Peasants and Pastoralist in the Market Place (Land Grabs and the Sovereign Food System in Africa): The Mali Experience

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ABSTRACT

Before the development of the concept and term 'food sovereignty', food sovereignty has been the guiding principle of food systems on the African continent. Culturally acceptable and nutritious food had been produced by the smallholder farmers in such a way that ensured environmental sustainability through environmental and ecologically conscious methods. However, irrespective of the historical role played by these smallholder farmers, governments of respective African countries such as Mali have continually neglected them and have subsequently lost faith in their ability to adapt and address the growing situation of hunger and undernourishment. The Malian government has put its trust in the neoliberal enterprise. This work aims at highlighting the insidious nature of foreign land investments in Mali. It is the argument of this study that these foreign investors are in direct competition with the Malian farmers, they threaten their access to land, water and threaten the existent environmental sustainability and biodiversity. In conclusion, this study asserts that the culminating effect of land grabs by these foreign investors is that they threaten food sovereignty and a chance at food security.

Keywords: *Food Security, Food Sovereignty, Land Grab, Mali, Neoliberalism, Water Grab*

INTRODUCTION

The modern day food system is one fraught with contradictions and characterized by poverty, malnutrition and food insecurity (Pimbert, 2008). The significant technological advances in agricultural techniques and methods have monumentally failed to translate into food security around the world especially in Sub-Saharan Africa wherein the calorie intake remains below the recommended level of 2100 kcal and the number of hungry people increased significantly from 177.6 million in 1990-92 to a staggering 226.4 million in 2011-13 (Ambalam, 2014). Putting the above fact into context, the FAO states that one in every four (1:4) people are estimated to be undernourished (FAO, IFAD and WFP, 2013). This unfortunate and paradoxical state of affairs existent in this era of mechanized agriculture and increased knowledge of agricultural productivity is an indictment of the global food regime. Rising as a corrective to this state of affairs is the concept of Food Sovereignty.

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The Emergent Paradigm of Food Sovereignty

Having emerged in the mid-1990s as a reaction to the ineffective neoliberal food and agricultural systems which has consistently failed to respect, protect and fulfill the right to food, food sovereignty has been defined in several ways. La Via Campesina has defined food sovereignty as …the right of peoples to define their own food and agriculture; to protect and regulate domestic agricultural production and trade in order to achieve sustainable development objectives; to determine the extent to which they want to be self-reliant; to restrict the dumping of products in their markets… Food Sovereignty does not negate trade, but rather it promotes the formulation of trade policies and practices that serve the rights of peoples to food and to safe, healthy and ecologically sustainable production (La Via Campesina 2003).

Food sovereignty can also be defined as 'Food sovereignty is the right of peoples to healthy and culturally appropriate food produced through ecologically sound and sustainable methods, and their right to define their own food and agriculture systems' (Nyéléni, 2007). Thus food sovereignty aims for the consolidation of a food system wherein genuine food security would be guaranteed (GRAIN 2012; Kefyalew, 2013). The concept of food sovereignty takes on various forms. According to Edelman (2013), 'it is at once a slogan, a paradigm, a mix of practical policies, and an utopian aspiration'. Furthermore, it is the inspiration for the formation of 'broad-based transnational coalitions, such as the Nyéléni Forum, which includes Vía Campesina' (Edelman, 2013). The variegated nature of food sovereignty is reflective of the importance of the concept as it manifests in whatever form is necessary for the achievement of food security.

Food security, which is defined by Barraclough (1991) as '…sustained and assured access by all social groups and individuals to food adequate in quantity and quality to meet nutritional needs' cannot be delinked from the food sovereignty discourse (Barraclough 1991; Jones, Ngure, Pelto and Young 2013). At the center of the food sovereignty discourse who work towards the actualization of food security are the smallholder farmers who have historically assumed and fulfilled the role of food provider and heralds of food security for the African continent (FAO, WFP and IFAD 2012). However, despite their importance to survival, their existence is consistently threatened not only by their governments who ignore them but by financial institutions who are reluctant to lend capital. (Pimbert 2008; FAO, WFP and IFAD 2012).

However, the greatest threat to the developmental potentiality of the smallholder farmers is the land grabbing of this century which equals in intensity and voraciousness the colonial exploitative abilities of the 19th century (Hall 2011; Taylor 2015; Vhugen 2012). Indeed, 'The four hundred years of Africa's association with the West has been shaped by a history of resource plunder' (Matondi, Havnevik and Beyene, 2011). Therefore, this contemporary land grab is a form of 'new-colonialism'.

Land Grabbing and the Threat to Food Sovereignty

For the achievement of food security in a food system, food sovereignty is a necessity. According to Barraclough (1991):

ISSN: 2141-2731

> *A food system offering food security should have the following characteristics: (a) capacity to produce, store, and import sufficient food to meet basic food needs for all groups; (b) maximum autonomy and self-determination (without implying autarky), reducing vulnerability to international market fluctuations and political pressures; (c) reliability, such that seasonal, cyclical and other variations in access to food are minimal; (d) sustainability such that the ecological system is protected and improved over time; and (e) equity, meaning, as a minimum, dependable access to adequate food for all social groups* (Barraclough 1991: 1).

Land grabs make meeting these conditionalities impossibility. Land grabbing can be defined as: …the capturing of control of relatively vast tracts of land and other natural resources through a variety of mechanisms and forms that involve large-scale capital that often shifts resource use orientation into extractive character, whether for international or domestic purposes, as capital's response to the convergence of food, energy and financial crises, climate change mitigation imperatives, and demands for resources from newer hubs of global capital (Borras, Franco, Gomez, Kay and Spoor 2012). It consists of the lease (often for 30–99 years), concession or outright purchase of large areas of land in other countries for various purposes carried out by transnational corporations or initiated by foreign governments on terms that do not favor the indigenous inhabitants of the land (GRAIN, 2008; Murphy, 2013; Zoomers, 2010).

The ethicality of this practice is greatly debated and this is reflected in the variety of terms that exists which describe it. They include; 'foreignization of land, 'Africa is for sale', 'large-scale land acquisitions', 'green colonization', 'new land colonization', 'climate colonization', 'water plunder', 'subtle foreign annexation of national resources' (Borras and Franco 2013; Zoomers 2010; Hall 2011; Matondi, Havnevik and Beyene 2011). However, the term that shall be employed by this thesis is 'land grab' as it properly encapsulates the insidious nature of the practice. Driving the contemporary land grabs is what can be termed the Triple-F crisis': food, fuel and finance (Hall 2011; LaFrancesca 2013). The contemporary land grab rush began after the 2007-2008 global food price crisis and financial crisis of 2008-2009 wherein private enterprises and governments lost faith with the international market and sought other means of ensuring food security, energy security and investment opportunities (Narula 2013; de Schutter, 2011).

Just like the colonial era, the center of land grab is the African continent. To put it in context, the areas grabbed in Africa is roughly the size of the United Kingdom (UK) and Germany (LaFrancesca, 2013; Narula, 2013; McMichael, 2011). From the above, it is discernable what the motivations of the investors are. They hope to achieve the noble aim of ensuring food and energy security in their respective home countries. Be that as it is, the question arises concerning the benefits or disadvantages land grabs has on the host country (Adamczewski, Jasmin and Tonneau, 2011). Using Mali as a case study, this study aims to prove that land grabs threaten food sovereignty in Mali and in turn harms the crucial achievement of food security.

ISSN: 2141-2731

Land Grab and Food Sovereignty in Mali

Picking Mali is because it is significant with respect to the study of food sovereignty and food security. Mali is one of the world's poorest nations and the food security situation in Mali is untenable. One third of Malian children under the age of five are chronically malnourished (Oakland Institute 2011a; Adamczewski, Jasmin and Tonneau, 2011). Hoping to solve the problems of food insecurity, Mali has adopted two contrasting policies. First of all, it has sought and welcomed Foreign Direct Investment (FDI) in agriculture and lands and secondly, just like countries such as Ecuador, Bolivia, Nepal, Nicaragua and Venezuela, Mali has adopted food sovereignty as a principle in their constitutions and it has been hailed publicly as the way to go (Pachón-Ariza 2013; ICRISAT 2015; Clayton 2012).

This work argues that through a three pronged attack, land grabs in Mali at the behest of the Malian government renders the attainment of food sovereignty impossible. These methods include: an attack on the peasant's access to land, the reallocation of the water resources needed to cultivate lands and finally the degradation of the environment making future security impossibility.

Access to Land

Land is a primary source of wealth in any nation (Abebe, 2012). Through the conservative and conscientious exploitation of land, prosperity and development follows thus leading Borras and Franco (2013) to assert that 'one needs to control land in order to capture water, in order to extract subsoil resources…' (Borras and Franco 2013). The inability to exploit one's environment leads to poverty and consequently underdevelopment reflected in the era of the transatlantic slave trade wherein valuable human resource was grab and the impoverishment of an otherwise rich continent followed. Presently, in this century, the exploitation of this land resource by the indigenous people is prevented once again but this time, what is grabbed is not human resource but the significant resource that is land.

Guiding this process of systemic underdevelopment of Mali are the neoliberal institutions such as the World Bank which has overseen the creation of various agencies and initiatives in Mali such as Mali Investment Climate Program (MICP), Mali's Investment Promotion Agency (API) and the Presidential Investment Council (CPI) that would easily facilitate land grabs (Djiré, Kéita and Diawara, 2012a; Oakland Institute 2011a; Adamczewski, Jasmin and Tonneau, 2011; Borras and Franco 2010). The consequence is the inevitable and alarming increase in the rate of land grabs in Mali since their creation. Prior to the creation of those initiatives, 2004-2009, only 871,267 ha was grabbed. Post creation of initiatives, 544,567 hectares were leased to 22 investors in 2010 alone (Djiré, Kéita and Diawara 2012b; Oakland Institute 2014).

Dispossession, Relocation and the Process of De-peasantization

The immediate consequence of these grabs is the dispossession of land from the peasants (LaFrancesca 2013: 92). Singled out as an example is the SoSuMar project which resulted in the displacement of 1,644 villagers (Oakland Institute 2011a). As at 2010 when the

ISSN: 2141-2731

Oakland Institutions report was written, over 540,000 ha had been leased in Mali or were about to. Of that number, over 370,000 ha were for foreign investors. Putting it into the context of dispossession, the area taken had the potentiality of sustaining over 112,537 farm families, or over half a million people (686,478) (Oakland Institute 2011a). The forceful relocation of these displaced farmers and the lack of any compensation from the foreign investors or the Malian government is symptomatic of the nature of the deals struck between the government and the foreign investors. The content of most land deals will reveal that certain provisions make accountability and subsequently compensation by the land grabbing investors impossible (Narula 2013; Baumgart 2011; Adamczewski, Jasmin and Tonneau, 2011). Using the deal between Mali and Malibya as an example, Malibya – a private investor bankrolled by Libyan and Chinese capital was awarded a 50-year renewable lease for 100,000 ha of land free from any juridical constraints or individual or collective property that will hinder the exploitation of the land. A land that populated by over 75,000 people. Thus, giving Malibya the rights to displace and harm thousands without fear of reprimand and sanctions (Center for Human Rights and Global Justice 2010: 98; Diallo and Mushinzimana, 2009).

In the face of these land grabs and the parallel vice of no compensation, the logical solution would be the contestation of these lands deals and the forceful relocation that subsequently occurs. However, in Mali, formal land title none exists. Land and natural resources have historically been considered as state property. Therefore, the government has a prerogative over land use and land sales or leases regardless of the rights of the existent occupants, an attitude which derives itself from the colonial era (Deininger, Byerlee, Lindsay, Norton, Selod and Stickler, 2011; Djiré, 2007). This makes the attainment of redress (expropriation or compensation) impossible under Malian law as informal rights which is predominant in Mali is not accepted nor recognized by the Malian government (Narula 2013; Baumgart 2011). The fact is, land titles are extremely rare, so much so that, 'only between 2 and 10% of the land, mainly urban, is held under formal land tenure' (Cuffaro and Hallam, 2011).

The fact that most of the land grabs in Mali takes place at the Office du Niger zone which is essentially government owned proves that foreign investors have recognized that land rights situation in Mali is advantageous to them and disadvantageous to the rural population who have no avenue for redress (Abebe 2012; White, Borras, Hall, Scoones and Wolford 2012; Deininger, Byerlee, Lindsay, Norton, Selod and Stickler 2011; Center for Human Rights and Global Justice, 2010). The case of Samana Dugu exemplifies the dangers inherent in a situation wherein there is a lack of formal land rights. Having been accused of installing themselves on the land and having failed to prove their rightful claim to the land as a result of futility of informal customary rights, the foreign investors from Moulin Moderne were given lands in Samana Dugu. Uprisings resulting from the forceful reallocation of the land were subsequently quelled (Oakland Institute, 2011a). Thus, the case of Samana Dugu is reflective of the land grabbing situation in Mali. Indigenous people including peasants are moved out of their native lands without any respect to cultural rights and historical rights. History is being destroyed as well as culture of the people (Araya and Hofisi, 2012)

ISSN: 2141-2731

It is at this time one can appreciate that the land tenure reforms that occurred in African States, decades after their independence aided by the World Bank had great ramifications. The land tenure reforms gave the Malian government control of all lands in the State unless the lands were owned and formally titled by an individual. African governments with the help of the World Bank systematically worked for the partial dispossession of the land from the peasants (McMichael, 2011). This study understands that these reforms were therefore a characteristic and systematic facet of the larger process of capitalist accumulation aimed at further impoverishing the African continent.

Implications of Dispossession and Forceful Relocation

Land grabs contravenes the human right to property. If secured, 'rights to property provide an important foundation for an economically vibrant society'. Thus, countries where property rights are secure, there is significant economic growth and prosperity within its population. In these countries, the government uses its power of land expropriation sparingly (Boudreaux and Aligica, 2007). The implication is that the immediate consequence of land grabs is a loss of developmental potential. A further implication of dispossession and relocation is that the smallholder farmers and peasants will lose not only their immediate income but 'almost complete insurance against malnutrition' (Narula, 2013; GRAIN, 2012; Diallo and Mushinzimana, 2009; The Transnational Institute, 2012; Deininger and Binswanger, 1999). This is because land 'reduces the dependency of the household on market prices for food commodities, it acts as a buffer against economic shocks' (de Schutter, 2013).

Apart from the effect land grabbing has on food production, the livelihood of the rural population is also affected. The limited, temporary jobs offered with unfavorable terms and low wages are not sufficient to compensate for the number of people who have lost their traditional source of income as they are rendered unemployed (Narula 2013; Diallo and Mushinzimana 2009). The above led Fonjong and Fokum to ask the very important question:

> *Can sixty or a hundred or even five hundred low-paid unskilled jobs created by these companies be equated to hundreds of thousands of villages eternally displaced from their primary source of livelihood and sometimes done without due informed consent and inadequate compensation?* (Fonjong and Fokum, 2015: 115).

It should be noted also that this loss of livelihood does not only affect the immediate owners but has a great impact on the future generations of smallholder farmers (GRAIN, 2012). Emphasizing this are Moussa Djiré and Amadou Kéita, who both state in a 2010 report that these land grabs are a 'big risk for land security of rural agricultural producers and seriously mortgages the future for generations to come' (Oakland Institute, 2011a). Finally, this loss of livelihood of the smallholder farmers results in poverty. Thus, irrespective of abundant production and importation of food in Mali, the people that need it most (peasants) cannot access it regardless of availability (Mbunda, 2013).

In speaking on the implications of land grabs, it is impossible and erroneous not to acknowledge the effect it has on women farmers. Women farmers are 'the operatives and

ISSN: 2141-2731

custodians of food and the food system'. Thus, food security through food sovereignty cannot be delinked from gender rights, entitlements and outcomes (Akanji, 2013; Park, White and Julia, 2013). Female employment in agriculture is about 40% in sub-Saharan Africa, it is about 55% in South East Asia about 25% in Latin America and the Caribbean (Akanji, 2013). Irrespective of the fact that peasant women farmers form the majority of the smallholder farmers and they are the majority of the world's food provider and producer, they face the greatest challenges. Their rights are easily abused or refuted. Furthermore, they lack capital or the ability to obtain credit. They end up losing their land and end up working on other farmlands (Spieldoch and Sophia, 2009). What is occurring in Mali as a result of the land grabbing is the de-feminization of agriculture (Akanji, 2013).

The Development Narrative and the Defence of Land Grabs

In attempting to give life and consolidate the argument that land grabs are a win-win situation, several arguments are consistently and untiringly repeated in favour of land grabs are offered up by the proponents of this practice. *Firstly*, in keeping in line with their *modus operandi*, these investors and their ideological godfathers and supporters (World Bank, IMF) have consistently offered up the economic developmental narrative as a justification for the rampant dispossession of land and the subsequent de-peasantization in Mali (McMichael and Schneider, 2011).

It is ironic that while professing that land grabs would bring development to the peasant community, these land grabs undermine their right to development. The Declaration on the Right to Development states that 'the right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in [and] contribute to [,] and enjoy economic, social, cultural, and political development [,] in which all human rights and fundamental freedoms can be fully realized' (United Nations, 1986). In Mali, it is only through the access to land that the development of the rural communities can be guaranteed as their livelihood and is inextricably linked with access to land (Abebe, 2012).

Secondly, the supporters of land grabs argue that large scale farms enjoy comparative advantage in the globalized economy and this is the pathway to a successful export economy (Rosset and Martinez-Torres, 2013; White, Borras, Hall, Scoones and Wolford, 2012; The Transnational Institute, 2012). Considering Mali's aims to be a major exporter of agricultural produce, this argument is persuasive. However, the risks should not be discarded. Once these deals are agreed on, the farmlands acquired become connected to global financial markets. Thus, they are now 'subject to the vicissitudes of far-off markets', meaning that situations in the global financial markets will impact these farmlands and in turn affect the local workers with respect to their wages (Araya and Hofisi, 2012).

Thirdly, the champions of land grabbing point to the availability of arable empty, idle, underused and underutilized lands in Mali. Their argument rests on the premise that while there is available land, the Malian government lacks the capital to develop these lands and it is true to a certain extent. Mali's rural land could be estimated to be about 46.6 million ha, of which 12 million ha are arable lands. However, the disadvantage of inadequate

ISSN: 2141-2731

capital brought about by poverty has limited Mali's ability to pursue agricultural modernization (Djiré, Kéita and Diawara, 2012b; Narula 2013). As at 2009, revenue from just seven large-scale land acquisitions was put at US $292 million, thus affirming the revenue potential of large scale land investments (Center for Human Rights and Global Justice, 2010; Abebe, 2012). Therefore, the Malian government strives to attract foreign investments. This will provide a source of capital, technology, know-how, infrastructure development and market access, and potentially act as a catalyst for economic development in rural areas (Djiré, Kéita and Diawara, 2012b; McMichael, 2011).

Irrespective of the persuasiveness of the above narrative, the fact remains that the argument is shortsighted. Empty, idle, unused, wastelands, or under-utilized lands are rarely as they are described. These lands could serve agricultural as well as nonagricultural purposes: such as small-scale farm production, for fuel, medicines, dietary diversity including fallowing to manage soil fertility, pastoralism as well as shifting cultivation (White, Borras, Hall, Scoones and Wolford, 2012; Vhugen, 2012; McMichael, 2011).

Importantly, this argument by the proponents of land grabs which state that investors only seek idle and marginal lands is unacceptable and outright hypocritical (Araya, 2013). It betrays the true character of these investors. Investments in land can only occur if these investors are guaranteed of 'potentially higher returns that come from agricultural production itself' (Fairbairn, 2013). Thus, it stands to reason that these investors would not invest in marginal lands with no productive potential and it reveals that the argument holds no water.

Alternatively, if the Malian government is seeking investments in agriculture, it should attempt it itself or through the small and family farmers. It can be achieved if there is land tenure security. As stated by 19th century scholar David Low, If a farmer cannot look to the future with security, little can be hazarded by him beyond the expenses which the returns of the year will defray; and not only will all great improvements, but even the most common works of the season, be imperfectly performed (Low, 1844). Land titling is advantageous as it will enable the farmers' access to credit and loans which shall serve as necessities if he is to invest in the land. This is more citizen inclusive and acceptable (Araya, 2013).

Fourthly, the proponents of large scale land acquisitions predict that during the period of investment, there will be opening for a lot of jobs. This much is true, most of the activities associated with the investments require a variety of labor (construction, transportation, agriculture, processing) and the dispossessed smallholder farmers can fill these roles. Money will inevitably be generated within the local community and help the lives of the locals (Diallo and Mushinzimana, 2009). Illustrating this, Markala Sugar Project by SoSuMar, CaneCo and CommCobrought about the creation of 5,000 direct and 20,000 indirect jobs, hence higher household incomes, food self-sufficiency (as income will allow to buy food throughout the year) and better living conditions (Diallo and Mushinzimana 2009). The creation of jobs is also complemented by the construction of infrastructure that would be beneficial to the local community. The Malibya investment undertook the construction of roads which proved useful for the locals as it improved movement (Diallo and Mushinzimana 2009). However, it should be pointed out that these roads will potentially

ISSN: 2141-2731

negatively affect certain aspects of their culture and transhumance paths. While there exist arguments pointing to the potential job creation by these investments, the fact that needs to be acknowledged is that there are certain disadvantages and limitations associated with it (Djiré, Kéita and Diawara, 2012b). Peter Gibbon while acknowledging the fact that in large scale farms employment occurs, does not fail to notice that the employment opportunities are limited and the jobs are of a low quality. Limited employment is not inherent to large scale investments and is dependent on the crop planted, however an ever-common feature of large scale investments is the low job quality (Gibbon, 2011; Deininger, Byerlee, Lindsay, Norton, Selod and Stickler, 2011). The Transnational Institute (2012) asserts that the arguments that highlight the employment creating potential of land grabs are not proven because of the lack of evidence proving the claims and White, Borras, Hall, Scoones and Wolford (2012) adds that there is the possibility that claims on job creation are exaggerated (White, Borras, Hall, Scoones and Wolford, 2012).

Finally, the proponents of the large-scale acquisition of land reject the notion that these land deals are a direct affront on food sovereignty. They believe 'that if carefully disciplined and appropriately regulated, large-scale land transfers can achieve win-win outcomes for both the investor and host populations'. Regulation can be achieved through a continued facilitation of an appropriate investment climate and adherence to a set of good governance principles (Narula, 2013; White, Borras, Hall, Scoones and Wolford, 2012). Hence, the World Bank, FAO, UNCTAD and IFAD (2010) have proposed a set of principles for 'responsible' land investments called seven 'Principles for Responsible Agro-Investment' (RAI) (World Bank 2010, x, 68-91).

With respect to the establishment of principles to govern the large-scale land acquisitions, Borras and Franco consider them as merely corporate 'extreme makeover' done in response to public and activist criticism (Borras and Franco 2012). White, Borras, Hall, Scoones and Wolford (2012) pose the questions 'will these make any difference at all? Why should we expect corporate agribusiness to act on a basis of voluntary corporate 'social responsibility'?. These are necessary questions as the creators of the RAI principles forget that these corporations are primarily profit oriented and they are accountable to their shareholders in the home nation, therefore, any other form of accountability brought about by those principles that would prevent the achievement of their primary aim will not be tolerated (White, Borras, Hall, Scoones and Wolford, 2012).

The fact is that where these principles come from does not matter. What matters is that these mechanisms are not enough; they fail essentially because they are not self-implementing or self-interpreting. With this or a form of social pressure, there would not be a favorable result. Thus, although the creation of principles to govern the conduct of foreign investors may be theoretically correct, practically, it is not feasible (Borras and Franco, 2010).

The Water Resource Dimension of Land Grabs: Water Grabbing

The impossibility of separating water from any farming systems reflects the importance of water resource to the success of any food system (Hall, 2015). Water resources be it blue

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or green water 'form the bedrock of our agricultural productivity: all of our farmland crops depend on a guaranteed supply of water, be it from rainfall or irrigation' for moisture in the land (Skinner and Cotula 2011; Woodhouse and Ganho 2011). Not only is it a factor of production, but it is the basis of the livelihood (it is natural capital) of the local farmers of Mali, farmers that work towards the achievement of food sovereignty (Cotula, 2008; TNI, 2014; International Movement of Catholic Agricultural and Rural Youth, 2010). Thus, it can be inferred that a change in the circumstances of water resources will largely affect land usage and the productive potential of the land. Without water, food sovereignty is impossible to achieve as the deprivation of water from smallholder farmers causes them to lose an important basis for food production (Taylor, 2015; Fonjong and Fokum, 2015). Therefore, the unsustainable usage, mismanagement and deprivation of this water resources are the bedrock of unachievable food sovereignty and subsequent food insecurity (Pimbert, Barry, Berson, Tran-Thanh 2010; Akram-Lodhi 2013). The umbrella term that shall be used to connote the unsustainable usage and mismanagement of water resources in Mali which occurs as a result of the transfer or reallocation of said resource in consequence to land grabs is water grabbing. Water grabbing can be defined as:

> *a situation where powerful actors are able to take control of, or reallocate to their own benefits, water resources already used by local communities or feeding aquatic ecosystems on which their livelihoods are based* (Mehta, Veldwisch and Franco 2012:197).

Connotatively, it entails the dispossession, deprivation and subsequent ecological destruction due to the great strain water grabbing puts on the available water resource (Fonjong and Fokum 2015). In other words, water grabbing has to do with a transfer of pressure from one's domestic water resource to that of another country. This practice is predominantly employed by countries experiencing great water deficit who wish to correspondingly protect their water reserves and still resolve their situation of food insecurity. These water deficit countries include States that are expanding rapidly (India and China) and States with nonrenewable water resource but with sufficient capital (Gulf States – Saudi Arabia) (TNI 2014; Woodhouse and Ganho, 2011; Schoneveld, 2011; Friis and Reenberg, 2010). This transformation of water from an openly available resource to a commodity negotiated and paid for is not new. According to Kay and Franco (2012), it has much in common with earlier resource grabs and what has been called the "enclosures of the common".

In comparison to land grabs, the implications of water grabbing are inherently difficult to grasp. A reason is with respect to the nature of water, 'the fluid nature of water and its hydrologic complexity often obscure how water grabbing takes place and what the associated impacts on the environment and diverse social groups are' (Hall, 2015; Mehta, Veldwisch and Franco, 2012). Secondly, this difficulty in comprehending or accepting the implication of this practice is rooted in the false and insidious belief about the infinite nature of the water resource. It is often described as 'abundant' and 'unused' (Mehta, Veldwisch and Franco, 2012). This was reflected during the Malian governments call for investors in 2008 wherein it employed a language which suggested unlimited water resources (Hertzog, Adamczewski, Molle, Poussin and Jamin, 2012). Thirdly, it is less known because when

ISSN: 2141-2731

land grab is discussed, water is added to the discussion as a mere addendum. When being studied also, the issue of water grabbing has mostly been considered in relation to land grabbing and thus it is subdued in the broader discourse. Taylor (2015) states that "water was often viewed as an 'input', in the same vein as fertilizer or pesticides".

However, water grabs are as important as land grabs and holds greater significance because occasionally, it forms the intention of the initial land grab. This view is taken by several authors who stress the fact that most land grabs are just a pretext to control the water resource of an area and thus are the most valuable part of any deal (Mehta, Veldwisch and Franco, 2012; Thaler, 2013; Oakland Institute 2011b; Kay and Franco, 2012). Smaller and Mann (2009) go further and consider water as not only a desire of the initial grab but on par with the financial and food crisis as factors that are driving the recent surge of investment.

Water Grabbing in Mali and the Rhetoric of an Infinite Water Supply

In great contrast to land grabbing in Mali, Water grabbing does not proceed from contracts drawn or agreed upon, the process of the transfer of water rights is hardly ever formalized. Water grabbing stems from lack of interest or concern by the Malian government with respect to the State's water resources. Water is just a tool which the Malian government uses to attract foreign investors who they hope will invest in lands thus the water governance situation in Mali is lax (Baumgart, 2011).

Water governance can be defined as 'the range of political, social, economic and administrative systems that are in place to develop and manage water resources, and the delivery of water services at different levels of society' (Rogers and Hall, 2003). The government of Mali fails to place any strict restrictions or install any form of water management scheme which is needed for Malian agriculture in order to compensate for the irregular and unpredictable rainfall (Woodhouse and Ganho, 2011). As a result of the perceived infinite nature of water resource, water becomes nothing more than an offering or gift to make negotiations for land deals go smoother after all 'global capital doles out the goodies to those who offer the best tributes in terms of tax exemptions, subsidized provision of natural resources like land and water, and the like' (Fonjong and Fokum, 2015; Basu, 2007; Fairbairn 2013; Kay and Franco 2012). This unhindered transfer of water rights to foreigners resulting in their unlimited access to water such as the deals with companies like SOSUMAR and CaneCo thus becomes a normality (Djiré, Kéita and Diawara 2012b). Contracts drawn up with respect to lands deals often do not contain any provision regarding water use (Fonjong and Fokum, 2015; Broughton, 2013).

The justification for not mentioning any reference to water in land deals rests on the notion that water regulations in contracts will restrict the activities of the investors which will in turn prevent their effectiveness (Fonjong and Fokum, 2015; Skinner and Cotula, 2011; Cotula, 2015). However, there is an exemption in Mali where an investor signed a contract where there is a commitment by the investor to pay water fees higher than those paid by the locals (Karlsson, 2012). Nevertheless, that situation rarely occurs. Even when water use is mentioned in contracts, the contract terms agreed upon do not

ISSN: 2141-2731

reflect the importance of this resource. The Malian government sets lax and ineffective water usage guidelines and the government charges only stipends for water usage. In comparison, the peasant farms are subject to certain demands such as water fees and may be evicted if fees are not paid (Adamczewski, Jasmin and Tonneau 2011). An agreement between a Chinese firm and Malian government state that the company would pay about 2,000 FCFA/ha (i.e. 3•) in comparison to 67,000 FCFA/ha (i.e. 100•) paid to family farmers who crop rice (Hertzog, Adamczewski, Molle, Poussin and Jamin, 2012).

A further example of a weak water usage provision in contracts is with regards to Malibya. The water usage of Malibya is only restricted during the months when the river flow is low. The justification is that these companies spent money to develop the land, to dig canals, and to maintain infrastructure. A further justification given is that the Malian government does not want to charge fees that may hamper the progress of the investments or projects (Djiré, Kéita and Diawara, 2012b). Although such a rationalization can be accepted, the fact is that the interest of foreign private investors should not be preeminent in relation to the interests of the rural population.

In lieu of inserting effective water use regulations in land lease contracts, the Malian government has gone further in its charm offensive by inserting in these contracts the provision which states Mali will be responsible for ensuring constant supply of water. Under Article 8 of the Malibya agreement, Mali promised unrestricted access to water during rainy season and provision of sufficient water supply through the Macina canal for Malibya during the low water period (Oakland Institute, 2011a; 2011b; Djiré, Kéita and Diawara, 2012a). In addition, investors such as Malibya in Mali have acquired or leased land on the promise that water infrastructure will be built by the Malian government (TNI 2014; Skinner and Cotula, 2011). True to that promise, a 40-km long irrigation canal was constructed upstream by Mali on the Niger River to service the lands for the Malibya investment. The irrigation capacity will be 4 billion cubic meters per year. Putting into context the sheer size, the implication of this plan is the fact that 3.5 billion cubic meters of water a year is used to service the 17 million population of Beijing and its industries (Oakland Institute, 2011b). The above thus encapsulates the situation of water grabbing in Mali. Water is stripped of its value as a precious natural resource and assumes the role of a mere tool and bargaining chip to please potential investors. By taking such actions that favour the foreign parties over the Malian population, the Malian government breaks faith with its social function of protecting the citizens because it trivializes their precious resource of water.

Water Grab for Developmental Opportunities

An obvious argument that rationalizes this spate of water grabbing is hinged on the narrative regarding the underutilized nature of water resource and the possibility for investments to 'unlock' its potential. This is the view on Mali, it is considered as a country with so much abundant water resources but without the economic and financial capacity to exploit these resources (Mehta, Veldwisch and Franco, 2012). This study acknowledges that the claim with respect to abundance and underutilized water resource may be true as it has been substantiated by several sources. The World Bank claims that the continent of Africa 'has

ISSN: 2141-2731

more than half of the world's uncultivated but agriculturally suitable land and has scarcely utilized its extensive water resources' (Oakland Institute 2014). Furthermore, Ambalam (2014) points out that only 3.8% of Africa's surface and groundwater is harnessed or is exploited (2014). Smaller and Mann (2009) also consider the issue and states that Sub-Saharan Africa uses only two per cent of its freshwater resources for irrigation therefore, private investors consider the region as having great potentiality for irrigated agriculture (2009).

Accounting for this failure to exploit and harness available water resources is the inherent lack of funds that haunts many African states as well as Mali. The Malian as well as other African governments considers Foreign Direct Investment (FDI) as an alternative source of revenue for the funding of agricultural initiatives. The above defense for FDI is credible because these foreign investments have accounted for increased irrigation and water infrastructure in Mali (Quick and Woodhouse 2014). The argument therefore is, the efficient exploitation of Mali's water resource will lead to sufficient water supply which will result in success of commercial operations which will in turn benefit Mali through the provision of employment, boosting of agricultural productivity. Nevertheless, this argument ignores the reality which is that the situation of most African countries is that of water scarcity not the other way round (GRAIN, 2012).

Furthermore, in defence of the transfer of water rights, scholars have noted the conservative and conscientious use of water resource employed by these foreign investors. There are proofs that show that the investors after realizing the detrimental nature of their water usage and the diminishing nature of water resource adopt several strategies and means for water conservation. Technical options have been considered by these investors, they include: 'sprinkler irrigation, to reduce water consumption at field level by using pumps to mobilize water from primary or secondary canals' (Hertzog, Adamczewski, Molle, Poussin and Jamin, 2012).

Accompanying the technical options for water management, these investors employ untechnical means such as planting Jatropha which is a non-edible plant for biofuel. The reason for planting Jatropha is that it uses a considerable low amount of water. Further, suggestions have been made that the existence of this crop is an opportunity for small scale producers/farmers to gain a foothold in the market. Nevertheless, it has also been indicated that the growing of jatropha for the commercial export level demands good soil and unlimited access to water (Woodhouse and Ganho, 2011). It can also be argued that according to law, the private investors are not doing any wrong. While international law does not give right for any foreign investor to invest in a sovereign state, the domestic laws of most countries allow this (Smaller and Mann, 2009).

The Impact of Water Grabbing

While this work acknowledges the fact that the investments in water usage is potentially beneficial to the population through infrastructural development, employment, increase public revenue, and improve farmers' access to technologies and credit, however, these should not occur at the expense of the local populations freedom. The right to water

ISSN: 2141-2731

resource should not and cannot be compromised (OECD, 2010). If it is compromised, great ramifications abound. At this stage, there arises the problem of ascertaining the impact of this water grab on the indigenous population. One way of measuring the impact will be through an estimation of the volume of water used in relation to the land grabbed. However, although water grab and land grab occur simultaneously, the impact and the extent of the water grab is not always proportional (TNI, 2014). While land is fixed, water is fluid and far reaching therefore the impacts water grabbing or water appropriation has is more far reaching and threatening (Franco, Mehta and Veldwisch, 2013). Simply put, the extent of the water use can go beyond the existent land grab.

There are two reasons for the disproportionality, the first has to do with the nature of crops being grown. The choice of crops grown by the investors utilizes large volumes of blue (irrigation) and green (rainfall) water. These crops also have a long growing season and so will require water for long periods of time (Woodhouse and Ganho, 2011). As at 2012, Hertzog, Adamczewski, Molle, Poussin and Jamin (2012) report the allocation of over 40,000 ha of land to two large investors for the growth of sugar cane alone. As sugar cane is a perennial crop, it will increase the demand for water all year round.

Secondly, the disproportionality of water grab in Mali can be attributed to the Malian government. While land grab is limited to specific ha of lands, the Malian government exercises its right as codified in the 2002 Water Code (Law No. 02-006) to allocate water to irrigate land leased or acquired by foreign investors (LANDac, 2012). It has given a directive that the investors have unlimited access to water from the Niger River.

The impact of this water grab is felt only by the existing users, it includes 'reduced surface flows downstream due to upstream water abstraction, or changing groundwater levels' (Skinner and Cotula, 2011). The acquisition of land by two companies Moulin Moderne du Mali and Malibya stand at over 120,000 ha of land as at 2010. The extraction of 4 million cubic meters of water per annum affected millions of people downstream (Fonjong and Fokum, 2015). The canal built by Malibya which is the largest in Sub-Saharan Africa threatens the water situation in Mali. The new canal has the capacity for 11m cubic meters a day, 4bn cubic meters a year. This is twice the capacity of any canal in the region and thus neighbouring lands may be deprived of water and this has more implication since Malibya has priority access to water (Bunting 2010). Apart from the volume, the quality of water remaining for the local population is also affected (Rulli, Saviori and D'Odorico, 2012). The implications are that the impact is an affront on the basic human rights to water, to food, to health, to work and to self-determination (TNI, 2014). However, the greatest harm is on the achievement of food sovereignty.

Water grabbing will naturally 'cause unforeseen but disproportionate damage to existing small-scale production systems' (Quick and Woodhouse, 2014). The smallholder farmers will lose their secure access to water used for irrigation and other agricultural purposes (Mehta, Veldwisch and Franco, 2012) and these farming communities in the area will suffer decreased agricultural productivity (GRAIN, 2012). What is alarming as Rulli Saviori and D'Odorico (2012) note is that the 'per capita volume of grabbed water often exceeds the water requirements for a balanced diet and would be sufficient to improve

ISSN: 2141-2731

food security and abate malnourishment in the grabbed countries'. The resources which are readily and easily taken are a lifeline for the smallholder farmers, due to the nature of the lands in which they occupy, they already lack sufficient water supply and have consistently adapted their farming techniques in the face of the fluctuations in the season. The smallholder farmers are more efficient in their use of water, but they are not rewarded for this (De Schutter, 2011)

Land Grabs: A Threat to Environmental Sustainability and Biodiversity

The third way through which land grabs threaten the possibility of food sovereignty in Mali is by the decimation of otherwise arable lands due to modernized but anti-ecological agricultural techniques. Land for agricultural purposes is crucial, not just now but for the future in order to feed the growing population of the earth estimated to reach 9 billion by 2050 (Capone, Bilali, Debs, Cardone and Driouech 2014; Stefanis, 2014).

The pedestal on which agriculture finds itself dictates that every measure needed to ensure not only increased agricultural productivity but sustainability should be adopted. It would be expected that agriculture and all it encompasses will be revered and respected, however, the reality is different. The persistent scourge of land grabbing and its attendant measures to harness the land resource necessary for agricultural productivity is actually exploiting, abusing and degrading Mali's arable land.

The Unviability of Industrial Agriculture

The industrial model of agriculture characterized by 'large-scale monocultures of transgenic crops' and the use of high yielding crop techniques is a threat to food sovereignty as it undermines natures capacity to sustain food production in Mali. The intensification of agricultural methods associated with agri-business agriculture and the large scale farms make use of high-yielding crop varieties, fertilization, irrigation and pesticides. These impact heavily on natural resources with serious health and environmental implications. This issue is rarely discussed as it is not classified as 'a politically urgent issue' and so, there is little attempt at implementing Environmental and Social Impact Assessments (ESIA) which is essentially meant to determine the long-term consequences of these deals (Altieri and Toledo, 2011; Balehegn, 2015; Altieri, 2012; Oakland, 2011a; Deininger, Byerlee, Lindsay, Norton, Selod and Stickler, 2011).

The short term gains of high yields are counteracted by the potential dangers. Implications of these agricultural methods includes: increased water shortage in Mali due to the depletion of fresh water resource (Balehegn, 2015; Fonjong and Fokum, 2015). Furthermore, the use of chemical fertilizers leads to a 'decoupling of the carbon and nitrogen cycles started, which is disastrous for soil life'. The implication is seen when it is realized that organic carbon is the basis of the normal ecological nutrient situation. Bacteria need carbon to process the nitrogen and when this is lacking, they end up using the carbon from their own polysaccharide layer which can lead to a damaged soil structure (Donkers, 2014). Residues of pesticides get to groundwater, they increase soil erosion, reduce biodiversity and hampers soil fertility (Fitzpatrick, 2015; TNI, 2014).

In defence of Industrialized Agriculture

ISSN: 2141-2731

There are groups who believe that the methods employed in large scale farms are justifiable. First off, proponents assert that harm inflicted upon the environment as a result of agricultural techniques were not deliberate, rather they have been methods used in several places and have been successful. In response, this work argues that the stated counter argument is exactly the problem of industrialized agriculture. This reflects the thought process of these foreign investors. They hardly ever consider the potential demerits of their actions rather they move on with whatever method is quicker and profit oriented. These large-scale investors employ a one size fits all model of agricultural production (Fitzpatrick, 2015).

Furthermore, the advocates of land grabbing further justify their methods such as the use of monocultures in mega-farms. According to them, industrialized agriculture arises and works to address the challenges of food security in Africa (Martiniello, 2013; Donkers, 2014; Vhugen, 2012). This persuasive narrative contradicts itself. While it is agreeable that industrialized agriculture leads to high yields, however, it does not guarantee food security. Food security is not merely the direct access to food. Food security rather should be seen as a continuous process of food provision that can sustain a steady expansion of food consumption while remaining nutritionally and culturally relevant and acceptable (FAO, 2006).

While still justifying their agricultural methods and techniques, these foreign investors criticize traditional farming methods. These critics would point to the unproductive and economically inefficient nature of smallholder agriculture in Mali (Timbo, 2015). They highlight that the knowledge intensive method and practices nourished by ancient agricultural management wisdom employed by the peasant farmers in lieu of more input intensive techniques is not always effective or applicable (Altieri, 2012). As these foreign investors hammer on the perceived weakness of smallholder farming, they fail to acknowledge certain facts with respect to smallholder farmer productivity.

Firstly, small and family farms only produce ineffectively when they are hampered by both government policies aimed at favouring large farms and by difficulty in acquiring capital (Deininger, Byerlee, Lindsay, Norton, Selod and Stickler, 2011); if unhindered, they are effective irrespective if farm size. There is a reason why the average size of peasant farmers is small. The main reason is the spatial dispersion of production, which requires flexibility and an ability to quickly adjust to microvariations in climate or soil conditions (Deininger, Byerlee, Lindsay, Norton, Selod and Stickler, 2011).

Secondly, in peasant farming systems, there is the feature of a high degree of plant diversity or polycultures. This method minimizes risks and is rewarded by yield stability, diet diversity, nutrient-enriching plants, nitrogen-fixing and nitrogen-decomposing bacteria, and a variety of other organisms that perform various beneficial ecological functions (Altieri and Toledo, 2011). These diversified farming systems that promote biodiversity and environmental sustainability especially in their area which experiences severe climate change and environmental fluctuations (Altieri, 2012). Despite these shortcomings and environmental difficulties, the smallholder farmers have always adapted to such situations and it is a testament to their development agriculturally that the agriculture sector is a

ISSN: 2141-2731

dominant sector in Mali's economy accounting for over 35 percent of its GDP, it is also the main export earner wringing in over 75 percent of the export earnings (Center for Human Rights and Global Justice 2010; Butt, McCarl, Angerer, Dyke and Stuth, 2003). The Malian small and family farmers minimize crop failure in difficult climatic conditions through increased use of drought tolerant local varieties, water harvesting, mixed cropping, agroforestry, soil conservation practices and a series of other traditional techniques (Altieri and Toledo, 2011)

In Mali, in lieu of the chemical pesticides, there are certain alternatives which have been used for the eradication of pests. One such method is the Integrated pest management (IPM) which involves 'using a combination of biological controls (natural predators for pests), modified farming techniques (modifying irrigation practices), and mechanical controls (using physical traps or barriers for pests), to help manage pests and reduce the use of pesticides – which are only used as a last resort' (Fitzpatrick, 2015). In Mali, a parasitic wasp has been used in the control of pests (Fitzpatrick, 2015). In Mali also, farmers that were trained in IPM techniques 11,000 rice farmers were trained in IPM techniques between 2001 and 2009. The farmers trained in these measures were able to outstandingly increase yields by 41% compared to conventional production methods and reduced pesticide use by 94% (Fitzpatrick, 2015).

These principles employed by the farmers employ better use of resources in order to ensure resource sustainability. It is basically conservation agriculture, which increase yields and reduce impact on the environment (Fitzpatrick, 2015; Allen and Kovach, 2000). *Thirdly*, emphasizing the stark differences between traditional agriculture and modernized agriculture is the fact that one method is willing to ensure the survival of the environment by co-existing with other aspects of agriculture. Mali as well as some places in Western Africa, there has been the unique development of a symbiotic relationship between the smallholder farmers and pastoralists. This relationship is most likely the result of a concerted agreement to survive and sustain the scarce resource of land and water which has become scarcer as a result of growth in population and reduction of annual rainfall (Oakland, 2011a). Therefore, smallholder farming in Mali 'involves the complex integration of annual crops, trees and animal husbandry in an agroforestry system known as the parklands'.

The fact is, industrial agriculture in Mali threatens the ecological services provided by nature (climate balance, pollination, biological control, soil fertility). These services are depended upon by a vast number of Malians – small and family farmers (Altieri and Toledo, 2011). What is described above can be termed differently but they refer to the characteristic nature of smallholder agriculture. These terms include: ecological agriculture, natural farming, conservation agriculture, multi-functional agriculture, organic agriculture, sustainable intensification, climate-smart agriculture, no-till farming and low-external-input farming (Fitzpatrick, 2015). Ecological bases method of agriculture production is far more suitable, it requires less energy consumption and thus release lower amounts of greenhouse gases (GHG) (Balehegn, 2015). Thus these farms are more climatic resilient and bio diverse.

ISSN: 2141-2731

CONCLUSION

When a government notes that the policies and activities occurring its country are detrimental to its citizen, why should the government be prevented from stopping these activities? In its wake, what exists is food insecurity. Food is going to get more expensive and increasingly controlled by foreign investors. Hunger is going to increase as well as malnutrition due to the system of mono-cropping employed by these foreign investors. People are going to die, the hunger and malnutrition would lead to deaths of the people especially children. This could lead to social consequences such as resistance, it could be passive, it may not be passive. Thus it becomes sensible that this system should not be allowed to go on. There needs to a support of processes where the smallholder farmers control their food systems. The people that are most affected by the food system needs to be in charge and needs to be in control of their land and water resources. There needs to be a rebuttal of land grabs and policies that facilitate it in Mali. There are no case studies or evidence proving that land grabs promote agricultural and economic development in Mali. Therefore, there needs to be respect for the principle of food sovereignty. The Malian government has it entrenched in its constitution, and now it needs to be respected. The Malian government has to be involved not just with tongue in cheek but sincerely. People's lives are at risk now and in the future

This study has been true to its aim and has provided evidence proving that land grab is a threat to food sovereignty. This is a fact that cannot be trivialized nor refuted. Land grabs in Mali immediately affect land which is the foundation for food sovereignty. In dispossessing the peasant farmers of their land, land grabbing ensures that food sovereignty has no foundation. The group upon which history has mandated to usher in and consolidate a sovereign food system are weakened and disbanded. Indeed, they are de-peasantized. Entire communities of peasant farmers who have cultivated their lands for generations are relocated from their lands and stripped of their identity. Their duty is no longer the noble attempt at food production for the Malian population. Rather, they are given a new identity, they become the laborers employed to tend to the large-scale farms or plantations established in the grabbed lands. Women peasant farmers who form the majority of the smallholder farmers experience the greatest effect. They lack the ability to feed their families and this contributes to food insecurity.

The grabbing of the land resource is enough to render the utopian dream of food sovereignty a forlorn conclusion. However, the dispossession of land resources is followed by water grabs which is the reallocation of water resources and the transfer of water rights from the peasant's farmers and original owners of the land to foreign investors. Moist land is needed for productivity. These foreign investors seek to consolidate their land holdings acquired as a result of land grabbing. So they engage in another grabbing, that of water resources. This resource as was seen in the study was far easier to grab than land as a result of lax policies and water governance by the Malian government.

Thus, land grabs fuels water scarcity. The products that these foreign investors plant such as jatropha, sugar cane are the thirstiest crops. They require a great deal of

ISSN: 2141-2731

water for their production especially in high amounts for export to European countries. This has great implications on food sovereignty as the remaining smallholder farmers whose lands have not been taken lack access to water. This entails that food sovereignty cannot be achieved as lack of water does not guarantee food production. Of further importance for food sovereignty is the quality of food. When water is grabbed, the remaining water available for the population will be of low quality.

The impact of these two grabs (land and water) is going to be felt everywhere, however the first to feel the impact is the environment. The environment is hard hit by this practice of land grabbing and the subsequent use of industrialized agricultural techniques to develop these lands. The environment is so affected that it is destroyed. The soil become unusable, nutrients in the soil is depleted and renewal and replenishment of these nutrients is impossible. The methods used by these land grabbing investors are not ecologically sensitive and what Mali would have as a result is a food system on the verge of destruction.

With so much facts stated which highlight the detrimental nature of land grabs, the question can be asked 'can land grabs be justified'? The answer is no, whatever benefits are temporary and can easily be refuted. This is because those arguments have no substance, they ignore the reality of the situation. At present, the reality is that there is a three pronged approach examined in this work which erodes the foundation for sovereignty and it is noticeable that it specifically targets the pillars necessary for food sovereignty leading to the belief that land grabs are not just the by-products of food and energy crises', rather, land grabs are engineered practices geared at attacking the possibility of food sovereignty and deliberately making the aim impossible. Land grabs or land scale land acquisitions as they are called are not developmental strategies to build up the economy of Mali, rather they are Mali's doom. The evidences provided and the reality of the situation proves this much.

For instance, in situations whereby the government of a country attempts to engage these investors and protect their citizens by reopening the contracts, the states are usually held back by existing international trade and investment treaties which 'challenge public action to terminate, renegotiate or regulate agribusiness investments' thus making the investors stronger than the state (Cotula and Berger, 2015; Cotula, 2015; Fonjong and Fokum, 2015). The above is the result of stabilization clauses that are included when contracts are signed. These clauses efficiently prevent the government from taking actions that would affect the profitable running of the private enterprise (Ayine, *et al*, 2005).

So, as already noted earlier, the investors limit the autonomy of the state and the states face the risk of being sued in international investment tribunals even if the actions they take are necessary for the wellbeing of their citizens and the environment (Hall, 2015; Broughton, 2013). At the end, the host State may be required to pay a compensatory fee to assuage the anger of the private investors due to their losses suffered (Anseeuw, Wily, Cotula and Taylor, 2012). This situation reflects a loss of national sovereignty and according to Basu, this is the reason why the State would adamantly pursue policies that would naturally cause citizen uprisings and discontent (Basu 2007). The above example is reflective of what land grabs are.

ISSN: 2141-2731

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