buy fish, the Pa [chief], he made a joke. He said, “you are from here now.” They even gave me a room there. They say if I want to sleep, let me come, let me come and sleep there when I make a garden in the dry season. So now the Pa said, “This year,” he said, “Start paying tax here. Because it’s here we do business, you are almost from here.” ...Three years, I have paid tax.

#### *4.2.b. Claiming Discrete Parcels and Plants*

Based on belonging and the orienting framework described above, Limba people enact claims to discrete parcels, objects, and uses of things through multiple means. Relying on multiple strategies increases others’ recognition of their claims. And, while it may seem onerous to secure claims through multiple means, these claim-making strategies are integrated with other tasks and relationships with which people regularly engage.

Most people begin to access farm and garden land in villages by *making a request from lineage elders*.<sup>29</sup> The process differs depending on how the individual is connected to the lineage: relatives may simply inform elders and will likely be given priority, whereas outsiders who come to *lai* or “beg” often face additional requirements. Usually the process of “begging” for land involves bringing “respect” (cash and palm wine) to make a request. Land borrowers are expected to contribute a modest post-harvest share of their crop to the land-owning family, though the size of this share varies substantially.<sup>30</sup> In the land scarce village, one young woman photographed her brother and his friend bringing gallons of palm wine at harvest time to the elders from whom they borrowed land in a neighboring village. She explained that while this is not required, it shows appreciation. Over time, through gestures like these, lineage elders and land borrowers become “accustomed” to each other, and borrowers may gain better standing when making future land requests. When asked what shows that one owns a farm/garden, many land borrowers cited the token or post-harvest gift that they bring to lineage elders as evidence of their rightful access.

Once land is properly accessed, *work is key to strengthening and marking land claims*. Given the high value placed on labor, work and others’ knowledge of one’s work solidify claims and prevent competing claims. Work functions in a few ways to make claims. First, work enables possession directly through occupation and production. The matriarch in the land abundant village conveyed this succinctly about an area where she

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<sup>29</sup> Anyone wishing to harvest/forage from land they do not yet access also follows this protocol (e.g., for timber, firewood, hunting, palm wine tapping, etc.). Those who have already requested to use farmland are generally entitled to harvest/forage off of it for the duration of their farming claim.

<sup>30</sup> Land borrowers sometimes “shop” for landowners (i.e., the particular lineage elder responsible for overseeing family land), in part by comparing the size of the post-harvest gift they require and whether they are flexible based on uncontrollable seasonal variation in harvests. The “sympathy” and “criteria” of various landowners were often topics of discussion among women.

planted fruit trees, saying, “If I dig, I am the owner of the land until I die.” A young woman in the land scarce village explained, “As I am planting, so I get the land, as I plant, I get the land” and “If you work there, you get what you eat, you will say to yourself ‘I own here. Here I get what I eat with my children.’” This response shows that work fulfills land claims through production. While these respondents have entitlement through their respective statuses and relationships in the village, their work enables possession of land.

Work also communicates claims to others. Because it requires bodily presence, others see a person in a particular place. For example, 19 of the 54 men and women questionnaire respondents who have a permanent garden explained that working in this garden shows other people it belongs to them. When passersby see someone working, it creates an association of a person to a place that is broadly known, shared with others, and recognized as legitimate. Work also creates defined workspaces that are recognizable markers of claimed land when the farmer/gardener is absent: for example, a cleared and planted field, a farm hut and hearth, a carefully pruned and cleared orchard, and fences and scarecrows speak to someone’s diligent care. With such a high value placed on labor and sustenance, as well as the knowledge that human labors activate land and its other inhabitants, people view labor and its markers as a legitimate claim to a space.

Work not only evidences one’s rightful access or ownership, but also secures against competing claims. As the matriarch in the land abundant village explained about her permanent wetland garden nestled against her pepper garden on last year’s rice farm,

We that are left [living in the village], as we are the same lineage, because we don't want another person [outside the family] to take it over. So, I

took it over. So, I should take care. Here I planted, it was here that he [her uncle] was doing his farming, but it was a long time ago. It is now more than 10 years... last year I told my son to break it down so that it will not turn to forest, so that another person does not come and break it down.

Likewise, a young woman in the land scarce village explained that because she had planted groundnuts on a parcel from last year's rice farm, there would be no way someone else could take it. The work to clear and replant the space would not be worthwhile.

Although accessing land by making a request and working appear to be human endeavors, other beings become involved along the way. This is most clear in *the role that cultivated plants play*. Plants are, first and foremost, intended to support sustenance. Yet, their work is multimodal. Plants also establish boundaries, create intergenerational legacies that connect the planter and their descendants, and demonstrate ownership.

Annual plants can help achieve these goals in the short-term. Women who create neighboring upland *huyere* gardens often plant a distinct edge around their plot, commonly maize, to separate peanut plantings. Looking across a hillside, separate farm and garden parcels are distinguishable by these planty boundaries. Annual crops are also used to claim town lots. My research assistant and a neighbor, both women, purchased and (locally) titled<sup>31</sup> town lots in my village of residence. As they were not able to quickly complete their house construction projects and lived in a neighboring town, they planted their respective lots with groundnuts and sweet potatoes. In addition to providing quick income, these plants reminded the previous landowners and neighbors that the

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<sup>31</sup> Land sales witnessed and documented by Paramount Chiefs occur in towns in this region.

women owned the plots. In the words of my assistant, her peanut planting showed everyone around that “the place is engaged.”

The strongest claims are made through perennial plants. People have an expectation that, aside from timber trees, their perennial plants will not be removed and will become a legacy: “You see this one [banana tree] whether you brush [coppice] it or not, it is still there.... Maybe until the time I die. The children will go and show the banana. They will say, “Hmm. It is our mother who planted this.”” Another respondent, explaining that fruit trees functionally hold land and secure claims, said, “What you have planted, nobody will destroy.” Having established “permanent” plants demonstrates and affirms that one has *sempe* or “power” (i.e., entitlement) in that place. As one young woman explained, “...I planted them [banana trees], it yields well. As it is standing, it yields well. So, if I cut [harvest] it, I sell it, I will feel good. It will say I have power here.”<sup>32</sup> Several photovoice participants in both the land abundant and land scarce villages photographed their banana trees to demonstrate how they claim land.

Some women express that they “own” a parcel once they have planted trees there, and that they can pass it on to their children, thus somewhat securing and removing it from a larger pool of family owned land. A woman who moved to the land scarce village during the war to stay near her sister was granted permission to plant a permanent garden to care for her children. When asked whether she owns the land or only the plants, she reflected, “I am not thinking I own the land. The plants, but where I own the plants, it is there that I own the land also.” That is, while she knows she does not have the status of a

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<sup>32</sup> Bananas have special value to women, as they mature quickly, multiply prolifically, come back even if cut, and produce suckers that can be easily shared and transplanted.

landowner, and does not own “the land” as a whole, she does view the plants as having bestowed a sort of ownership of the parcel on her and her descendants.

Just as plants secure claims, destroying someone’s perennial plants is an act of great hostility and aggression, not only because it destroys sustenance, but also because it erases their power and history in a place. This was evident in one village where women were distraught over the changes occurring after the late chief,<sup>33</sup> to whom many of them were related, died. The heiress, who had lived elsewhere, returned to act as the landowner and resolve the village’s existing land disputes. She lived in a neighboring town and frequently required residents to contribute money to cover court fees and augment her income. Residents were frustrated that she changed the process of accessing land from bringing respect to issuing “English laws” and giving “criterias” and “taxes” to residents (whom she viewed as having no entitlement given that they were not firstcomers). In a rage of frustration at the late chief’s widow’s refusal to contribute financially, she reportedly destroyed the widow’s banana trees with acid. This was an incredulous act that was interpreted as trying to force the widow and her family to move despite the entitlement she thought she had achieved by marrying and raising a family in the village and establishing a garden there. The bananas had manifested the woman’s claim to live and work the land in this village, and destroying them was an attempt to dislodge and erase her claim.

Plants, then, assist with the work of claiming space. It is in their flourishing, their visibility in the landscape as legible markers of possession and work, their productivity,

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<sup>33</sup> This man was a powerful sorcerer. He was not from the firstcomer family, who had left no descendants in the village, but had settled there as an adult. He was both chief and custodian for the firstcomer family.

and in opportunities to care for them that a place can remain claimed. Because of plants' significance, voiding claims may necessitate their destruction.

The other more-than-human realm involved in claiming is supernatural, and includes *interactions with human ancestors, place spirits, and the use of "swears" or kuwanki*. I use the category "supernatural" loosely here. Limba people would not necessarily group these entities together, but they do recognize each of them as having power that is shrouded in mystery, and spirits and ancestors are known to communicate with each other.

As previous sections showed, *ancestors, or forenibe*, are active in daily life, requiring respect and care, and in turn, they help activate land's productivity. Ancestors are also involved in discrete property claims where various offerings to them support and mark claims. Farm owners make sacrifices at their farms to request good harvests. The markers of these sacrifices, white cloth flags affixed to tall stakes, remain where they are "planted" and demonstrate the farmer's active connection to ancestral landowners/occupants, thus strengthening the farmers' claims.

Further, ancestors continue to hold active claims themselves over land. This is seen in how post-harvest offerings of crops are used to affirm that patrilineal ancestors continue to own the land. As elders in the land abundant village explained,

...as he has finished working, he will measure a little bit. He will bring it to the [family name] ancestors to tell them, "I have worked in the bush and brought to the ancestors for what I have worked." Anyone that works here, everyone, that comes, they bring, that, "This is what I have got" ... *so we have to bring it to the ancestors so that they will know that they own the*

*bush*. You see? Even the groundnuts we planted far away, as long as they have worked, everything, they will collect, to the [family ancestors] we have brought *so that they will know that they own the land*. [emphasis added, family name redacted]

Ancestors are not the only mysterious agents involved in property claims. Efforts are also made to keep *spirits, balinbe*, from taking the bounty of one's crops. For example, a lowland rice field along the main road that was nearing harvest was marked with a knotted palm frond on a stake. As women laundering clothes near the field explained, the farmer placed this frond to tell the spirits not to take the rice. A young woman also recalled in an interview that her relatives speak to spirits with leaves before thrashing the rice, to ensure that they do not disturb the harvest. And, a young man farming on borrowed land outside the land scarce village, explained that the landowner suggested he make an offering to the spirit living there before clearing his farm. By recognizing the spirit's territory at the outset, the farmer hoped that he had ensured its permission to work there and avoid its trickery. Though people would not say that these interactions are intended to demonstrate ownership, functionally, they show a negotiation over use of space and claims over its product.

The supernatural is also engaged directly when people place "*swears*" or *kuwanki* in their fields or gardens. *Kuwanki* are magical fetishes of various forms produced by special rituals known to sorcerers or those involved in certain men's societies. *Kuwanki* are made highly visible with feathers, fabric, or palm fronds tied to a stake to warn would-be intruders about the curse. The chief's wife in the land abundant village had her husband place a *kuwanki* in their cassava garden as it was subject to

thieving by travelers passing by from distant villages on their way to the market.

*Kuwanki* can also be placed as a sort of ordeal amid a dispute. The landowner who had destroyed banana trees in the previous example also entertained placing a powerful swear on land she disputed with a neighboring village. This would have been considered a dangerous and extreme action: should anyone enter who the swear determined not to be the true owner, a fatal curse would befall themselves and their family. This way of claiming property is rare and viewed as highly antisocial but it does effectively nullify other claims as no one would risk the consequences of being “caught” by the *kuwanki* even if certain of their own claim’s merit.

Finally, *novel claim-making approaches arose in the research process*. One sub-chief recounted the history of a land dispute with a neighboring chiefdom hoping that my record of it would correct the wrong. Likewise, photovoice participants photographed their gardens and permanent crops as evidence in case their claims were ever disputed. While the success of these approaches remains to be seen, these examples demonstrate that people actively seek opportunities to solidify their property claims.

## *5. Discussion and Conclusion*

Limba property claims are embedded in a lively dynamic where, within a shared orienting framework, daily actions and relationships make property real. These claims are integrated with other activities—kinship and care, paying taxes, food provisioning, maintaining good relations with ancestors and spirits—and are rooted in the material and relational particularities of living with others in this landscape. Although far from

equitable,<sup>34</sup> the relational nature of Limba property enables local transparency and legibility, accountability to and reciprocities with more-than-human others, and broad land access that supports more-than-human lives in a context of structural poverty and marginalization.

Limba people often discuss land access through culturally consonant institutions (e.g, the process of requesting land from elders, women’s access through male relatives) that can be described within conventional institutional frameworks. While these institutions certainly frame Limba property relations, there is much more to the story of how Limba property is enacted, materialized, and secured. An enlivened lens and methodological triangulation allow us to see how claims are enacted through hands-on and pragmatic daily engagements with a network of human and more-than-human actors in place.

Such lively, negotiated, and interdependent entanglements are a far cry from the deadened abstractions of property imagined by and promoted in neoliberal land governance paradigms. Where abstraction and commodification empty land of all meaning other than its market value, Limba property relations imbue land with significance, tracing place histories through patrilineal genealogies, maintaining sacred sites to engage the ancestors through food and ceremony, and recognizing land’s active role in sustaining human life. Where state cadastres flatten the material particularities of land, Limba property claims are made with a deep knowledge of the contours and

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<sup>34</sup> It is easy it is to deem another system “inequitable” (which it might well be) but divorce this assessment from comparison with other systems—a tendency to critique the proverbial speck in another’s eye while ignoring the log in your own. My Limba friends were shocked at the inequalities in land access in the United States, where there is no shared ethic of enabling others’ sustenance. To them, ours seems an utterly immoral system.

potentials of their environment and its non-human residents; people negotiate the risks of farming near rapid streams and state wildlife conservation areas and know where territorial place spirits reside and how to garner their favor. Where bureaucratic registration aims to simplify property by associating individual human owners to discrete parcels, Limba property claims recognize and cultivate diverse agencies and collectives, both human and non-human, that activate land's potential for sustaining life. And, where neoliberal frameworks position property between individuals, the state, and markets in a way that often disempowers individuals, Limba ontology embeds property in a web of relations to people, non-humans, and places that tend to be accessible, negotiable, dynamic, and rooted in a shared morality of sustaining one another.

Overlooking the full lively more-than-human constellation of interactions, agencies, and beliefs at play, as those embedded in a modernist perspective often do, lends more easily to the processes of abstraction that are being promulgated throughout West Africa. This paper draws contrasts between neoliberal and Limba property relations not to idealize a particular vernacular system, but to highlight the vastly different systemic potentialities created by deadened property abstractions versus systems that cultivate property relations embedded in daily life. Seeing and valuing lively property entanglements as its participants do is an essential step toward curbing further deadening processes. Doing so allows us to hold space for real and potential alternatives that center broad more-than-human sustenance rather than profit.

The possibility of re-examining taken-for-granted constructs like property through more-than-human scholarship is thus extremely valuable. As with all theoretical approaches, there is a need to continually ground-truth more-than-human scholarship to

lived experience. The present study cautions that even perspectives aiming to move away from modernist reductionism embody the possibility of abstraction. Whereas many more-than-human contributions aim to de-center human desires and actions and identify non- or less-hierarchical relations among humans and non-humans, this can lead to romanticizing certain Indigenous/non-Western/non-modernist relationalities while obscuring others. That is, there is a dual potential in “glossing” those relationalities where humans are embedded in a hierarchy that subjects them to others, particularly supernatural beings (Fernando, 2022), while simultaneously recapitulating a “noble savage” trope that presumes Indigenous/non-Western/non-modernist people perceive and seek to maintain an inherent harmony and egalitarianism between people and other beings.

Fernando’s (2022) incisive critique of more-than-human scholarship unveils a continuing discomfort with supernatural beings and the hierarchical/dominating position they often have over people. This discomfort, they argue, is a continuation of the secular desire for mastery over both the material and supernatural non-human world. Fernando astutely observes that the academy has embraced Amerindian ontologies that relate humans and non-humans in more-or-less egalitarian ways as examples of livable alternatives yet largely avoids engagement with African and South Asian ontologies where humans are related in non-egalitarian ways with more-than-human and “more-than-natural” others. One also wonders whether this preference is racialized—perhaps some relationalities are simply *too-other-than* liberal EuroAmerican ideals on human rights, environmentalism, and gender equality to merit consideration as model alternatives.

This research corroborates Fernando's point that many more-than-human lifeworlds, and property relations specifically, embrace hierarchies that position humans above other beings and other beings above humans. It additionally emphasizes how structurally disadvantaged people may approach these relations from a position of necessity. Rather than embracing an ethic of egalitarianism or describing some inherent value in more-than-human others, Limba research participants treated their entanglements with human ancestors, spirits, plants, and places pragmatically, both centering human well-being and needs while recognizing the power embedded in these relations.<sup>35</sup> Wonder and mystery were not absent—seen for example, in the rituals of the ancestor ceremony, how people marvel at certain springs and trees, and the enjoyment of monkey chatter in the distance—and people certainly respect diverse non-human agencies. Yet, the need to sustain people's, particularly one's family's, well-being drives relations with ancestors, spirits, plants, and the land.

Here, land and the interactions that enable people's use of it are centered on subsistence and hopes for future development. In a context where opportunities are lacking, state services and safety nets are absent, and hardship and disempowerment are widespread, sustaining one's life is an all-consuming endeavor. Life in Kalanthuba is full of precarity: farming accidents, debilitating illness, hunger, dispossession of farmlands, and maternal and child death were constant concerns of research participants. More-than-human relations—with both “natural” and “supernatural” beings—make human life possible in Kalanthuba, and are valued for exactly that.

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<sup>35</sup> Limba people discussed relations in such a way that positioned people below spirits and ancestors but above plants and animals. Limba give their ancestors' needs special consideration, which is consistent with centering human needs.

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CHAPTER 4

“WHEN A HEN CROWS OUTSIDE”: A COUNTERNARRATIVE ON WOMEN’S  
LAND RIGHTS FROM NORTHERN SIERRA LEONE <sup>36</sup>

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<sup>36</sup> Bonanno, A. M. To be submitted to *The Journal of Peasant Studies*.

## *Abstract*

Women's Land Rights (WLR) discourses identify patriarchal norms as a primary source of unequal land control in sub-Saharan Africa and promote neoliberal reforms that often disadvantage local land users, especially women. What dynamics do African scholars and intersectionality literatures emphasize that might be applied to customary property, and how do the women in these systems discuss and negotiate their everyday land relations? This paper offers a counternarrative to WLR discourse. Unlike WLR claims, women are not universally disenfranchised from land, and where land inequality exists, it is often due to the convergence of broader structural disempowerment with social-material positionality and cultural norms. This paper's comparative analysis of three Limba matriarchs in Sierra Leone explores how their orientation to customary property diverges considerably. One woman affirms patriarchal norms while expanding land access for other women; one models Western-style women's empowerment but curtails others' access; the third is disempowered by converging state-driven land loss, politics, and patriarchal norms which erase her agency in land decisions. Together, these cases nuance understandings of women's experiences within patriarchal property systems and belie the reductionist neoliberal strategy of locating oppression's source within culture while invisibilizing structural disempowerment and extraction's impacts on African women's daily lives.

*Keywords:* women's land rights, intersectionality, patriarchal land tenure, Sierra Leone

## *1. Introduction*

“A hen does not crow outside.” My research participant, a middle-aged woman, cited the common wisdom on women's role in Limba society. I had asked whether women could have control over land. Assuming she would end her response after this trite Limba phrase as most participants had, I began asking the next interview question. Instead, she continued quietly, her voice cracking somewhat and a pained expression growing in her eyes, “But when a hen does crow outside, you know something is wrong.”

This paper queries progressivist discourses on gendered inequalities in African customary property systems that shape development agendas by exploring women’s experiences in a patriarchal context. The analysis centers three comparative case studies in Kalanthuba Chiefdom, northern Sierra Leone, a rural and politically marginalized region that hosts a national hydropower project and associated wildlife conservation area. The cases explore how three Limba matriarchs from nearby villages approach land relations from distinct positionalities and, as a result, shape other women’s land access in diverging ways. Together, they highlight how the complex interplay of positionality, agency, circumstances, and wider political economics shape the distribution of land claims in West Africa.

Just as they are known for their commitment to upland rice farming and skill in palm wine tapping, Limba people are also known to remain steadfast to their patriarchal traditions including patrilineal land tenure. Most people I spoke with agreed that in Limba culture men “have the power” even while they recognize that gendered politics differ elsewhere. Unlike in other Sierra Leonean ethnic groups, Limba women

categorically cannot be chiefs and are generally not considered to be influential in land matters and village governance.<sup>37</sup> Yet, as this paper shows, women may exert considerable agency over land by using and re-shaping customary norms and through their practical use of the landscape.

Secure land access is paramount for well-being and culture throughout agrarian West Africa. Yet, there are different visions of what “security” looks like and how best to achieve it. Current development agendas focus on “Women’s Land Rights” (WLR) where women’s apparent inequality in land control has become a mobilizing rationale for wide-sweeping neoliberal land reform in Africa. These campaigns usually center on efforts to formalize (register) customarily held lands including those owned by lineage groups (German, 2022; German and Braga, 2021). But what dynamics do African feminist and intersectionality literatures emphasize that might be applied to the land and property domain, and most importantly, how do the women embedded in these systems discuss and negotiate their everyday land relations? Specifically, this paper asks, 1) how does each matriarch in these cases engage customary property relations, how does their positionality shape these engagements, and what are the impacts of their actions on other women? And, 2) how do these cases support, nuance, or refute contemporary development narratives on women and land in Africa?

To address these questions, this paper first briefly reviews discourses relevant to the women and land question in Africa. It highlights how progressivist development

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<sup>37</sup> Women are not fully deprived of leadership opportunities in Limba society. Women maintain their own traditional *bondo* societies (common throughout Sierra Leone) which are headed by a powerful *sowei* who is regarded as a ceremonial head of women in the region. There are also chieftom women’s leaders (a legacy of British colonial rule), though in Kalanhuba the role seems largely perfunctory. Women are certainly gaining more opportunities through education: my former research assistant, a well-liked young Limba woman who pursued higher education and serves as a local school teacher, was recently elected District Councillor.

discourse figures culture as a primary barrier to WLR. The review then turns to intersectionality, a framework originating in Black feminist thought. Although intersectionality has often been co-opted by diversity and inclusion agendas, recent context-driven approaches (e.g., McKinzie and Richards, 2019; Nash, 2011) present promising counter-frameworks to WLR discourse by highlighting the conditions under which women experience more and less secure land access. African feminists provide constructive friction by re-situating gender and womanhood in African cultural ontologies, highlighting how narratives on African women's victimhood invisibilize cultural and economic oppression from the West, and critiquing biased assumptions embedded in neoliberal land reforms.

A description of the research site and ethnographic methods follows. I then present the case studies of three matriarchs, exploring their respective positionalities and how these orient them to customary land relations. As the findings elaborate, the first matriarch's orientation is one of generative *expansion*, where she has sustained her mother's legacy of creating a homeplace for kindred women farmers. Her case epitomizes the securities that a patrilineal tenure system can create while she uses her position as the chief's mother and eldest sister both to invest in tradition and re-work it. The second matriarch is the "hen" crowing outside referenced in the opening vignette. Her position as an heiress returning to her ancestral village—more familiar with the competitive diamond economy of Eastern Sierra Leone than the agrarian relations of this community—orients her toward *extraction*. She approaches her rights as an opportunity for profit and, in the process, has severely eroded other women's customary rights. The third matriarch's position is one of socio-material disempowerment due to the

convergence of state infrastructure projects on her family land, unfavorable political dynamics, and exclusion from family decision-making. This position orients her toward *erasure* from land decisions and contributes to her own and other women's disempowerment.

The discussion contrasts these cases, analyzing how each matriarch's respective positionality intersects patriarchal norms and structural disempowerment in distinct ways, leading them to navigate customary land relations toward divergent outcomes for themselves and other women in their communities. It then shows how WLR discourse might oversimplify these cases and highlights the risks posed by enacting land reform policies on such reductionist assumptions. The paper concludes by echoing both African feminists' and research participants' call to focus development efforts on priorities identified by women, rather than co-opting and manipulating their situations, relationships, customs, and landscapes to suit neoliberal agendas.

## *2. Literature Review*

### *2.1 Women's Land Rights: Solving Africa's "Gender Gap" in Land with Neoliberalism?*

"This neoliberalized feminism redefines feminism and capitalism as mutually compatible, hiding power inequalities and drawing a win/win scenario in which the advancement of gender equality delivers growth, poverty alleviation, and food security, in conjunction with free markets and profits. Fused with development as

a technocratic apparatus, it empties feminist change projects of politics...” (Lanz et al., 2020).

Land and property rights have long been a focus of international development agendas and land governance has become prominent in the wake of the post-2008 land rush (Borras and Franco, 2010; Bromley, 2009; DePuy et al., 2022; German, 2022; German and Braga, 2021; Tsikata, 2016). In the past decade, however, the development and donor world has intensified its focus on women’s unequal land rights in the Global South, and particularly in sub-Saharan Africa (German, 2022; Tsikata, 2016). The status of WLR has been identified as a key piece of both the global gender equality puzzle and the global sustainability and resource puzzle. This is evidenced in the proliferation of programs, multi-stakeholder partnerships, research groups, datasets, and funds devoted to promoting WLR, for example, the “Stand for Her Land” initiative, the #HerLand campaign, the “An Equal Stake in the Soil” program, Landesa’s Center for Women’s Land Rights, the World Bank’s Gender Innovation Lab, the International Land Coalition’s Women’s Land Rights Challenge, OxFam’s Women’s Land Rights Scorecards, and countless others. Funders behind these campaigns include the governments of many Western nations, notably the United States and Canada, the European Union, the World Bank, and private donors such as the Bill and Melinda Gates Foundation.

As German’s (2022) critical review of the current land governance discourse reveals, there is broad consensus in the development sphere on the WLR theory of change (i.e., causal chain). This discourse purports that,

Women's land rights are under threat from customary tenure systems in which women are discriminated against and hold secondary rights through male relatives, as well as by limited recognition of their rights under statutory law.

Women's tenure security may be advanced through individualized, independent rights backed up by the State; equality between women and men with respect to rights, access and inheritance; ability to transact in rights; direct participation of women in land governance institutions; and efforts to overcome social and cultural constraints so that they may exercise state sanctioned rights. (German, 2022: 131)

German's analysis goes on to show that embedded within this theory of change are unshakeable beliefs in the deficits of informal/customary property systems, the superiority of private statutory property rights, the security and neutrality of the state, and the effectiveness of external intervention to establish gender parity in land and in African societies broadly. This desire to effect social change, shifting what are seen as conservative values and norms toward presumably more enlightened and fairer (neo)liberal ideals of independence, individualism, and rights is what makes these agendas "progressivist."

Over recent years, the African Union and its members have adopted statutory change (e.g., formalization policies and inheritance law reform) to better align with human rights and development agendas on gender equality. So far, the evidence does not clearly indicate that formalization benefits women and fosters gender parity. If anything,

it seems to contribute to greater inequality (German, 2022; German and Braga, 2021). Rather than cast doubt on the merit of formalization itself, the development sector has determined there is an “implementation gap” preventing women from enjoying the rights they should now have under the law (Behr et al., 2023; Stand for Her Land, 2020; World Bank, 2022). *Something* is in the way. And, in many cases, the primary mediating barrier is determined to be cultural (i.e., the cultures within which African women and customary property rights are embedded, *not* the culture of Western development) and additional barriers (e.g., weak land administration, information asymmetries, and lack of access to justice and service delivery) stack up on this stubborn discriminatory foundation (O’Sullivan, 2017; World Bank, 2022). A Stand for Her Land campaign document summarizes it thus:

Persistent discriminatory social norms and practices are one of the strongest barriers standing between women and their rights. Weak implementation policies, insufficient capacity to enforce laws and a lack of political will further compound the problem. Poor access to legal services and a lack of understanding of laws by communities and households—and by women themselves—build an invisible but near impenetrable wall that stands between women and their land & property rights. (2020: 1)

The development world’s response to this cultural barrier is twofold. First, there are attempts to “tweak” formalization processes. Whereas the focus before had simply been titling informal rights, much emphasis now centers on joint or “co-” titling where

property is legally registered in both spouses' names. Suggestions to tweak formalization also include experimenting with various incentives, such as subsidized joint titling with/without an educational video on the benefits of joint titling (Cherchi et al., 2019), conditioning access to agricultural inputs, and changes to titling forms (O'Sullivan, 2017).

The second response to overcoming the so-called cultural barrier is an effort to catalyze behavioral change through ideational campaigns. Here, we see discussion about identifying the most effective means of communication with differentiated stakeholder audiences (e.g., women, men, cultural figures, and local authorities) (Behr et al., 2023; World Bank, 2022). In addition to these more benign suggestions, there are also alarming statements such as, "Can recent successes in changing norms on female genital mutilation...also be applied to women's property rights?" (O'Sullivan, 2017: 30) and questionable recommendations to "...[train] religious leaders to integrate WLR into regular sermons, aligning gender equitable land rights into lessons from the Quran, Bible or other religious text or set of beliefs" (World Bank, 2022: 29).

While there is much to be said about the ballooning WLR literature and the cultural and political-economic hegemony embedded therein, there are a few points worth highlighting here. First, as Collins (2019) writes, it is important to monitor how women and their rights are figured in WLR discourse. WLR literatures continue to rely on the old trope of the victimized and passive African woman<sup>38</sup> waiting to be rescued from ahistorical cultural oppression while overlooking women's complex and differentiated

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<sup>38</sup> This can also be seen in the imagery often used to accompany WLR websites and reports, where it is common to see an individual African woman dressed in traditional clothing and toiling in a harsh environment or staring wistfully. Missing in these images are any sense of community and any detail about the woman pictured, who is used merely as a symbol.

positionalities and the great diversity of legal systems, customs, socio-ecological systems within which they are embedded (see German, 2022 for a thorough critique; also Abu-Lughod, 2002; Mohanty, 1988). Although a niche example, O’Sullivan’s (2017) association between FGM and customary property—apparently similarly objectionable practices—suggests that African women are victimized by customary norms and renders their cultures violent and regressive.

What is perhaps novel in recent years is the synthesis of the victimized African woman trope with the World Bank and IMF’s “Gender Equality is Smart Economics” theory. This theory posits that when Southern women and girls are “empowered” (rescued) from certain regressive socio-cultural institutions (like customary property), they will prove to be hyper-productive and efficient contributors to economic growth (see e.g., IMF, 2012; critiques by Lanz et al., 2020; Wilson, 2015). This synthesis justifies WLR interventions as both a moral imperative and having good ROI without addressing the political-economic sources of women’s (and men’s) disempowerment.

Second, there is an unquestioning arrogance embedded in WLR discourse: development policy makers already have the answers<sup>39</sup> (i.e., customary norms discriminate but formalization secures WLR) which simply need to be effectively imparted to various stakeholders (Sithole, 2020). Once educated into the benefits of WLR, these stakeholders should see the value of changing their behavior (e.g., Cherchi et al., 2019). Anything that throws these answers into doubt is figured as a “barrier” rather than a valid piece of counterevidence. The patronizing emphasis on motivating

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<sup>39</sup> A long-standing critique of the neoliberal development enterprise: see e.g., Brohman, 1995.

behavioral change, even going so far to suggest enrolling religious teaching, flippantly negates African land users' self-determination and is, in a word, highly colonial.<sup>40</sup>

The next sections briefly review intersectionality and African feminist and humanist scholarship to further hone critiques of WLR discourses and provide a theoretical framework for the case studies that follow.

## *2.2 Intersectionality: A Context-driven Approach to Women's Land Relations*

“It is also important to recognize that women are not just women; they are also members of social groups defined by social class, ethnicity, and livelihood system...which also shape their rights, vulnerabilities, and agency. If land governance interventions are to empower women, they need to also consider the intersectional identities these women hold.” (German, 2022: 157)

Critical literatures on land, agribusiness, and development in the Global South have recently called for an intersectional approach to governance and research (e.g., Collins, 2019; German, 2022; Lanz et al., 2020; Pradhan et al., 2019; Ryan, 2018; Wilson, 2015). Intersectionality, a now widely adopted concept that originated in Black feminist scholarship and activism, posits that inequality is a complex phenomenon where multiple axes of social difference interact to generate both structural advantage and disadvantage that shape people's daily lives (Collins and Bilge, 2020; Crenshaw, 1991;

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<sup>40</sup> There are countless works on the coloniality of neoliberal governance and development. The arguments made here are influenced especially by Brohman, 1995, Depuy et al., 2022, German, 2022, Mohanty, 1988, and Sithole, 2022.

McKinzie and Richards, 2019:1). Given its power to nuance understandings of social differentiation, intersectionality has resonated across fields (McKinzie and Richards, 2019).

In its “travels” (Salem, 2018) from Black feminist origins to its now mainstream place in neoliberal and Eurocentric feminist spheres in academia and the corporate world, intersectionality has been watered down, depoliticized, and co-opted (Bilge, 2013; McKinzie and Richards, 2019; Nash, 2011). Pulled away from its radical roots as a tool for legal advocacy and to explicate systemic oppression, intersectionality is often reduced to neoliberal identity politics and used “ornamentally” for organizational rebranding (Bilge, 2013) or as a means to identify overlapping personal differences without a critical analysis of the social systems shape these differences (McKinzie and Richards, 2019; Nash, 2011; Salem, 2018). Moreover, intersectional scholarship often essentializes subject/identity positions, representing them as immutable and constant sources of (dis)advantage (McKinzie and Richards, 2019; Nash, 2011).

These critiques have led some to prefer post-intersectional approaches that focus on situationality. A situationality of identity approach accepts that identities intersect but focuses on *when* certain identities come into play and *how*, rather than assuming that identities are ever-present and unchanging attributes of subjectivity (Nash, 2011). Others believe intersectionality can be productively reworked through a context-driven approach (McKinzie and Richards, 2019) or Marxist historical materialism (Salem, 2018). By focusing on contextualized lived experiences, it is possible to shift the focus from identity and difference to tracing oppressive social structures (McKinzie and Richards, 2019). Likewise, integrating Marxist feminist critique and intersectionality as Salem (2018)

describes, brings into focus, “*how* [subject positions] are created, how they exploit and not simply oppress, and *why* they intersect” (408, emphasis in original).<sup>41</sup>

These critical approaches collectively show the imperative of examining the conditions and processes that create and sustain complex social inequality. They require locating intersectional analyses in particular places, histories, relations, and socio-material realities. By contextualizing intersectionality, it becomes possible to see subject positions as dynamic and to analyze when subjectivities are activated. Applied to the land arena, context-driven intersectionality moves away from essentialized notions about gender and unequal land access/rights in Africa and simple analyses of how tenure change (e.g., large-scale land acquisition) differentially affects differently positioned people (e.g., Ryan, 2018). With this approach, we can crystallize which conditions elevate identity-based issues in land relations, which conditions or relationships minimize them, and how. And, as political ecologists have shown, a critical context-driven approach enables us to distinguish between *proximate* and *ultimate* sources of inequality (Blaikie and Brookfield, 1987; Read, 2016; Watts and Peet, 2004). The case studies compared in the second part of this paper exemplify the value of a context-driven approach.

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<sup>41</sup> This Marxist intersectional emphasis on how intersecting structural processes of exploitation shape peoples’ lived experiences is also exemplified in Feminist Political Ecology scholarship.

### *2.3 Lessons from African Feminist and Humanist Literatures*

“...a woman, be she one’s wife or one’s mother, exists in the past, present and future at the same time, and she does not belong to one’s father or oneself, but to those yet unborn, and one’s ancestors.”

(Mutwa, 1998: 626, as quoted in Sesanti, 2016: 490)

“...women’s responses to changes in their agrarian landscape...should ultimately be seen as questioning the neoliberal development vehicle which encroached on their autonomous production and gave less than it took from them.”

(Torvikey, 2021: 67).

Although they have rarely been integrated into social science and development research on land tenure, gender, and development (Kopf, 2022),<sup>42</sup> African feminist and humanist literatures offer cultural critiques that are salient to the WLR agenda. This review highlights African scholars’ perspectives on African gender relations and womanhood, some critiques of Western development, and a growing literature on land relations. It does not attempt to comprehensively represent what is a diverse field, but draws upon those sources that speak in novel ways to the WLR agenda while honing a context-driven intersectionality approach.

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<sup>42</sup> There are knowledge politics at play here: both subaltern scholars and the humanities are often overlooked. Many African scholars explore issues of development, coloniality, and gender through literature (e.g., folklore, proverbs), cultural studies, and philosophy, yet these fields are not regarded as sufficiently epistemically valid to inform development scholarship (Kopf, 2022; Owusu, 1978; Nnaemeka, 2003).

Many African feminists argue that women-centered institutions are erased by imposed Western notions about gender and family (Ekejiuba, 1995; Oyěwùmi, 2004). Others suggest that African male and female gender norms are complementary halves of a whole human sameness (Nnaemeka, 2003; see also Okot, 2022) or that gender is not an important Indigenous axis of social difference, and that age plays a greater role in social hierarchy (Oyěwùmi, 2004). While some African feminists argue that men are regarded as collaborators rather than adversaries and thus refute the West's oppositional identity politics (Nnaemeka, 2003; Oyěwùmi, 2004), others suggest that men have become increasingly oppositional due to acculturation (through colonization and religious change) and customary knowledge attrition (Okot, 2022; Sesanti, 2016).

There is a deep respect for women's kin-work in African feminist and humanist writings. Women/womanhood are regarded as the foundation of family and society, albeit through their roles as mothers and sisters rather than as wives (Ekejiuba, 1995; Oyěwùmi, 2004). The centrality of women as mothers is exemplified in Dipio's (2023) exploration of Ugandan folktales. Dipio shows that fathers are absent or peripheral, but the mother characters epitomize sacrificial giving through the brave and creative ways they navigate adversity to nurture and safeguard their families. While folktales may not relay reality, they do offer insight into salient moral and ontological frameworks.

In addition to refracting the West's preoccupation with wife-husband relations through explorations of motherhood, African scholars contextualize African disempowerment and inequality within the global system. They emphasize how women's position (and men's) must always be analyzed as being subordinated within global political-economic dependencies and subject to economic exploitation and cultural

domination by the West (Pala, 2005 [1981]; Sithole, 2020). Further, while there is an appetite for change in African societies, African critics like Sithole (2020) prioritize radical decolonization of the present over future development, arguing, “Africa as it is—Africa in the clutches of Euro-North American dictates—will need to be ended in totality, for it is not Africa for itself but Africa for the modern colonial world” (2020: 191).

In this vein, African scholars also critique neoliberal land reforms. They situate these critiques within explanations of patrilineal land tenure (Okot, 2022), peoples’ experiences of and resistance to large-scale land investments (LSLAs) (Atuoye et al., 2021; Torvikey, 2021), and explorations of the dubious causal assumptions embedded in the neoliberal formalization theory of change (Musembi, 2007; Ossome, 2014). I distill each here.

Contesting the claim that Acholi patrilineal land tenure denies women’s land rights, Okot (2022) probes cultural metaphors to explain Acholi tenure as symmetrical stewardship. Women are “speargrass blossoms” which blow away (i.e., marriage migrants) while men are “thorn bushes,” permanently rooted to their natal lands. Land access and security for everyone are generated through this “gender dynamism” where women *and* men access land through their relationships with each other. Okot emphasizes how this system ensures equilibrium and lasting connection to collective lands and argues that women are not inherently disenfranchised but facilitate the system through their movement and ability to connect generations. Being “blown away” like speargrass flowers denotes new beginnings, enabling the couple to “...jointly safeguard the entitlement of the ancestors, both dead and living, and unborn landowners” (268). The opening a woman leaves behind makes space for another woman to join her natal lineage.

This emphasis on symmetry and gender dynamism contrasts sharply with how WLR discourses read women's land access through patrilineages as a source of insecurity, and as German (2022) notes, overlook the other securities these systems provide.

Others highlight the *insecurities* generated by neoliberal LSLAs and how these structural dynamics intersect existing inequalities. Atuoye et al. (2021) find that not only is food security highly impacted by foreign LSLAs in coastal Tanzania, but also that the land governance reforms that facilitated these projects and the shift to export production have exacerbated the existing vulnerabilities people face from climate change, gender, and migration. Here, male non-migrants experienced the highest food insecurity, a finding that nuances common assumptions about how the adverse impacts of LSLAs are distributed. Likewise, Torvikey's (2021) case study considers differentiated insecurities from a Ghanaian nucleus-estate/outgrower cassava scheme. Although local settlement history has differentiated women's social status and land access, women united in their recognition of the incongruencies of industrial cassava production with household needs. Their resistance re-shaped the scheme and "rescued the local economy" (66). These cases highlight how neoliberal political economy intersects and exacerbates existing social statuses and vulnerabilities, sometimes in complex ways. Although both authors acknowledge local inequalities, they suggest that the priority must be, "[loosening] the global political economy's capture of land in low-income countries..." (Atuoye et al., 2021: 9), an argument consistent with calls for decolonization.

African scholarly critiques of formalization echo concerns about the ways African land and social systems are caught up in global neoliberalization processes that ultimately heighten localized inequality and land competition. Musembi (2007) highlights how the

codification of certain customary rights and rights holders necessarily excludes other rights and users' legitimate claims by consolidating rights and argues that pro-formalization arguments assume that all societies should evolve to systems of private individual land ownership. While Osome (2014) is pessimistic about the possibilities for women's land equity under both formal and customary law, she acknowledges that customary tenure does provide flexible (if not equitable) land access for many people. This flexibility, however, is eroded in differentiated ways as customary systems intersect global political-economic processes (e.g., land commodification). She emphasizes the need to analyze local processes of differentiation amid neoliberal economic reform.

What lessons from African scholarship can be applied to women's land relations in African societies? First, it is necessary to situate African women's subjectivities within a global system that exploits, disempowers, and others them. There is also a need to explore women's agencies and diverse positionalities vis a vis land and customary property. Further, these works remind us that the meaning of certain statuses (e.g., "wife" and "mother") are culturally particular and they offer alternative conceptualizations arising from African cultural registers. Finally, African scholars highlight the security and connections that African customary tenure systems can sustain and point to the ways these social goods are destabilized by neoliberal reforms and extractive production. In agreement with critical intersectionality scholars, they argue for the need to understand the circumstances and processes under which social inequalities in land matters are heightened.

### *3. Site Description and Background*

The case studies presented here are part of a larger research project on property claims in Kalanthuba Chiefdom, a rural agrarian chiefdom in Tonkolili District, Sierra Leone. Kalanthuba is a recently “deamalgamated” chiefdom, that is, the national government separated it from the neighboring Dansogoi Chiefdom with which British colonial administrators had lumped it. The population is primarily Limba, a somewhat more ethnically diverse village bordering the town of Bumbuna which is located across the river. Kalanthuba has steep hilly terrain and borders the Seli river which has been dammed to provide electricity to Sierra Leone’s cities through the Bumbuna Hydroelectric Project (BHP).

Construction of the dam began in the 1970s but experienced delays and was halted in the mid-1990s due to the civil war. As part of a push for post-war recovery, the Government of Sierra Leone (GoSL) pursued completion of the BHP (completed in 2009) to form the basis of Sierra Leone’s energy sector. The project was a public-private partnership that received funding from multiple donors, including the African Development Bank, the Italian Government, the GoSL, the UK’s former Department for International Development (DFID), the World Bank, and OPEC’s Fund for International Development (OFID) (African Development Fund, 2013). Its construction and maintenance were carried out by Salini Impregilo, an Italian infrastructure corporation. Dam workers are housed at the “SalCost” camp, which, according to local residents, was built on unremunerated village land that has been untaxed by the national government. The camp also provides a local office for the Bumbuna Watershed Management

Authority (BWMA), the branch of the GoSL's Ministry of Energy that administers the BHP.

To mitigate environmental impacts of the dam on chimpanzees and other wildlife, the GoSL established the Bumbuna Conservation Area (BCA) through an act of Parliament. The BCA is also administered by the BWMA and it spans land in several villages. People have been instructed not to use the land for farming, hunting, or foraging. Compliance with these restrictions, which are highly resented, is mixed.

Kalanthuba is a place of contrasts. While it hosts a major infrastructure project geared toward "modernizing" Sierra Leone's economy, most local residents make their living through traditional agriculture. The agricultural mosaic includes the upland rice farming system with its associated gardening and foraging activities, more intensive market gardening, and other complementary land-based livelihoods including hunting, fishing, and tapping palm wine.

The vast majority of land in Kalanthuba is owned collectively by patrilineages; these large, centrally managed tracts facilitate rotational-fallow farming. Elders typically grant farmland to a man and his household for a two year cycle: the first year the farm is burned, cleared, and planted with upland rainfed rice and various other crops, followed by a year of *huyere* ("portions") where women plant individual rainy season patches of groundnuts, peppers, and corn. Farmland requests are made to the elders of the land-owning lineage while *huyere* requests are made to the farmer who cleared the farm. Generally, a small cash token and palm wine are presented with the request for land, and a small portion of the harvest may be requested by the land or farm owner. Land borrowing relationships are often long-term and heritable, where a family may not be part

of the lineage that owns the land, but may hold a legitimate claim to use land to farm based on relationship (Bonanno, 2023).

Lineages are usually headed by the oldest or most senior man who makes decisions about land management and family affairs, oversees ceremonial connection to lineage ancestors, and is responsible for resolving conflicts. Many of the women I spoke to feel cut out from family leadership, sharing that they are not invited to important discussions or that their voices are not heard. When I queried a Section Chief about women's sense of exclusion in an interview, he commented both that women, when returning to their father's lineage to request land after being widowed or divorcing, should "sit down well" (i.e., with deference) but also stated that, in his opinion, "If in the family, if the same father, it is wrong [to exclude women from decisions about family land]...All of them must be present."<sup>43</sup> As the case studies show, both ethos are active: women are expected not to "crow outside," yet often exercise more agency in shaping land decisions and community relations than might be expected from stereotypical portrayals of women in patriarchal societies.

### *3.1 Research Villages*

To protect research participants, I refer to each case study village as Village A, B, and C and to each matriarch by a pseudonym. Table 4.1 summarizes the following village descriptions.

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<sup>43</sup> During this "private" interview, a group of women including the chief's daughter gathered to the side, listening intently. By the end of the interview, the women were wholly invested and began chiming in, sometimes disagreeing with the Chief's response. Their presence and opinions were not unwelcome.

**Table 4.1** Overview of Case Study Villages

	Adult Pop. & No. of Landholding Families	Land Interventions	Resident/ non-resident land users?	Matriarch	Matriarch's Orientation to Patrilineal Land
Village A	<i>Women: 10</i> <i>Men: 3</i> <i>Landholding family: 1</i>	None	<ul style="list-style-type: none"> <li>• 1 client couple</li> <li>• Many land borrowers from neighboring villages</li> <li>• Some kin living elsewhere use land</li> </ul>	Simithi	<i>Expansive</i> – uses positionality and norms to secure access for kinswomen and borrowers
Village B	<i>Women: 9</i> <i>Men: 3</i> <i>Landholding family: 1</i> (all live elsewhere)	BCA	<ul style="list-style-type: none"> <li>• No village residents are land owners</li> <li>• A few borrowers from neighboring villages</li> </ul>	Kadiatu	<i>Extractive</i> – uses positionality to stretch norms and contravene ethics to extract value from land and people
Village C	<i>Women: 22</i> <i>Men: 12</i> <i>Landholding families: 2</i>	BHP & BCA	<ul style="list-style-type: none"> <li>• A few kin living elsewhere use land</li> </ul>	Sata	<i>Erasure</i> – her land loss, political marginalization, and exclusion from family decisions disempower her and others

Village A has a very small resident population—13 adults, with some who come and go seasonally—but has “vast” fertile lands that support productive rice farms with dozens of tapped palm trees. Several dozen relatives and neighbors from other villages also farm there. Some still claim Village A as their home even while they reside in other nearby villages. Village A is not directly affected by the BHP nor BCA. The village consists of six houses located along the unpaved road and is surrounded by groves of fruit

and nut trees. There are no community buildings, but there is a large “plum” tree where a seating area is maintained. Village women sit under this tree to process their harvests and chat with passersby toting goods to and from the market while children play nearby.

Nearby, a clear spring wells up from the ground seasonally.

Village B also has a small population, about 12 adults. Its lands are not comparatively extensive, but still plentiful. Some of its land lies within the BCA, though this seems only a minor inconvenience to residents as most of the land is unreserved.

Village B borders Village A to the south, and it is just outside the larger villages in Kalanthuba. It is nestled in a shady grove, with many large trees planted around the houses and a few rare (for this region) wetland areas where lowland rice can be grown. Traders always line the road with their packets of gin, energy drinks, soap, and cigarettes for sale as travelers commute to and from the market in Bumbuna.

Village C has an adult population of 34 and is nestled against the Seli River near the recently completed dam. Its lands were never extensive, as it was historically a satellite settlement built for storing crops grown across the river. Eventually, it became its own village but maintained ties to the landholding families in nearby villages. There are two landholding families within this village, and each has suffered land losses from the inundation of the reservoir and subsequent restrictions on burning (and thus, farming) to prevent sedimentation of the dam. The BCA consumes much of the remaining land, leaving only one hillside available for rice farming. None of the land users were compensated for these losses and restrictions. While there was originally a plan for a trust fund to benefit project affected persons, this did not materialize. Now, restrictions are

upheld through the threat of penalty—fines and jail. Residents experience much hardship as they struggle to subsist and often walk great distances to borrow land elsewhere.

#### *4. Research Methods*

The data presented here was collected during six months of field-based research in 2021. I worked extensively in Village A and C as part of a larger research project. I conducted three focus group discussions, 31 on-site garden interviews, 77 structured questionnaire interviews, 12 key informant interviews, a photovoice project with eight women, and participated in farming activities and an ancestor ceremony. Village B was selected as a comparative site to nuance and validate findings from Villages A and C toward the end of the research period. Upon conducting the first several structured questionnaire interviews with women in Village B, it became apparent that the gendered property dynamics posed an intense contrast to Village A in particular. While this validation exercise served the purpose of nuancing findings from Villages A and C, it also provided the opportunity to delve more deeply into the assumptions embedded in discourses surrounding African women's land rights. To this end, I conducted two additional in-depth interviews, one with the late caretaker's son and de facto village leader, and the other with the matriarch recognized to hold ownership of the village's land. While the unequal time devoted to collecting data in Village B compared to Village A is a limitation, I have triangulated available data and incorporated perspective gained through informal conversations with Chieftom leaders and my research assistants regarding the situation in Village B.

This work was made possible through the help of two local women research assistants who are fluent in HuLimba, Krio, and English. We worked together to conduct recorded interviews translated *in situ*. Later, we transcribed these interviews into HuLimba using MaxQDA software. We then translated responses into English. Structured questionnaires were not recorded and transcribed due to time limitations. Through this transcription and translation process, my research assistants were able to explain cultural norms and provide their own analysis of observed dynamics. Transcription and translation greatly aided my language learning. After several months, I was able to understand and converse in HuLimba enough to participate directly in interview conversations.

Finally, a brief word on my own positionality. My role as a researcher was often misunderstood (was I going to “bring development?”) and sometimes untrusted (was I an investor coming to take land?). Further, as a white American woman in this context I was simultaneously privileged and, in some ways, limited. My research assistants, hosts, and Chiefdom leaders graciously helped me and the research participants navigate these dynamics together, offering kind explanations and suggestions. My aim throughout this process has been to position myself as a student of my research participants’ expertise and experiences, and I hope that sharing their insights confers the respect that they and other African women deserve in a global system that often disempowers, homogenizes, and manipulates them.

## 5. Case Studies

The choice to focus on three matriarchs enables the comparison of similarly situated women: they are the same gender, age cohort, and each maintain long-standing claims to land in their Villages. As matriarchs, each holds influence or potential influence over land in their communities. Identifying their respective advantages and disadvantages in negotiating customary land relations and how they in turn affect others troubles the WLR narratives reviewed above. Extending analysis to more broadly compare women's experiences of customary land relations presents an opportunity for future research.

### 5.1 Village A: Simithi's Expansive Orientation to Patrilineal Tenure

Simithi, a charismatic, humorous, and generous woman, greeted me every morning when I arrived. As Village A's women's leader, she took responsibility for coordinating our research activities. In addition to organizing resident women, women's leaders are responsible for facilitating interactions with women who live outside the village, and often represent their requests to male elders. Simithi, while embodying this role fully, also extends it. She is a decision-maker in her own right, often directing the three resident men of the village through culturally acceptable means. This is possible in part through the small size and interrelatedness of the village. While she uses language that respects their position as men and allows them to respond first in group discussions, she has hierarchical claims over each of them. She is the chief's<sup>44</sup> mother, the elder

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<sup>44</sup> The chief tragically passed away several months after this research took place.

sister-in-law to one man, and the patron of the other man, having invited his family to live and work in the village.

Simithi's history in the village was difficult to unravel as there are numerous entangled kinship connections.<sup>45</sup> She was born in a neighboring village, but her and her three sisters are considered "born" in this village. They base this belonging claim on the fact that their mother remarried in a levirate marriage and moved to join her new husband in Village A. Simithi and her sisters were adopted by their uncle/stepfather as young children. Adding to her belonging claim, Simithi married the son of the former chief of Village A.<sup>46</sup>

Early in Simithi's marriage, while she and her husband were living elsewhere, the village population changed dramatically. Most residents had either died or left for other opportunities. Simithi's mother, widowed again, stayed. Simithi was soon widowed herself and returned to Village A with her children. The civil war broke out and the village was all but deserted except for Simithi and her mother.

During the war, Simithi's mother recognized the vulnerabilities that she and her daughters faced. As an older woman now twice widowed with no sons nor well-off relatives living elsewhere, their claim to land within Village A was weak. Lineages in neighboring villages could attempt to take over—indeed, I learned through casual conversations elsewhere that three lineages *had* attempted to take over by proposing

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<sup>45</sup> This is partly a result of translation challenges, but also reflects a common social strategy. When I asked Simithi how she and a man living in a neighboring village who (farms in Village A and is married to her niece) were related, they each said they are "family." I tried to unpack this relationship further. Both became frustrated at the endeavor. The man said, "Because how we met, so we go," suggesting that what really matters about kinship here is not so much exactly how individuals might be related (though parent-child relations matter a lot), but rather the processes of becoming and staying kin.

<sup>46</sup> Simithi was married at a very young age, possibly in part to strengthen her and her mother's claims of belonging in Village A.

marriage to Simithi's mother. And, should Simithi's sisters need to exercise their customary rights to return to their natal patrilineage in the case of being widowed or separated as Simithi had done, they might be unable to do so without male kin to vouch for them.<sup>47</sup> Thus, the kinswomen faced the possibility of a complete loss of land and home.

As Simithi's mother recognized, the only way to secure their connection to the land in Village A was through their continued presence and work on the land, another locally legitimate means of claim-making (see Bonanno, forthcoming). Simithi's mother vowed to stay, even when others fled the war, to "hold" a place for her daughters to return to. She took the initiative to relocate the village to the newly built road by building the first house there and planted fruit trees around the settlement site. Simithi's mother's sister, newly widowed herself, joined them and built the second house in the new village site.<sup>48</sup> At this point, Village A was made up entirely of women and children. Simithi's mother's actions kept the village alive—as Simithi and her other descendants say, she determinately "held" and "fought" for the village when everyone else abandoned it.

Simithi's mother passed away a few years ago and Simithi has become the most senior woman, having taken over the matriarchal position her mother held. As Simithi's mother predicted, her daughters needed a home to return to. Two of Simithi's sisters returned to live in Village A, one having married a relative who had returned to the village, the other after divorcing. One of the sisters passed away just before we began

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<sup>47</sup> Even more so because the four women were adopted by the patrilineage in Village A so these claims could be considered invalid.

<sup>48</sup> Simithi's aunt is a recognized victim of a witching husband, who is understood to have killed each of their children by his participation in a witch's club. Though having no descendants of her own, she has a special interest in the welfare of each child in Village A.

research activities. Simithi's third sister came to care for her late sister's affairs and children. At the time of research, Simithi's son was the young chief. In addition, two of Simithi's daughters live in the village with their children. One is divorced and the other remains unmarried.

Simithi embodies the mother role described by the African feminist scholars above. Not only is she the senior kinswoman, but she helps care for her own children and all her grandchildren, nieces, and nephews. She organizes rotational labor groups for the children to ensure they are taught Limba "culture" (i.e., farming) during school holidays. She also plays a key role in honoring the ancestors by planning and managing the yearly ancestor ceremony with the help of her son and other male kin living nearby. In the ceremony I witnessed, where dozens of adult kin and neighbors were in attendance, Simithi was one of four adults and the only woman who directly spoke to the ancestors.

Simithi also takes an active role in land management. She explained to me that her original land access was granted through a discussion with the elders who showed her where to work so that she could feed her children. She understands this access to be lifelong—once established, she never needed to make a request again. What's more, as her mother became the only elder remaining in the village, and given the low land competition, Simithi had and continues to have considerable agency in determining where she farms and gardens. As she is now a widow entering late middle age, she has mostly retired from upland rice farming. Instead, she recently designated herself as the "caretaker" of her late uncle's tract, where she uses one of the few lowland areas (a prime site) for rice farming and gardening. She has planted banana trees conspicuously, in part to claim it as hers. If her cousins, the heirs, ever returned from Freetown and wanted it, it

would be theirs to decide what to do with. But, as Simithi explains it, as they are not there, she is the owner “right now” and she intends to pass it on to her children.

Beyond claiming space for her own labors, Simithi takes an active role in village land decisions. She joins her son and other family members by “sitting together in town” to discuss and decide where to clear. While she maintains that it is the men who make the land decisions, she also explained in a different instance that two years ago, she told her son to clear her late uncle’s tract so that it would not become forest land and suggested that he farm there. In a land dispute with neighboring Village B, Simithi views the case as a conflict directly between Kadiatu (the matriarch) and herself, even though the disputed land is technically under the auspices of her son. Simithi is also a key decision-maker in land allocation requests from outsider farmers. Although always reiterating that the men make the decisions, she freely spoke in our interviews about whether *she* finds the token and flattery that land borrowers bring adequate and that *she* will choose to give them more land than they ask for if she is especially pleased with the request. When I interviewed a woman who had gone with a group of women to request *huyere* plots (i.e., divisions of last year’s farm used for peanuts and other mixed crops), this land borrower affirmed that the request went through Simithi and depended on her approval. Simithi also takes responsibility for inviting and granting a house and farmland to a family in need, having become their patron. The couple expressed gratitude for Simithi’s kindness to them in their state of poverty and alienation from their own families.

Through our conversations, I began to wonder if Simithi used her position to take advantage of those below her, particularly land borrowers, in the fashion that ethnographers of West Africa so often describe (e.g., Ferme 2001; Peters and Richards,

2011). She was adamant that in Village A, they do not give inferior land to borrowers, saying, “we will not stand by ourselves” (i.e., our welfare depends on others, so why would we exploit them?). Through informal conversations with others in the area, I learned that Simithi and this village are viewed as particularly reasonable hosts, asking for much less of the harvest than other landowners and being understanding of crop failure.

Simithi is not a hen who “crows outside”: she remains consonant with patriarchal scripts about men’s and women’s proper roles and supports the patrilineal property system. However, no one doubts her importance in maintaining the life of her village and its kinship network, for which she is highly respected in the area. Her positionality as a widowed, middle-aged woman embedded in a patriarchal context in a very poor rural village does not essentially constrain her agency nor do these identities totally disempower her in land matters. Instead, she draws on and *expands* the legacy her mother carved out within the patriarchal system by ensuring that the land is well managed, that her daughters are integrated into family and ritual affairs, that the necessary relationships with external male kin are maintained, that the ancestors are properly venerated, by establishing permanent tree plantations and garden sites that she will be able to bequeath, by becoming a patron of a family in need, and by facilitating land access for over two dozen men and women farmers who come to borrow land from other villages. Simithi, and Village A, exemplify the securities that a patrilineal tenure system—at its best—can provide to a broad range of kin and kindred, both men and women.

## *5.2 Village B: Kadiatu's Extractive Orientation to Customary Land Rights*

Kadiatu is the “hen who crows outside” referenced by my research participant at the beginning of this paper. She is a commanding, determined woman who speaks with resolve, and, sometimes, bitterness. More comfortable speaking in Krio than HuLimba and calling herself the “mugu lawyer” (illiterate lawyer), she thinks in terms of rights rather than relationships and sees real and potential threats to her rights everywhere. She views the land with a mix of nostalgia and desire to profit, and in many ways, she embodies the empowered African woman envisioned by WLR discourses. Yet, as this case shows, her efforts to secure her rights have come at the cost of destroying relationships and eroding other women’s land access.

Kadiatu claims sole ownership of Village B land. She explained how her maternal grandfather, a warrior, “pulled” (i.e., founded) the village but invited others to settle there to “make the village nice.” Kadiatu’s mother was her grandfather’s only child to live to adulthood. Kadiatu’s mother left home to raise Kadiatu and her siblings in the diamond mining Kono District. Kono’s economy is characterized by competition, extraction, exploitation, and enmeshment in global commerce, and where customary institutions are centered on elite rights and used for personal gain (Dieterle, 2023; Frankfurter et al., 2018). Kadiatu has fond memories of visiting Village B in her youth and getting to know the land and its boundaries on walks with her mother.

Upon the death of Kadiatu’s grandfather, her mother sought a caretaker for the land. She selected the son of one of her father’s supporters who was with him when he founded the village, but had moved elsewhere to practice herbalism. Many land disputes

arose and were neglected during the caretaker's tenure, according to Kadiatu. The reasons for the land disputes were unclear in our conversation, but it is widely known that the caretaker was a sorcerer and had conflicts with many. Upon the caretaker's death several years ago, Kadiatu returned to act as the landowner but, having no penchant for village life and farming, she chose to live in the nearby town. When I asked why her elder brother and sister did not join her, she explained, "de no wan die" (i.e., they do not want to die) due to conflict from the land disputes and relinquished their land rights to her. I also wondered whether the people in Village B accept Kadiatu as the heir given that she is a woman and did not grow up there. She exclaimed that it does not matter if they accept it—and she feels that they do not—because she *is* the heir. She likened the situation to money in the bank: if a mother deposits money, upon her death her child receives it.

Money in the bank is an apt metaphor for Kadiatu's approach to the land. She sees it as a source of future profit, and her return to the land is characterized by prospecting in a broad sense. In our conversation, she acknowledged that she believes there may be diamonds in the soil. In addition to considering mining the land, she has also expressed interest in opening it up to commercial agribusiness or selling it if she can attract a high enough offer.

Kadiatu's return has been a source of "suffering" for both her and the residents of Village B. In her eyes, Kadiatu has faced unending challenges to her rights from numerous sources: the existing boundary disputes, gender discrimination from local elites especially as she pursues these cases, and high resistance to her land governance from the residents of Village B. She explained that she has spent all her money trying to protect

and secure the land from those who want to “grab” it in neighboring villages. She has gathered “boku” (i.e., many) documents that she believes prove her claims,<sup>49</sup> and has pushed the land disputes into multiple fora: a government court, the chiefdom court in neighboring Dansogoia chiefdom,<sup>50</sup> and the chiefdom court of Kalanhuba, which is presently presided over by a regent chief. She feels that these legal efforts to “fight” for the land are not valued by those who live there who, she argues, could benefit from her work to secure the land, and has become frustrated at her lack of progress resolving threats to her rights.

The very day we spoke, she had been talked down from placing a “swear” on the entirety of the village’s bushland by a trusted local leader. A swear is a supernatural object activated by a specialist on behalf of one party to a conflict. It “catches” the party it determines to be at fault by effecting a very serious, sometimes fatal curse; one does not initiate a swear without certainty of their own innocence/correctness, lest the swear rebound.<sup>51</sup> Kadiatu’s spiteful intent was to place a fatal swear that would curse anyone but the rightful owner (in her view, herself) should they enter the bush, even to draw water or relieve themselves. The swear would have been less severe for the resident strangers of Village B, yet it would still “chase” them and strike fear in their hearts. Her intention was to travel to Guinea to place the swear to make it particularly onerous for

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<sup>49</sup> Most adults are non-literate in this area and legal services are difficult to access. Thus, the claim to *have* documents is sometimes as important as their content.

<sup>50</sup> Kadiatu resides in Dansogoia Chiefdom and, prior to the recent deamalgamation of Kalansogoia Chiefdom into Kalanhuba and Dansogoia Chiefdoms, Village B was under Dansogoia’s Paramount Chief’s jurisdiction.

<sup>51</sup> According to my elder research assistant, some families own “very wonderful swears” that are kept inside the house. If someone feels the need to swear on something, they bring that family a kola to make the swear. If a swear “catches” someone, the victim will go to the family with the swear and pay a very high price for the ceremony to remove the curse. She explained that many are now not maintaining family swears—either ignoring them or trying to get rid of them—as many people no longer believe in them.

local residents to remove. Her spite and confidence in the merit of her claims runs so deep, that she entertained moving to another country and changing her phone number afterward so that, without the ability to learn where to have the swear undone, no one would ever be able to lift the curse.

The residents of Village B have also reached a tipping point, but they explain the situation from a different perspective. Kadiatu's dogged pursuit of land cases with neighboring villages and the exit of many former village residents has ended residents' access to collective labor arrangements with kin and neighbors in nearby villages, making farming nearly impossible. Further, half of the women residing in Village B are relatives of the late caretaker and resent how Kadiatu has treated them. They view his role and that of his father as more central to the founding and maintenance of the village, and believe they have rights to live and use land there based on this history. It is not uncommon for loyal clients to be incorporated into ruling lineages and their landholdings. Given that the late caretaker's father was a supporter of Kadiatu's grandfather when he was a warrior, and since the caretaker and his family "held" the village in Kadiatu's mother's absence, it is not unreasonable based on local norms that they would be endowed with secure, low-barrier land access for annual farms and permanent gardens. Further, there is a framework of values that sets moral expectations and obligations for land relations. One of these values is an ethic of sustenance that endows land users with a morally valid claim to access land seasonally to feed their families, and obliges landowners to meet this need if possible (Bonanno, forthcoming).

Under customary patrilineal tenure, women can reasonably expect that they will be able to access land through their husbands, and later, through their sons. As even

rights to farm are considered heritable (Bonanno, 2023), the caretaker's widows, daughters, and daughter-in-law should be able to access land on similar terms provided that they have remained in good relationship with the landowner(s). The women I spoke to admit that their relationship with Kadiatu has lately deteriorated. They emphasized how hard they have worked over the years to abide by her "new constitution" and "English laws." By this, they refer to the stringent land use requirements and "taxes" Kadiatu has established which seem to them so out of step with the ethos of the local system that they must be foreign. They have become weary of paying endless court fee contributions without apparent benefit. After their recent refusal to contribute, and their subsequent refusal to leave the village when Kadiatu demanded they do so, she destroyed several people's banana and timber trees. This act is locally abhorrent due to a shared Limba ethic of enabling others' sustenance, ownership of the fruits of one's labor, and the symbolic meaning bananas hold for Limba women in validating their claims to land and belonging (Bonanno, forthcoming). Kadiatu feels she is within her rights to try to dislodge people from the village when they do not comply with her expectations, as she is the landowner.

Returning to the question of "Can women control land?" that I posed in the opening vignette, most women in Village B agreed that they can or do in certain circumstances. This contrasts with responses from participants in the region more broadly, where the majority of men and women I interviewed said that women cannot control land. Five of these women in Village B cited Kadiatu as an example. However, none of them speak of the possibility of women controlling land in positive terms, framing it as an exclusionary power relation. As the woman quoted in the opening

vignette went on to say of the situation, “When somebody has more power than you, they have all the rights.” Others describe Kadiatu’s control of land as “tormenting them” and they say that they are “feeling pain” due to her power and rights.

While the classed fracturing along host/stranger or patron/client lines so often discussed in West African land tenure studies (Shipton, 1994) is certainly evident here, what interests me most is the circumstances that have made these differences matter. Clearly, Village B was once an attractive place for many people to settle as clients but now, it is nearly emptied and those who remain face great uncertainty about their ability to access land, muster labor for farming, and withstand Kadiatu’s governance. While the resident strangers’ relationship to the land is consonant with local political-economy and they generally accept the customary system and their client status, Kadiatu operates under a very different relationship to the land. She views the land as her birthright. She has no pragmatic connection to it as a source of agricultural production and does not invest in reproducing any of the social-material resources that sustain this system, for example the collective labor arrangements that underpin the rice farming system. Instead, Kadiatu mirrors the extractive political economy she experienced in Kono District. She believes she has total private rights to the land, unhindered by any other claims, and that others’ use of *her* land constitutes a renting relationship. She attempts to use the customary institutional system to her advantage, but is out of step with its moral architecture and devalues the safety net it provides to farmers. In our conversation, Kadiatu interpreted her frustrations with this dissonance as gender discrimination. At the same time, the residents of Village B believe that their gendered interests would have been safeguarded under the more typical patriarchal relationships.

Kadiatu's internalization of a hybrid neoliberal and exploitative customary position toward land based on her experiences in Kono District and her disconnect from local relationships orients her toward *extraction* in land relations. Her desire to profit from the land explains her dogged pursuit of shoring up her rights, which have become a white whale. While she seeks profit from her land claims, she also seeks validation of her rights within a system that centers relationships. Kadiatu has not done the relational work required to be successful in this context, and therefore her rights are elusive. Her actions are viewed locally as anti-social, suspect, and ultimately harmful to other people, particularly women.

### *5.3 Village C: Sata's Erasure from Customary Land Rights through Intersecting Exclusions*

Sata, the women's leader of Village C, is kind but often introspective and somber. She always ensured that our research schedule was followed, but hesitated to offer the hospitality we experienced from others. Her unease became highly relatable the more we talked. As a member of one of the villages most directly impacted by the BHP and BCA, her protracted experience of hardship in Village C and her high uncertainty about its future viability were palpable. Mostly, Sata is concerned with the well-being of her family under precarious and disempowering structural conditions. As this case shows, the externally driven land-based interventions affecting Village C interact with regional political vulnerability and patriarchal relations within the village to produce a state of deep erasure and marginality. As both my research assistants and the man I rented a room

from (a relative of Sata's) often commented about the situation in Village C, "it is not easy there."

Village C is both Sata's natal village and the place where she married. Her brother, the senior member of the ruling lineage, serves as the village chief. Sata's late husband was the head of the other landholding lineage. She is still adjusting to his absence and to the transition of lineage head to one of his kinsman. Sata now farms with her son, his wives, and her daughter who lives in the neighboring village. Sata is also the primary caretaker of her ailing elder sister. Her other children have moved to the neighboring village due to the lack of land available in Village C. While Sata certainly holds a senior position in her lineage, there are other women elevated in the village hierarchy, including her sister-in-law, the chief's wife.

Sata's primary land access is rooted in her marriage and is now sustained by her son, who returned to live in Village C upon his father's death in part to support his mother and secure her land access. Sata is careful to seek the family elders' permission for her activities, yet she also explained that she "owns" the hillside where her husband formerly worked. That is, everyone recognizes and respects that this tract is used by her branch of the lineage, and as its senior woman, she has an important role in its day-to-day management. The day I joined Sata's family to weed the rice farm, it was clear that she organized the workday, having delegated tasks to her daughter and daughters-in-law. Within her intergenerational household, Sata fills the "mother" role described in the literature review. In addition to organizing the family's farm and garden production, she is also responsible for the household's finances including her grandchildren's schooling and medical care. However, unlike Simithi in Village A, Sata's mothering role is more

restricted to her household. As she and others in Village C explained, it is difficult to provide for anyone else because everyone is scraping to get by.

The land situation in Village C is a source of extreme hardship for its residents. Village C was always a small village historically, in part due to its history as the farming satellite of a larger village and its geography between a range of hills and the river. Yet, the land losses and restrictions have markedly eroded available village lands and have slowly dispossessed its residents of their primary means of sustenance. When I asked what land means to residents here, research participants explained both that it is the source of their lives and express gratitude for its produce, but also that the land issues are a constant source of suffering and pain. The inundation of the Seli River in 2009 consumed a small but fertile tract. In addition, the national government prohibits residents from burning within 100 meters of the reservoir to protect the dam from sedimentation. Burning is essential to the rotational-fallow rice farming method practiced in Kalanthuba, so a ban on burning equates to a ban on rice farming. The penalty for non-compliance with this restriction is incarceration, which at least two Village C men have experienced. Village C is oriented such that most of its land hugs the reservoir making this restriction highly adverse to its residents. Much of Village C's remaining land is now part of the BCA reserve where villagers are prohibited from entering. Adding insult to injury, these losses have gone fully unremunerated outside the provision of a few tree saplings, nor do residents benefit from the electricity that their land produces.

These initial losses and restrictions have continued to increase. At the time of this research, there were rumors that the last remaining farmable hillside, where Sata works, was soon to be off-limits, as silt was still accumulating in the dam despite the other

measures taken to protect it. As Sata explained, “They [the government] have put their hands here again [instructing] that we are not to work here but it is at rest.” The lineage head summarized the structural inequality they face adeptly, stating, “So if we put fire [for farming], that makes them not to get fire [electricity] in Freetown. So, they should make forest here all over.” Even more concerning is that the upcoming Bumbuna Phase II is slated to affect much of the land in the neighboring village, where many Village C residents currently borrow farmland. As land users, they do not expect to receive any compensation and will have to travel much farther to access farmland.

Compounding the issue, residents face erasure from the state governance process and suffer from a lack of local representation. The paramount chief presiding when dam construction began in the 1970s has long since passed away and no one seems to have knowledge of the terms of the land agreement between the Chief, GoSL, and Salini Impregilo. When the dam was commissioned, Village C was under the jurisdiction of the Paramount Chief in what is now the neighboring Dansogoia Chiefdom. At the time, there was a hotly contested political-ethnic conflict between residents of what is now Kalanhuba and that Chief, so much so that residents boycotted his court.<sup>52</sup> The Kalanhuba residents I interviewed largely do not feel that Dansogoia’s Chief had their interests at heart and wonder at how he may have benefitted from the completion of the BHP and BCA on their land.

The current Chiefdom leaders are sympathetic to the plight of Village C and have taken some steps toward seeking redress. However, they have found the need to exercise caution during this politically vulnerable time in national politics. Since being

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<sup>52</sup> This conflict ultimately justified the deamalgamation of these two chiefdoms.

amalgamated, Kalanthuba has yet to have been allowed to hold Chieftaincy elections, a process controlled by GoSL. As this area heavily favors the APC party and the opposition SLPP was in power at the time of research, Chieftain leaders have felt the need to exercise caution in raising a hot political issue. Ultimately, they feel they will best be able to represent Village C and the other residents of Kalanthuba once a Chief has been instated. In addition to feeling powerless without representation, the residents of Village C have expressed frustration that they have not been dignified with direct consultation in the recent meetings held by the Ministry of Energy. They learned of the new rule change implicating their last remaining farmland through the government security guards who protect the dam.<sup>53</sup>

Understandably, people are deeply concerned. With little else they can do, they raise the issue with their ancestors. As Sata's lineage headman explained, "We meet them all [the ancestors] if we want to give them food, [saying], 'Here that you left us, the government came and took. But us, we ask for blessing where you left us, please.' We will beg them, 'You should lay hands on us and beg, now you are not in this world, but let the minds of the government think of us because we are not able to fight them.'"

These slow, externally driven dispossessions have required continuous reorientation to village land and the potential it holds to sustain families. When I probed the appetite for resistance, it is clear that people are unwilling to risk breaking rules given the high penalties they have already experienced. As Sata was explaining how they would have no choice but to comply, she recounted, "I with my brother, I have a place. My

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<sup>53</sup> I explored whether people resent the securitization of the dam (which encloses their village behind a checkpoint). However, as some of the security guards are from the area or have married women who grew up in Village C, their presence is for the most part accepted. The residents use them as a source of information and to charge their phones.

father owned there, worked there... After he [her brother] burned, when they [the government] met the ashes there, he was locked [jailed], only to plead.” The specter of jail time for farming to feed their families is shocking to Village C residents. And, as Sata highlights, the land rights she and other men and women in Village C would otherwise exercise have been nullified by the land interventions and oversight of the BWMA.

Sata is also unhappy with her exclusion from land decision-making within both her natal and nuptial lineages. She explained that she still cares about her natal family and would like to be consulted when they make decisions. She cited how the Temne ethnic group continues to involve sisters in family decisions. Even in her husband’s lineage, she faces exclusion from decision-making. She says, “Even here where I got married, they will not consider me... Because I am a woman, they will not consider me.”

Compounding this situation is a general sense of disunity in the lineage. As Sata explains, “In the family? There is no peace or unity... It is only poverty that keeps us [from coming together]. That’s why we are saying to ourselves that we have to unite. But right now, we have nothing that brings us together.”

Sata’s own erasure has cascade effects on other women in Village C. As the women’s leader and a family elder, she could be more involved in land allocation, yet there are no land borrowers coming to Village C that would pass through her first. Without this key role, her participation in village land decisions is more easily dismissed and thus other women’s voices go unrepresented. Further, she is unable to build unity within her community through typical means such as organizing collective farm labor groups given the strain she and everyone else faces.

While Sata may have been able to navigate the patriarchal norms she faces in family relationships more advantageously in normal circumstances, the land shortages, ongoing processes of dispossession, and political marginalization have caused undue stress for everyone in Village C. The poverty and disunity people experience produces an environment where there is little time nor resources to invest in the reciprocities necessary to sustain relationships. Further, a situation of land shortage seems to restrain women's agency in land use, limiting what they can practically do in the landscape to shape it to their advantage.

## *6. Discussion and Conclusion*

These case studies highlight the great diversity among women as they navigate Limba patriarchal customary land relations. Each matriarch's positionality converges with broader structural dynamics to orient her to customary land relations in distinct ways. Simithi's positionality as an elder who benefits from her mother's legacy and her own respected mother role in the absence of other elder kin intersects Village A's abundant land resources. This enables her to negotiate patrilineal property norms with great agency and she *expands* this freedom to her kinswomen. Further, Simithi takes a key role in allocating land to outsiders and espouses the importance of protecting the reciprocities built into these relationships. In contrast, Kadiatu's positionality as a returned heiress, her socialization in Kono's extractive political-economy, and her disconnection from local ethics and production intersect uncertainty created by Village B's open land disputes. Kadiatu is thus oriented to Village B's land and residents as a

resource from which to *extract* profit and rent and she sees her property as private rights in need of securing. Sata is the most disempowered of the three. While having an elevated social position in her community and family, her positionality is profoundly shaped by the convergence of external land governance, political marginalization, and exclusion from family decision-making. Sata's *erasure* from land decision-making has cascade effects on other women in her family and community, whom she cannot protect nor empower against these circumstances.

Each matriarch's orientation to customary land relations highlights a critical flaw in WLR discourse. Working backward, Sata, in many ways fits into WLR's archetypal disempowered woman struggling to maintain land access within a patriarchal system. What the WLR discourse would overlook in this case is how her situation is ultimately driven by an external, neoliberal development agenda that is further complicated by political dynamics. She certainly feels disempowered by local patriarchal norms as well, but her case exemplifies how these power relations are exacerbated by adverse structural dynamics: it is not Sata's gender and Limba patriarchal norms on their own that create land insecurities and hardship in her life, but these aspects of her positionality have greater impact on her lived experience due to pressures from the structural conditions that adversely affect her and all residents of Village C.

From a WLR perspective, Kadiatu would likely be hailed as a model of African women's empowerment in land. In many ways, she embodies the neoliberal subject—she acts as an individual independent of others (all the while exploiting them), emphasizes rights over relationships and engages the state in legitimizing these rights, and seeks “efficient” commercial uses of her land. WLR advocates would likely applaud her efforts

to take on the patriarchal system to secure her rights. What WLR framings would miss is the ways that her pursuit of private property rights has harmed at least a dozen other adults in Village B, creating a situation of food insecurity, broken relationships, and uncertain land access for users. This case illustrates how securing some property rights necessitates eroding others (German, 2022; Musembi, 2007). WLR does not have a suitable answer for this outcome. Are other women and men in Village B to be fully dispossessed so that Kadiatu can enjoy private property rights? Thus far, customary relations of reciprocity with those in nearby villages have sustained Village B's residents who avoid Kadiatu's rents by borrowing land elsewhere.

Finally, Simithi's security and empowerment within the patriarchal system would likely be overlooked entirely by a WLR perspective. While she may enjoy a better situation than many other women in Kalanthuba and patriarchal customary property systems more broadly—which is an open question that merits further investigation—it is likely that her rights would be undermined by neoliberal land reforms. Simithi's case shows that women's empowerment is a social construct: what “empowerment” looks like is culturally particular and, in this case, at odds with the “empowerment” envisioned by WLR advocates. Indeed, it is possible for women to be empowered while embedded in customary systems. A hypothesis this case generates is that women are more likely to be empowered in customary patrilineal property systems when other conditions are favorable, in this case Village A and Simithi benefit from an abundance of locally governed land that is not affected by state-driven use restrictions, a shared ethos of sustenance, and mutual embeddedness in the reciprocities that sustain agricultural production.

Lessons from these case studies together with insights from critical and African scholars cast doubt on the validity of WLR discourses and the merit of policy agendas based on them. With its insistence that culture is a primary barrier to African women's land rights and its determination to elide structural sources of women's disempowerment, one wonders whether WLR is truly a campaign for gender parity. Rather, WLR seems to be the current legitimizing discourse for undemocratic interventionism and a strategic ploy to capture women's (and men's) land and labor as a new frontier for global capital. It aims to remake existing institutional and social conditions that impede its advances. The so-called implementation gap and cultural barriers then, are not barriers to WLR, but are barriers to capitalist extraction and power relations.

Both African feminists and the participants of this study emphasize the need to gear development efforts to priorities identified by women, rather than co-opting and manipulating their situations, relationships, customs, and landscapes to advance neoliberal agendas. The cases and literature explored here emphasize, contrary to the basic assumption in WLR discourse, that secure land access may not be the main source of adversity in African women's lives. And, where it is, the ultimate cause of land insecurity may have more to do with neoliberal incursions into local land systems than internal sources of inequality. Formal property rights would not have prevented the dispossessions occurring in Village C, as even in highly formalized systems governments maintain the power to exercise eminent domain. One has to wonder, then, whether the true reason that land and property are assumed by WLR discourses to be such a universal source of hardship for African women is that neoliberal actors have a new interest in

African land and property reform creates an opportunity for capture while progressivist narratives like WLR provide moral cover.

For those in governance and development, moving away from this assumed problem might mean choosing inaction (German, 2022) as a valid option rather than investing in formalization programs and LSLAs and infrastructure projects that dispossess women. Instead, agencies might focus on securing reparations for land losses and addressing other sources of women's inequality. Women in this study identified the need for improved healthcare, assistance with school fees, road infrastructure, and free electricity from the dam on their land. For local grassroots organizers, the pertinent question is whether there are opportunities within the customary system to uplift and safeguard women's status and land rights. This is ultimately a question best addressed through deliberative social process.

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## CHAPTER 5

### CONCLUSION: TOWARD GENERATIVE PROPERTY FUTURES

“Nothing evokes more varied symbolic connotations or more intricate legal philosophies. Nothing excites deeper passions or gives rise to more bloodshed than do disagreements about territory, boundaries, or access to land resources. Nor is anything more likely to prevent misunderstandings across cultures, harmful to both humans and their habitat, than are thoughtful definitions of landholding in the first place.” (Shipton, 1994: 347).

“It is only by virtue of critique, the positing of alternatives, a different performance of property, and the establishment of a new normal, that facts on the ground might be transformed into other facts and, from there, other norms.”

(Davies, 2020: 1109)

#### *1. Summary of the Findings*

A re-examination of how property is conceptualized, analyzed, and practiced is timely in this historical moment. There is a convergence of two notable trends. On the one hand, there is an intensification of efforts by neoliberal multilateral organizations, states, development agencies, and private donors to reform property institutions globally. On the other hand, there is a growing recognition in scholarship and society that property

is deeply implicated in our shared futures and that the dominant notions of property being enacted run counter to the interests of a livable world for all.

The dissertation re-examines property by opening up some of the fissures in dominant property theories and policy discourses. Querying theory, it identifies a persistent Western and modernist social/material dichotomy that hinders our understanding of current property realities and limits how property might be envisioned otherwise. By emphasizing what is social about property and dichotomizing it away from the material, such perspectives, even those that are critically oriented, risk reifying a harmful premise that underlies neoliberal efforts to abstract and deaden property, cutting it out from embodied experience in lively landscapes. Querying policy discourse, it opens up the Women's Land Rights (WLR) agenda, which neoliberal actors are using as a Trojan horse to gain a foothold in capitalism's stubborn frontiers. The dissertation asks how we might overcome the social/material dichotomy, and what an integrated socio-material perspective reveals about how people practice property in various contexts, including how differently positioned women engage customary land relations in Sierra Leone.

The introduction sketches fruitful theoretical intersections among post-structural literatures on practice, embodiment, and performance, more-than-human approaches to world-making, and feminist literatures on the politics of difference. Together, these works highlight how social-material phenomena such as property arise through engagement in the shared more-than-human life of particular places and are shaped and experienced across intersections of social difference.

Article I deepens this dialogue. It identifies the origin of social/material dichotomization in Enlightenment property theories. While contemporary streams of institutional literatures on property effectively explain property as a construct that originates in relationships, by insisting that property is *social*, they tend to downplay the material and more-than-human aspects of property and thus have not overcome the problematic social/material dichotomy. As the paper explores, materialist, post-humanist, and Indigenous literatures offer possibilities for overcoming the dichotomy. Ingold's dwelling concept, and contributions adopting a similar approach, captures the embodiment, emplacement, and affective aspects of property in practice by showing how human bodies, ideas, and institutions are rooted in the environment through senses and experience. More-than-human perspectives expand this integration by showing that world-making is driven not through human practice alone, but humans' enmeshment with the life processes of other beings and things. Indigenous scholarship further questions rationalist divisions of place/thought and selves/earth and describes an altogether different notion of "land" as the integration of relationships enlivened by a shared life force. Taken together, these socio-material insights present ways to envision property in practice more fully while moving away from a dichotomized approach.

To operationalize an integrated framing, Article I develops the Property Interactions Framework. It draws institutional and socio-material lenses together by conceptualizing property as fundamentally socio-material and situating property claims and processes within three nested institutional dimensions: circumstances, relationships, and structures. These dimensions enable us to contextualize property practices within *i)* the spontaneous and emergent socio-material circumstances that unfold in dynamic

environments and novel situations, *ii*) established relational networks, power dynamics, and negotiations among humans, more-than-humans, and places, and *iii*) the more rigid structural institutions, environmental conditions, infrastructures, historical legacies, and ontologies that span generations, structure environmental use, provide meaning, and (dis)empower. The framework aims to improve clarity on how property emerges and is shaped in practice by the essential interplay of these dimensions. Rather than call for studies to comprehensively analyze each dimension, the framework invites researchers to locate questions and explanations within the interplay of these dimensions. As the paper's analytical reading of published case studies from India, the United States, and Australia demonstrate, mapping these dimensions fosters nuanced and grounded explanations of property in practice. The paper conceptualizes property as a *socio-material* construct, and advances the recognition of the many more-than-human relationships from which property emerges.

The dissertation applies and further explores this framing through original ethnographic research on Limba property practices in northern Sierra Leone, presented in Articles II and III.

Article II further develops property as socio-material by focusing on its emergence through everyday practice and more-than-human entanglements. It conceptualizes current neoliberal formalization programs as producing, or intending to produce “deadened abstractions of property” where vernacular property is forcibly removed from the communities, practices, ecologies, and systems of meaning in which it is interwoven. The ultimate purpose of these reforms is to overcome the problems of legibility, transactability, and security that vernacular property poses for states and

capitalist actors in their projects to make property controllable and land fungible. Registration abstracts property logics away from use and possession and shifts its basis to security through the state and exclusive ownership. This process obliterates all prior claims and the basis of those claims and negates and disrupts the vital interconnections property has with whole systems of being and relating. Yet, abstraction and the deadening it triggers is never total: notions of abstracted property still require changing and maintaining certain facts on the ground, and even in the most abstracted systems, humans and others flout property norms as they craft new vernaculars to make abstractions more livable.

To counter these deadened abstractions, the article articulates the need to enliven landscapes of property by re-visioning and re-valuing what the abstraction obscures. We can accomplish this by conceptualizing property as socio-material and investigating the everyday and more-than-human relations that make it real. For Limba people in Kalanthuba, an orienting framework of key values (including hard work, respect, and an ethic of sustenance) and relational-ontological dynamics that center belonging and land's responsiveness to diverse agencies shapes how people justify and claim property. Various claims to belonging, made through participation in family affairs, marrying and giving birth, and paying taxes, establish entitlement. These entitlement claims in turn, allow people to claim particular spaces and land uses through interactions with other people, plants, and the supernatural.

For its human participants, meeting human needs constitutes the shared focal point of more-than-human interactions. This finding points to the need to deromanticize more-than-human scholarship, which tends to elevate those relationalities where humans

assign intrinsic rather than instrumental value to other beings and engage them on egalitarian rather than hierarchical terms. There is value in understanding more-than-human relationships across contexts including in less utopic contexts because they are being actively targeted and undermined by neoliberal reform campaigns, but also because they may, despite embedded hierarchies and anthropocentrism, still offer valuable alternatives and lessons. That is, relationalities with other beings (including the supernatural) and landscapes may be, from a human perspective, both motivated by human needs *and* offer livable possibilities for land relations with more-than-human others in disempowering contexts. From Limba practice, the concepts of valuing others' life-giving work to such a high degree that it should not be destroyed and enabling others' sustenance are potent ethical positions that can be carried across contexts. These are discussed in more depth below.

Article III deals more extensively with the issue of social position in property relations through a critique of current global agendas on "Women's Land Rights" (WLR) and a comparison of three Limba matriarchs. Progress-oriented discourses on WLR figure African customary tenures as universally disempowering to women and justify interventionist property reforms. As these reforms are carried out, formalization faces notable implementation challenges, and the overarching evidence has not shown that it delivers its promised improvements for women. In response, those promoting WLR and formalization agendas have doubled down on the "problem" of African culture(s), figuring it as a primary barrier to implementing formalization effectively to women's advantage.

This article poses a counternarrative. Based on critical intersectionality scholarship, African feminist and humanist scholarship, and case studies of three matriarchs in Kalanthuba, Sierra Leone, it argues that WLR discourses and the formalization programs they justify are not primarily high-minded campaigns for gender parity, but are instead the current iteration of long-standing efforts to extend control over African land, labor, and societies. The case studies this paper develops directly counter the central premise of WLR: that is, that customary land relations universally disempower women through their patrilocality, informality, and embeddedness in traditional governance structures and that these obstacles can and should be overcome through externally driven institutional change.

The case studies portray the land relations of three Limba matriarchs in nearby villages, each of whom embodies vastly different orientations toward customary property. The first matriarch remains consonant with the patriarchal system yet uses her positionality and her village's extensive land resources to extend and deepen land access for women. The second matriarch curtails access for other women through her pursuit of her own property rights based on her hybridization of the extractive political economy in the diamond region of Sierra Leone and a re-working of local customs. The third matriarch is largely excluded from land decision-making and she and her kin face slow processes of dispossession on their land from a public-private dam and conservation area. Her marginalization in land matters is the result of structural oppression converging with political marginalization that together have caused deep disempowerment in her village. This reality, combined with the exclusionary way patriarchal norms play out in her kin

group, erodes her agency in land matters and her leadership potential among kindred women.

Together, these cases demonstrate the variability of women's land relations in patriarchal property systems and shifts the focus of intersectionality away from their respective identities as middle-aged women from land-owning families in positions of village leadership to the contexts within which their positionalities are respectively more and less important in shaping their experience with customary land relations. The cases also cast light on how WLR would entirely miss the ways the first matriarch advantageously navigates the customary system for herself and others. Meanwhile, it would applaud the empowerment of the second matriarch but overlook the ways that her efforts to secure and privatize her property claims excludes and marginalizes others. The third matriarch's disempowerment in land would be anticipated by WLR, but one of the ultimate drivers of her disempowerment (land dispossession by external public-private interests) would be overlooked to entirely focus on the ways she is excluded by local politics and family dynamics.

## *2. Critical Implications*

The false social/material dichotomy embedded in institutional theory that this dissertation identifies, critiques, and seeks to overcome has implications beyond theoretical debates in the ivory tower. Because the dichotomy conceptually separates people and institutions from environments and other beings, and focuses so heavily on representational and legal strategies of claim-making, institutional theory's ability to

explain how property is interconnected with the material aspects of more-than-human lives, places, and systems is blunted. If institutional approaches maintain a social/material dichotomy, they remain grounded in one of the same fundamental premises that underlies the current neoliberal project and thus cannot effectively leverage critique against neoliberal moves to abstract and deaden property. The dichotomy invisibilizes much of what is being deadened (e.g., vital interconnections) and what property is being abstracted away from (e.g., other beings, embodied practice, knowledge of place). Better clarity on these complex dynamics can attune our analyses and sharpen our critiques.

For example, based on existing critical scholarship, we can clearly see how formalization is part of a massive international anti-politics machine (Ferguson, 1994). It functions to depoliticize highly interested, power-laden questions of resource distribution and control. It transforms the matters of what entitlements can exist, how they can be distributed, and who can arbitrate these processes while rendering them into technical matters best handled by bureaucrats with no knowledge of local vernacular practices, concerns, or histories. The findings and approach this dissertation advocates, however, enables a further critique along these lines. In addition to constituting an anti-politics machine, formalization campaigns can be thought of as an anti-*culture* machine. Culture, here, being not strictly social/ontological/ideational, but socio-material—those patterned, learned, practical ways of being with human and more-than-human others in shared environments (e.g., Ingold, 2005). By identifying African “cultural” practices as impediments to progress as current WLR discourses do, and attempting to overcome these cultural barriers through legal reforms and development projects, formalization functionally scrubs highly ingrained and locally meaningful practices away. It replaces

these culture-laden practices with purportedly a-cultural, universal forms (e.g., statutory private property; technical registers and cadasters) (Bromley, 2009; Scott, 2009; Shipton, 2009). Cultural domination has historically been a key means of securing colonial control over African politics and economies, and given current land and resource grabs on the African continent, it appears that culture is once again a target. Focusing on culture is not only instrumental for extending control, it is also used to distract from existing structural sources of exploitation that shape African men and women's lives and prospects. This is why the Property Interactions Framework developed in Article I includes a structural dimension and Article III joins African feminists and critical Intersectionality Scholars in calling for the need to situate analyses in the broader political economy. Doing so insists that we distinguish between the *proximate* and *ultimate* sources of socio-material inequality, as Political Ecologists have always adeptly done.

A second critical implication of this research is the need to step away from an assumption in scholarship and practice that land access is always a source of hardship for African people, especially for women. There certainly are growing land pressures throughout the continent, but, as the case studies in Article III suggest, these pressures may be highly localized. While land is a constant concern in the villages affected by the dam and conservation area projects, only a few miles away land access is a given—rather than constituting a hardship, land access is one of the easiest aspects of life for residents. Sweeping reforms and programs to address land access then, may be helpful for some in certain communities and useless in others nearby. This suggests the need to begin any intervention by identifying the main needs of a community or region, as defined by people's lived experience, not an "expert's" perspective or donors' interest areas. For the

people in Village A with abundant land resources, people were concerned primarily with healthcare, education, and the quality of the road network. People in Village C who face constrained land access were concerned with these issues *and* their loss of land access and livelihood stability. Any land interventions, therefore, should be highly localized and target both the ultimate reasons land is a source of hardship while also mitigating the effects it has on people's daily lives. For Village C, interviews suggested that people need long-term payments for their land losses and free community electricity at a minimum, but that they also deserve justice for the harms done and a seat at the table in all decision-making that affects the governance of their land going forward.

### *3. Positing Some Alternatives*

A few glimmers of how property might be differently conceived and practiced shine through the Limba property relations this dissertation analyzes. While many lessons can be drawn from Limba property relations, two Limba values stand out as being particularly good to think with and could, depending on context, provide a way to shift underlying property ethics to better support livable property systems. These values include a respect for others' hard work, and an ethic of enabling others' sustenance.

Hard work for Limba people is not to be misconstrued as resonating with the infamous Protestant work ethic or “pulling yourself up by your own bootstraps” in American parlance. While there is some overlap such as having a sense of pride in one's efforts, the Limba ethic of work is much more oriented toward conviviality—living with others (see García-López et al., 2021 for a discussion of convivial labor in commoning).

People certainly acknowledge drudgery in domestic and farming tasks, but there is also a sense of purpose in sustaining the life of one's family. Work is often collective, and even where it is more individualized, it still retains a collaborative character. For example, after harvesting greens to sell at the market, women often sit together under a shade tree to clean and bundle them, sipping on palm wine, laughing, and generally creating joy together. Co-wives, while being careful to maintain separate gardens to minimize financial conflicts, often help each other with certain tasks as needed. And, work is not strictly the domain of living humans. Ancestors also work to protect rice fields from birds and to protect their descendants from farming accidents. Even monkeys were discussed in one community as having their own "labor groups" to carry out organized farm raids.<sup>54</sup> Importantly, as Article II elaborates, work occupies high salience and respect in Limba society. Not only is it a means to well-being and unity, but it is also a way to understand and respect others' actions in the world. Work is not primarily a way to compete for scarce resources, nor to extract value from people and environments, but a way to make do together in hard circumstances.

What can convivial work mean for property theory more broadly? It may be useful to revisit a labor theory of property, but developing it differently than Locke. Labor certainly has salience for how people think of their own and others' claims (and this is true elsewhere as well, see e.g., Li, 2014). What would it mean to base property on labor, not in a way where labor can justify unlimited property, but such that we

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<sup>54</sup> This particular instance of non-human work is a source of frustration for Limba people and, though everyone I spoke to regards wildlife incursions as somewhat amusing, people devise various means to ward them off. While wildlife's work is recognized, it is not afforded the same respect.

acknowledge and respect the life-giving work that people and other beings undertake, and from this mutual regard, recognize property?

A second value of interest is that of enabling others' sustenance. The need to feed one's family holds considerable moral weight in Limba social relations and shapes the distribution of land access. Like notions of work above, this ethic of sustenance extends beyond living people. As Article II discusses, people also work to enable the sustenance of ancestors, spirits, and even the ancestor stone. Plants and animals were not given the same consideration by research participants, but this ethic could conceivably be extended to do so. Providing sustenance to others, while morally imperative in its own right, also deepens webs of reciprocity and mutual care. People recognize that farming and hardship necessitate interdependencies with others and thus cultivate layered reciprocities with other people around land access, labor, and food. Ancestors, when fed, awaken to the needs of their descendants and fight for their well-being and success on the land. The ancestor stone in one community, if properly fed, is empowered to "fight" for the women and children of its village. And spirits, while more ambivalent and potentially dangerous, can be appeased and made amenable to benefiting people when provided sustenance.

What would it mean to evaluate a property system not on its ability to secure exclusionary interests against others, but on its ability to provide sustenance widely? What would it mean to recognize in our politics everyone's rightful access to the life-giving affordances of land (Li, 2014)? How can we build the responsibility of enabling others' sustenance into property-holding, and protect it where it already exists?

One possibility presented by incorporating a respect for hard work and an ethic of sustenance into a system alternative is to invert the hierarchy that scholars have presumed

exists in the bundle of property rights. In Schlager and Ostrom's (1992) bundle of rights heuristic, there are "operational" rights of access and withdrawal, and "collective-choice" rights of management, exclusion and alienation (these are often categorized as "use rights" and "ownership rights"). The distinction Schlager and Ostrom (1992) draw between these two categories is that those with collective choice rights have the ability to define future operational rights. The assumption is that use/access/withdrawal rights are "lower order" rights and that ownership/management/exclusion/alienation are "higher order rights." This hierarchy is exemplified by Miller et al. (2021), where they explain,

These rights can be conceived of as a hierarchy, from the most minimal rights (access) to most extensive (alienation). For our analysis, we assumed that holding a higher level right implies having lower level ones as well." (2),

And,

...we used extent of rights held as an indicator for rights security. The more extensive rights of exclusion and alienation, in particular, accord far more leeway to manage and benefit from forest land and can therefore be seen as implying more security than less extensive rights such as access and withdrawal. (3)

As these quotes demonstrate, the hierarchy of rights is interpreted as a proxy for security, where lower order rights are deemed less secure because they do not necessarily entitle one to participate in defining rights to a resource nor to control alienation.

It is possible, however, that with a different underlying ethic, lower order “use” rights could be conceived of as the *most* secure rights. That is, if the values of respecting others’ work and enabling others’ sustenance were taken seriously, the claim to use land for sustaining one’s life could be considered far more morally and socially legitimate than the claim to be able to exclude others from this valid purpose. Higher order exclusionary rights could be seen as the less legitimate and less secure rights and be subject to considerable constraints. For example, duties could be concentrated around these rights, making exercising them highly contingent on responsibilities toward others. These rights could also be made more diffuse, rather than being concentrated into individual rights-holders because they are so gravely consequential to others’ well-being.

The data from this research do not definitively show that use rights always have greater security in Limba vernacular property than the collective-choice rights described above. Yet, as Scott (1998) and Bhandar (2018) have argued, there are often multiple property logics (and ethics) active at one time. There were certainly some instances in Limba property relations where it seemed as though use rights have at least equivalent moral legitimacy to rights of exclusion and alienation. For example, my landlord’s use of the neighbor’s vacant plot for gardening and grazing was not considered objectionable despite his failure to bring “respect” and seek permission. A second even clearer example is found in the outrage people expressed when Kadiatu destroyed resident women’s banana plants to try to force them to leave the village. The shared sensibility in the area was that even though these women were not part of the land-owning family, they maintained valid use rights that *exceeded* Kadiatu’s legitimacy in exercising exclusion *even though* she was recognized as the landowner.

How this inversion might look in societies where property rights are already highly formalized will take more dedicated and collaborative visioning work than is possible here. However, there are two immediately apparent property relations focused on use/exclusion that might be evaluated and reworked: the renter/landlord relationship and the public/publicly accessible lands (including both those owned by public entities and those owned privately by land trusts). This is an area that requires further research and deliberation.

The other opportunity to elevate use over exclusion, is simply to begin to perform property differently. For property holders, this might mean re-thinking what it means in daily life to have property and whether and how others will be entitled to access it. Morrow and Martin (2019) provide examples of how property holders around Boston have opened up their yards to those seeking to harvest fruit. And, non-property holders or those without legal rights to certain spaces may begin to transgress the grid (Morrow and Martin, 2019). There are, of course, risks involved in performing property against the norms, and these risks are unevenly distributed based on social position (e.g., race, socioeconomic status; see Blomley, 1998 and Morrow & Martin, 2019). Nevertheless, direct action can be an effective way to re-orient oneself and others to embedded norms.

#### *4. Future Research*

There are so many important lines of inquiry that will add to the project of re-examining and re-imagining property. I outline a few here. First, there has been a recent stream of critique that breaks open concepts related to the spread of Western/modernist

property (e.g., on ideas such as the liberal individual, improvement, security, and *terra nullius*). These works are highly valuable in provincializing Western/modernist property. We need further critiques along these lines, especially those that explore specific moments and processes through which these notions became naturalized. A synthesis that links these histories with today's property trends would also be especially valuable.

Likewise, ethnographies of current fissures within the system (especially in Western/formalized contexts) would enable us to strengthen arguments that abstractions, while impactful, are not total. In the "cracks" there are possibilities. An anthropology of the quirky (Nazarea, 2005) that centers how some actors who flout rules and norms and in so doing keep alternative possibilities alive, might be an effective approach here. The ethnographic project of becoming students of those who uphold ways of thinking and doing property relations differently, particularly those that have been marginalized and suppressed by dominant systems and discourses, also remains valuable for continuing to identify fissures as seen from below.

Second, Indigenous scholars from the Americas have actively critiqued settler property and broader environmental relations and have described alternative relationalities rooted in Indigenous lifeways and cosmologies (e.g., Coulthard, 2010; Salmón, 2012; Simpson, 2014; Watts, 2013). African scholars are beginning to undertake this endeavor, but a greater emphasis on African ontologies of place, land, property, and human-environment relations would greatly enrich collaborations to envision things otherwise. Also valuable would be further African perspectives on those particular cultural practices that are targeted by development initiatives. Okot's (2022) counternarrative of Acholi patrilineal land tenure is an excellent example.

Third, an empirical exploration of cases where use rights are elevated over exclusionary rights in Western/formal contexts would be helpful in determining what possibilities exist for inverting this assumed hierarchy of rights in practice.

Finally, we need more focused research on the workings of international actors in influencing and shaping global land agendas. Recent works have focused on discourses that are leveraged and critiques of the evidentiary basis of tenure security programs (e.g., German, 2022). We could also benefit from insight into the actual process of negotiating and designing donor initiatives and how governments like those of the U.S. and U.K. come to fund these initiatives.

### *5. Parting Thoughts*

As so many Indigenous, African, feminist, and critical scholars continually remind us, another world of property is possible. Effecting change to push back powerful interests is a daunting undertaking that, to succeed, must involve many human and more-than-human collaborations, including those partnerships that may seem somewhat fraught or unorthodox. The smallest actions, though, can make a difference—just a few fraying threads can weaken a tapestry. And, because the philosophical foundations of neoliberal property agendas are so out of step with the realities of the dynamic, entangled, and messy world we share, they are inherently vulnerable to resistance from people and our more-than-human counterparts' pursuit of a livable world.

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