

# **Accès à la terre et gestion foncière dans les Hautes Terres malgaches : pratiques coutumières et logique de sécurisation des droits\***

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## **Abstract**

Land management in Madagascar is characterized by insecurity. This situation is due to a gap between official and customary law. Over the last decades, the lack of recognition of the informal practices of peasants and other traditional actors has exacerbated insecurity and has reduced the State to a mere producer of ever-increasing articles of laws, which are mostly not applied and which are ignored by rural populations. The latter thus turn to social mechanisms for land management, especially as concerns the recognition of rights to land and conflict regulation.

In this context, we propose a sociological analysis of peasant land management in terms of intergenerational land transfer. This work is a result of research in the Programme 4D (Institut de recherche pour le développement) and is based on a qualitative survey with thirty heads of households (mostly men). The questions of the directive and semi-directive interviews concerned the modes of land transmission and of land management. We also tried to understand the social mechanisms for the securing of land tenure rights in the rural population.

In the highlands of Madagascar, land exchanges through marketization are increasing rapidly. Our research on these practices reflects the socio-economic living situation of the rural community, which is characterized by extensive poverty. In the village under inquiry, the number of transactions registered with the village head rose from ten in 2001 to thirty-nine in 2005. It is interesting to understand the reasons for the increasing transactions in this area, especially in the local context of land scarcity.

In order to promote a better distribution of farmlands among the rural households, one of the major issues of policies aiming at securing land rights would consist in facilitating a fluid exchange of land rights through marketization. Today, the need of the rural communities for a “securization” of rights is urgent. Nevertheless, these rights gain reality only through local socio-institutional practices and not through the very unsatisfactory system of land registration at the state level. To address the current political will to institute an ambitious land reform in the country, attention must be drawn to these customary practices, which must be analyzed and taken into account in order to provide a basis for a sustainable policy of land management.

After presenting the methodology of the research, the paper approaches the modes of land transmission before detailing the status and the role of the actors in customary land management. Finally, the practice of land marketization, in spite of the scarcity of arable land in a context of rapid population growth and of extensive poverty, is addressed. In conclusion, we show how all these practices are combined in an initiative to secure the rights to land on a local basis for lower costs.

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□ Access to Land and to Natural Resources Management in Madagascar's Highlands. Customary Practices and the Logic of “Securisation” of Rights.

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