

RESEARCH ARTICLE

Land Ownership in an Age of Scarcity: A Reflection on Peace Building

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Received: 15 November 2024 Accepted: 30 November 2024 Published: 26 December 2024

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Abstract

In their outlooks and analyses, scholars and policymakers with globalist lenses often overlook the local characteristic dynamic of violence or peacebuilding. This paper fills this gap of monist conception or reductive reading of the contours of peacebuilding. By using a praxeological method, this paper identifies land ownership as the driving force behind the possibility of community violence or peacebuilding at the local level. I develop this analysis in three steps. First, I indicate the bases for land ownership in the Sankuru region of the Democratic Republic of the Congo in central Africa. Second, I explain the indispensable values of land ownership. Lastly, to promote peacebuilding, I propose solutions that can either defuel the conflict of land ownership where it already exists or prevent violence where it has not existed.

Keywords: Land Ownership, Scarcity, Peacebuilding, Violence, Values, Solidarity.

1. Introduction

In this time of the crisis of global climate change, the environment has drawn the close attention of scholars of various fields, activists, and policymakers. From this perspective, land ownership and its management become a hot topic. Under these circumstances, Pope Francis observes, "Certain places need greater protection because of their immense importance to the global ecosystem, or because they represent important water reserves and thus safeguard other forms of life. Let us mention, for example, those richly bio-diverse lungs of our planet, the Amazon and the Congo basins, or the great aquifers and glaciers. We know how important these are for the entire earth and the future of humanity."¹

This awareness-raising can trigger apprehension as people reminisce about the dogma about the rapport between scarcity and violence. Until recently, it was almost dogmatic that the scarcity of resources constituted the principal causal factor of community conflict and violence.² Some scholars have challenged this monist or reductive approach. For example, in their analysis, Val Percival and Thomas Homer-Dixon have identified three types of environmental scarcity, namely supply-induced scarcity, demand-induced scarcity, and structural scarcity.³ They emphasize that "two patterns of interaction among these three types of scarcity are common: resource capture and ecological marginalization."⁴ Their analysis has led them to conclude that "environmental scarcity is always enmeshed in a web of social,

¹Francis, *Laudato si – Encyclical Letter on Care for Our Common Home* (Vatican: Libreria Editrice Vaticana, 2015), §37-38.

²Most scholars attribute the paternity of this dogma of scarcity as the source of violence to Malthusianism. See Thomas Robert Malthus, *An Essay on the Principle of Population*, edited by Shannon C. Stimson (New Haven: Yale University Press, 2018).

³Val Percival and Thomas Homer-Dixon, "Environmental Scarcity and Violent Conflict: The Case of South Africa," *Journal of Peace Research*, vol. 35, no. 3, 1998, p. 280.

⁴Percival and Homer-Dixon, "Environmental Scarcity and Violent Conflict," p. 280

Citation: Prof. Raphael Okitafumba Lokola. Land Ownership in an Age of Scarcity: A Reflection on Peace Building. *Journal of International Politics* 2024;5(2): 11-20.

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political, and economic factors, and its contribution to violence is difficult to disentangle from these other factors.”⁵ Similarly, Ole Magnus Theisen has argued that “proxies for development, state strength, and institutional instability all turn out to be much more robust predictors of conflict than scarce resources.”⁶ The Democratic Republic of the Congo (DRC) epitomizes this keen observation. This country is a land of plenty, but violence has taken up residence there.⁷

The explicative factor of the way that abundance triggers violence is what Patrick Chabal and Jean-Pascal Daloz call “the political instrumentalization of disorder.”⁸ This observation means that scholars like Theisen, Percival, and Homer-Dixon’s analyses are commendable for challenging a deeply held assumption concerning the relationship between resource scarcity and community violence. Still, they have overlooked a vital factor that accounts for the use of violence to secure land ownership. By using a praxeological method,⁹ this paper aims to identify the driving force behind the possibility of community violence or peacebuilding at the local level.

I develop this reflection in three steps. First, I indicate the bases for land ownership in the Sankuru region of the DRC in central Africa.¹⁰ Second, I explain the values of land ownership. This knowledge is indispensable to peacebuilding. Lastly, I propose some solutions that can either defuel the conflict of land ownership where it already exists or prevent violence where it has not existed.

⁵Percival and Homer-Dixon, “Environmental Scarcity and Violent Conflict,” p. 294-295.

⁶Ole Magnus Theisen, “Blood and Soil? Resource Scarcity and Internal Armed Conflict Revisited,” *Journal of Peace Research*, vol. 45, no. 801, 2008, p. 815

⁷For ample details about the ways that the DRC is a country of plenty and not of scarcity, I refer readers to the following article and books: Pelin Ekmen, “From Riches to Rags – the Paradox of Plenty and its Linkage to Violent Conflict,” *Goettingen Journal of International Law*, vol. 3, no. 1, 2011, pp. 473-493; Theodore Trefon, *Congo’s Environmental Paradox: Potential and Predation in a Land of Plenty* (London: Zed Books, 2016); Tom Burgis, *The Looting Machine: Warlords, Oligarchs, Corporations, Smugglers, and the Theft of Africa’s Wealth* (New York: PublicAffairs, 2016); Adam Hochschild, *King Leopold’s Ghost: A Story of Greed, Terror, and Heroism in Colonial Africa*, 2nd edition (New York: Picador, 2020); Siddharth Kara, *Cobalt Red: How the Blood of the Congo Powers Our Lives* (New York: Saint Martin’s Press, 2023).

⁸Returning to these authors, “In brief, it [the political instrumentalization of disorder] refers to the process by which political actors in Africa seek to maximize their returns on the state of confusion, uncertainty, and sometimes even chaos, which characterizes most African polities.” [Patrick Chabal and Jean-Pascal Daloz, *Africa Works: Disorder as Political Instrument* (Bloomington: Indiana University Press, 1999), p. viii].

⁹For Jean-Guy Nadeau, the praxeological method includes the following stages: observation, problematization, theological interpretation, operational re-elaboration, prospective, and evaluation. See Jean-Guy Nadeau, “La praxéologie pastorale: faire théologie selon un paradigme praxéologique”, *Théologiques*, volume 1, Numéro 1 (Mars 1993), p. 88-94. It is worth emphasizing that this praxeological method falls into the orbit of the overall qualitative approach in social and human sciences. As Paul N’DA explains, “In the qualitative approach to investigation, the researcher starts from a concrete situation comprising a specifically interesting phenomenon and aims to understand the phenomenon and not to demonstrate, prove or control anything. He wants to give meaning to the phenomenon through or beyond observation, description, interpretation, and appreciation of the environment and the phenomenon as they present themselves. The research intention (goal, objective) is to recognize, name, discover, describe the variables and relationships discovered, and, thereby, to understand a complex and poorly understood human or social reality.” He further notes that “In qualitative research, the researcher starts from experience (his own or that of others), identifies typical situations of a phenomenon to be studied, analyzes them to understand them (produce the meanings), and if possible draws the constituent concepts and formulates a grounded theory.” [Paul N’DA, *Recherche et méthodologie en sciences sociales et humaines: Réussir sa thèse, son mémoire de master ou professionnel, et son article* (Paris: L’Harmattan, 2015), p. 22].

¹⁰There is a difference between the Democratic Republic of the Congo and the Republic of Congo. This article focuses on the former. In addition, the translation of all French resources cited in this article is my own.

¹¹Blake D. Ratner et al., “Resource conflict, collective action, and resilience: an analytical framework,” *International Journal of the Commons*, Vol. 7, No. 1 (February 2013), p. 194

¹²This character of the land as God’s given gift can be perceived in the parable of the vineyard (Matthew 21: 33-46). In this parable, the land owner represents God while the tenant farmers stand for human beings. See Daniel J. Harrington, *The Gospel of Matthew* (Minnesota: The Liturgical Press, 2007), p. 305-309.

¹³Walter Brueggemann, *Reverberations of Faith: A Theological Handbook of Old Testament Themes* (Louisville: Westminster John Knox Press, 2002), p. 120.

1.1 The Bases for Land Ownership

A discussion on land ownership needs to consider a plurality of foundations on which people base their claims on the land. Those foundations, according to Blake Ratner et al. can be religious, customary, and legal.¹¹ An example for each category can illuminate this discussion. I present these bases in historical (chronological) order, namely religious, customary, and legal.

From a religious perspective, the land is God’s creation and belongs to God. Land ownership, in Jewish and Christian perspectives, is dependent on God’s willingness to gift it to whomever He wills. The land is a gift from YHWH.¹² Walter Brueggemann notes that

[The] land is a defining theme in Old Testament tradition. The Old Testament is preoccupied with the concrete particularity of land, thereby assuring that Israel’s faith is in touch with the public, material, [and] sociopolitical-economic aspects of living in the world. For that reason, one cannot consider the faith of the Old Testament or the God of the Old Testament without at the same time being concerned with [the] socioeconomic analysis, for land is not just a “good idea,” but an actual real estate that evokes and hosts profound hope, imaginative social policy, deep moral conflict, savage acts of violence, and acute communal disappointment.¹³

Brueggemann highlights the centrality of land in Israel's life. Land ownership and management were an integral part of Israel's existential experience and of its relationship with God. Brueggemann sums up this idea by saying that, in a way, the experience of Israel is a "long history of land promise, land governance, land loss, and land restitution."¹⁴ In other words, the history of Israel cannot but be understood as a history of its relationship to land, particularly the land of Canaan.

Similarly, G.J. Volschenk asserts that "The Bible is thus the story of God's people with God's land."¹⁵ As he explains in this work, the Bible (especially the Old Testament) unfolds a narrative of a triangular relationship between God, Israel, and the land. In a word, the religious basis nurtures the acute consciousness of the land as God's given gift.

In addition to this religious basis, there is a customary basis for land ownership. Liz Alden Wily affirms that "this form of tenure represents the *major* tenure regime on the continent [of Africa] and one which is vibrantly active."¹⁶ As she understands, "Customary land tenure refers to the systems that most rural African communities operate to express and order ownership, possession, and access, and to regulate use and transfer. Unlike introduced landholding regimes, the norms of customary tenure derive from and are sustained by the community itself rather than the state or state law (statutory land tenure)."¹⁷ A year before, Wily pointed out that "Customary domain is in fact composed of lands by tradition owned and used collectively (forests, rangelands, marshlands)."¹⁸ In this context, it would be misleading to equate community with the modern city council. It is true that "the outstanding characteristic of all customary/indigenous regimes around the world is that the norms

and procedures of these systems are determined and sustained by communities."¹⁹ However, such decisions are not made democratically by the members of a present community. They rely on the tradition handed on by their forefathers and foremothers. To illustrate, the words of the Congolese national anthem bear witness to the truth according to which the land of the DRC is the inheritance received from the ancestors. The anthem proclaims this truth as follows: "Blessed gift (Congo) of our forefathers (Congo), Oh beloved (Congo) country, We shall people your soil and ensure your greatness."²⁰ In other words, the Congolese consciousness believes that the land of the DRC is a blessed gift inherited from the Congolese forefathers. This conviction gives rise to the duality of the legal regime of rural lands today. As the Congolese General Secretary of Land Affairs points out, "[The land] reform aims in particular to solve the problems posed by the duality of the legal regime of rural lands, which are governed, both by written law and customary law. These problems themselves are the source of certain land disputes, particularly between customary chiefs and the land administration. Hence, the interest of a reform tending to reconcile the legitimate and the legal."²¹

It is worth noting that the religious basis of land ownership is not explicitly acknowledged in the above duality of the legal regime of rural lands because people believe that religious and customary foundations are interlockingly linked. To put it another way, the rural people assume that God gave the gift of land that their forefathers passed on to them.

Lastly, the scope of this analysis cannot encompass the maze and casuistry of the legal system of land ownership in the DRC.

¹⁴Brueggemann, *Reverberations of Faith*, p. 122.

¹⁵G. J. Volschenk, "The Land: Primary category of faith," *HTS Theological Studies* 60 (1) 2004, p. 629.

¹⁶Liz Alden Wily, "Customary Land Tenure in the Modern World," *Rights to Resources in Crisis: Reviewing the Fate of Customary Tenure in Africa - Brief #1 of 5*, January 2012. Accessed February 18, 2023, <https://rightsandresources.org/wp-content/exported-pdf/rightstoresourcesincriiscompiledenglish.pdf>.

¹⁷Wily, "Customary Land Tenure in the Modern World."

¹⁸Liz Alden Wily, "The Status of Customary Land Rights in Africa Today," *Rights to Resources in Crisis: Reviewing the Fate of Customary Tenure in Africa - Brief #4 of 5*, November 2011. Readers can also find the following document instructive: Oliver Springate-Baginski, "There is no vacant land": A primer on defending Myanmar's customary tenure systems, Amsterdam: March 2019.

¹⁹Wily, "The Status of Customary Land Rights in Africa Today." It is worth qualifying this observation with the appraisal of Romy Santpoort et al. According to them, "Despite their key role in agriculture, in many African regions, women do not have equal access to or control and ownership over land and natural resources as men." [Romy Santpoort et al., "The Land Is Ours: Bottom-Up Strategies to Secure Rural Women's Access, Control and Rights to Land in Kenya, Mozambique, Senegal, and Malawi," *Frontiers in Sustainable Food Systems*, Volume 5, December 2021, 1]. In other words, there is still discrimination against women behind the customary basis of land ownership understood as communal ownership by the community.

²⁰"Arise Congolese" – the Congolese National Anthem. Accessed February 19, 2023, <<http://www.nationalanthems.me/democratic-republic-of-the-congo-deboutcongolais/>>

²¹Secrétariat Général du Ministère des affaires foncières, *Guide pratique d'acquisition d'une concession foncière en République Démocratique du Congo*, Mai 2019, p. 3. In this context, the following paper can be insightful: Brian E. Robinson and Moustapha Diop, "Who Defines Land Tenure Security? De Jure and De Facto Institutions," in *Land Tenure Security and Sustainable Development*, ed. M.B. Holland, Y.J. Masuda, and B.E. Robinson (Palgrave Macmillan, 2022).

It suffices to underscore the overarching legal principle that defines land ownership in the Congolese context.²² The ninth article of the Constitution of the DRC declares that “the State exercises permanent sovereignty in particular on the soil, the subsoil, the waters, and the forests, over the Congolese air, river, lake and maritime areas as well as on the Congolese territorial sea and the continental plateau.”²³ Simply put, this law means that a person or community must buy the land from the State to own it.

This legal disposition was built on a project of law initiated by a Congressman called Bakajika. The project was accepted; and it was promulgated as a law on July 20, 1973. It thus became known as Bakajika law or the fifty-third article of the Congolese (Zairean) Constitution of that epoch.²⁴ The interesting thing about this law is that scholars are not unanimous about its meaning. For instance, some people think that the initial intent of this law was to recuperate the Congolese land that was seized by Belgian colonists and settlers and give it back to the indigenous people. In other words, restorative measures were the initial intent of this law.²⁵ Conversely, other voices believe that this law revised Congolese land ownership. The specificity of Bakajika law is that it viewed the Congolese land as an exclusive, inalienable, and

imprescriptible property of the State. It thus abolished any private ownership of the land.²⁶

Both interpretations hold some truth given the historical context of this Bakajika law. However, the radicalization of this law in the current Congolese Constitution leads me to agree more with the second interpretation. When taken at face value, the wording of the quoted ninth article of the Congolese Constitution is conducive to the abuse of power by the State. As a result, its current praxis constitutes a violation of the rural people’s rights.²⁷ This legal basis for land ownership nullifies the other bases for land ownership including religious and customary foundations. For example, the Constitution emphasizes that “The methods of management and concession of the domain of the State [...] are determined by law.”²⁸ In its guide that intends to vulgarize or publicize the legal dispositions of land ownership, the General Secretary of Land Affairs of the DRC provides ample information about the different land rights susceptible to acquisition in the Congolese legal system and the legal procedure of acquisition of land ownership by individuals or corporations.²⁹ Many voices sound the alarm to warn against the plight of this legal disposition for the poor rural populations.³⁰

²²My analysis notes that the legal basis of land ownership relies on philosophical reflections. For example, John Locke justifies private property by the principle of original acquisition. This original acquisition must meet three conditions. First, the person acquires something by investing her energy. Second, her acquisition needs to consider the needs of other people. Lastly, this acquisition has to avoid waste. [John Locke, *The Second Treatise of Government*, edited, with an Introduction, by C.B. Macpherson (Indianapolis: Hackett Publishing Company, 1980), p. xvi; p. 18-30]. To illustrate, a formless and unoccupied land becomes the private property of someone if he transforms it into a farm or garden. Similarly, Robert Nozick indicates that “The subject of justice in holdings consists of three major topics. The first is the original acquisition of holdings, the appropriation of unheld things.” [Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books, 1974), p. 150. (Emphasis in the original)]. Nozick further explains this principle of land ownership in these terms: “If the world were wholly just, the following inductive definition would exhaustively cover the subject of justice in holdings. (1) A person who acquires a holding following the principle of justice in acquisition is entitled to that holding. (2) A person who acquires a holding following the principle of justice in transfer, from someone else entitled to the holding, is entitled to the holding. (3) No one is entitled to a holding except by (repeated) applications of 1 and 2.” [Nozick, *Anarchy, State, and Utopia*, p. 151]. In brief, Nozick defends that the rightful ownership of land occurs either by the original acquisition or by the licit transfer of that original acquisition.

²³Constitution de la République Démocratique du Congo, Kinshasa – 18 février 2006.

²⁴Secrétariat Général du Ministère des affaires foncières, *Guide pratique d’acquisition d’une concession foncière en République Démocratique du Congo*, Mai 2019, p. 3.

²⁵Vincent Kangulumba Mbambi, “Les droits originellement africains dans les récents mouvements de codification: le cas des pays d’Afrique francophone subsaharienne,” *Les Cahiers de droit*, vol. 46, n° 1-2, 2005, p. 334.

²⁶Lambert Opula, “Les Chefs Coutumiers constituent-ils un pouvoir concédant au Congo? (Congo Vision 12/06/2006). Accessed February 18, 2023, <http://centrafrique.over-blog.com/article-2992675.html>.

²⁷In her study, Liz Alden Wily presents fourteen primary indicators of just legal respect for customary land rights. Unfortunately, she classifies the Democratic Republic of Congo as a country that ranges from negative to mixed concerning the statutory status of customary land rights. See Liz Alden Wily, “The Status of Customary Land Rights in Africa Today,” *Rights to Resources in Crisis: Reviewing the Fate of Customary Tenure in Africa - Brief #4 of 5*, November 2011.

²⁸Constitution de la République Démocratique du Congo, Kinshasa – 18 février 2006. Readers can find more details about the Congolese legal system of land ownership by perusing the following documents: *Journal Officiel de la République Démocratique du Congo*, Loi n° 73-021 du 20 juillet 1973 portant régime général des biens, régime foncier et immobilier et régime des suretés telle que modifiée et complétée par la Loi n° 80-008 du 18 juillet 1980 ; République Démocratique du Congo, *Régime de la propriété foncière*, Loi n°17-2000 du 30 décembre 2000 ; *Journal Officiel de la République Démocratique du Congo*, Code Foncier : Immobilier du régime des suretés, Textes légaux et réglementaires coordonnés, Numéro Spécial, 5 avril 2006.

²⁹See Secrétariat Général du Ministère des affaires foncières, *Guide pratique d’acquisition d’une concession foncière en République Démocratique du Congo*, Mai 2019.

³⁰Liz Alden Wily, “The Global Land Grab: The New Enclosures,” April 17, 2013. Accessed February 18, 2023, <https://www.boell.de/en/2013/04/17/global-land-grab-new-enclosures>; Jacob Onyumba Wenyi, “‘The hills will flow with milk’: Reading Joel 4:9–21 in the Context of Land Grabbing in Sub-Saharan Africa,” *Postscripts: The Journal of Sacred Texts, Cultural Histories, and Contemporary Contexts*, Vol. 14, no. 2 (2023): p. 229-252, <https://doi.org/10.1558/post.23981>. The firm statement of Pope Francis fits into the scheme of the denunciation against the land grab at the expense of the local vulnerable population. He said, “Hands off the Democratic Republic of the Congo! Hands off Africa! Stop choking Africa: it is not a mine to be stripped or a terrain to be plundered.” [Pope Francis, Address during the meeting with authorities, civil society, and the diplomatic corps of the Democratic Republic of the Congo, Garden of the “Palais de la Nation”, Tuesday, 31 January 2023].

The foregoing representative cases including religious, customary, and legal, constitute some key bases for the claim of land ownership. It is from this perspective that Ratner et al. point out that “Different actors appeal to different sets of rules, depending on which they know of, which institutions they have access to, and which they think will favor their interests to justify their actions.”³¹ The rural people of the Sankuru region in the DRC almost exclusively appeal to customary basis. They assume that their ancestors owned their lands under the original acquisition of holdings as Robert Nozick put it. Likewise, they indirectly acknowledge God as the One who gave them those lands through the ancestors. The perspective of the Congolese moral theologian Jean Adalbert Nyeme Tese illumines this interpretation when he observes, “If we want to reduce the *Otetela* ethics at its simplest expression, we can rightly say that it extends over two axes, namely, life and solidarity. Life, in its historicity, is the principle of this ethics, in this sense that it founds and justifies human behavior; it is *ergo* the value par excellence for the *Otetela*. It is perceived in history as God’s gift, as Ancestors’ gift, and also as a gift of the members of the community of life.”³² Two points need to be made concerning Nyeme Tese’s observation. First, he pinpoints the characteristic of the *Otetela* ethics; it revolves around life and solidarity. Second, he avers that life is the *summum bonum* of the *Otetela*. The justification of such a qualification lies in the fact that it is something not acquired but bestowed with the participation of three forces: divine, ancestral, and communal.

I infer from Nyeme Tese’s perspective that land is perceived as the precious present that people receive from the circle of givers, namely God, the ancestors, and the community. Moreover, As Nyeme Tese rightly points out, “The gift always means a responsibility, a mission or, if we like, a concrete imperative.”³³ In other words, a gift engenders a duty, a concrete imperative to use, enjoy, and care for it. This fact leads me to consider a set of reasons for the claim of land ownership in the next section.

³¹Blake D. Ratner et al., “Resource conflict, collective action, and resilience: an analytical framework,” *International Journal of the Commons*, Vol. 7, No. 1 (February 2013), p. 194.

³²Jean Adalbert Nyeme Tese, *Munga, Ethique en un Milieu Africain: Gentilisme et Christianisme*, 2nd éd. (Suisse: Imprimerie du Père Théodose, 1980), p. 12.

³³Nyeme Tese, *Munga*, p. 12.

³⁴Henry Shue, *Basic Rights: Subsistence, Affluence, and U.S. Foreign Policy*, Second edition (Princeton: Princeton University Press, 1996), p. 23.

³⁵I borrowed these words from Blake Ratner et al. See Blake D. Ratner et al., “Resource conflict, collective action, and resilience: an analytical framework,” *International Journal of the Commons*, Vol. 7, No. 1 (February 2013), p. 187. Readers can learn more about the way rural people cope with life by perusing the following article: Raphael Okitafumba Lokola, “Statism Debunked: Analysis of Self-aid Groups as Vehicle of Rural Development.” *Global Journal of Arts and Social Sciences*, vol. 6, no. 1, 2024, Open Access article: <https://www.pubtexto.com/pdf/?statism-debunked-analysis-of-selfaid-groups-as-vehicle-of-rural-development>.

³⁶Nicolas Djomo Lola, “Heureux les artisans de paix, car ils seront appelés fils de Dieu (Mt 5, 9),” *Pastoralia* 10/14, 24 Décembre 2014, §6.

³⁷For more details, see Raphael Okitafumba Lokola, “Statism Debunked: Analysis of Self-aid Groups as Vehicle of Rural Development.” *Global Journal of Arts and*

2. Values of Land Ownership

In the previous section, I showed that God, the customs, and the law are the major foundations of land ownership. I just showed that, for the *Otetela* traditional society, land ownership is based on divine gift and belonging to a community that owns that land. In this section, I show that the rural population of the Sankuru region claims land ownership for material and spiritual values or interests.

2.1 Material Value on Land Ownership

In the Sankuru rural communities, people claim land ownership because the land provides subsistence. As Henry Shue explains, subsistence encompasses “unpolluted air, unpolluted water, adequate food, adequate clothing, adequate shelter, and minimal preventive public health care.”³⁴ Rural people in the Sankuru region thus interact with “fishery, forest or pastureland”³⁵ to secure their subsistence. To corroborate this account, my analysis underscores the 2014 pastoral letter of Bishop Nicolas Djomo, Bishop Emeritus of the Diocese of Tshumbe in the Sankuru region. In this pastoral letter, Djomo counted the claim of land ownership among the major causes of the recurrent violence that was ravaging the region of his diocese:

Dear brothers and sisters, the Church is called to be attentive to the “signs of the times” in its apostolate environment. By observing the Sankuru, it becomes more and more evident, over the years, that this district, the land of Patrice Emery Lumumba [the Congolese national hero], risks sinking into an escalation of multifaceted violence: violence linked to the socio-political and electoral climate, those linked to the management of customary power (chiefdoms) as well as that linked to land issues (arable land, rivers, ponds, etc.). Almost every year blood is in our area because of this violence which sometimes leads to the death of people.³⁶

Nicolas Djomo’s firsthand report draws attention to the critical fact that the claim of land ownership fuels

violence and even leads to death. Land ownership is vitally important. Land or fishery (river or ponds) amounts to the rural population's life insurance because it attends to different needs. In addition to food, the quantity of the harvest that is sold helps rural people to get money for clothes, healthcare, school fees for their children, and other miscellaneous necessities requiring the spending of money.³⁷ In this context, the expropriation of land in rural areas is similar to unplugging a respiratory tube from a patient who is in dire need of it. This circumstance accounts for the use of violence to secure the source of subsistence. This statement does not condone such violence, but it acknowledges a fact just as Immanuel Kant who asserted that "war is only the regrettable expedient in the state of nature (where there exists no court that could adjudicate the matter with legal authority) to assert one's rights employing violence."³⁸ This knowledge of the factors of violence in rural areas is indispensable to the effectiveness or fruitfulness of peacebuilding. The ensuing paragraphs consider another value connected to land ownership.

2.2 Spiritual Value on Land Ownership

The account of Naboth's vineyard is an instructive illustration of the spiritual fulfillment that land ownership provides to a person or a community. This fact is perceived in the short exchange between King Ahab and Naboth the Jezreelite. 1 Kings 21: 1-4 reads:

Sometime after this, as Naboth the Jezreelite had a vineyard in Jezreel next to the palace of Ahab, king of Samaria, Ahab said to Naboth, "Give me your vineyard to be my vegetable garden, since it is close by, next to my house. I will give you a better vineyard in exchange, or, if you prefer, I will give you its value in money." "The Lord forbid," Naboth answered him, "that I should give you my ancestral heritage." Ahab went home disturbed and angry at the answer Naboth the Jezreelite had made to him: "I will not give you my ancestral heritage." Lying down on his bed, he turned away from food, and would not eat.

Naboth's adamant refusal to exchange or sell his vineyard is very intriguing. He overlooked the status and power of his interlocutor because something greater was at stake. He attached a great value to his piece of land. As he called it, it was his ancestral heritage. From this perspective, far from being reckless, his attitude was a conscientious fidelity to the divine law that proscribed the selling of the land. According to the Mosaic Law, "No heritage of the Israelites will pass from one tribe to another, but all the Israelites will retain their own ancestral heritage."³⁹

It is self-evident from this precept that Naboth's acquiescence to the king's request could have been a double trespass. On the one hand, it could have been a grave disobedience to God's commandments. On the other hand, it could have been a betrayal of his forefathers and his posterity. His attitude bore witness to a religious conviction and piety to his kinship. Unlike him, "Ahab's resentful response to Naboth's refusal reveals his lack of respect for this fundamental principle of the inalienability of land, which is connected in turn to a fundamental understanding of the land as God's possession."⁴⁰

The above interpretation of Naboth's relation to his land allows me to make two observations relative to peacebuilding.

The first observation refers to the nexus between a person and her land. As Ksenafu Akulli observes, "The issue of land for an Israelite is an issue of identity."⁴¹ He continues, "Since identity, the chance for survival, and the well-being of an individual or community are related to the land, its trade would result in the individual or the community enslaving themselves to the new owner of the land."⁴² In other words, when left alone with her land, a person enjoys it and experiences peace. However, the act of expropriation of this land constitutes an alienation, which is an infliction of violence.

In his classification of the types of violence, Johan Galtung considers alienation as a serious form that deprives people of peace. As he notes, "Combining the distinction between direct and structural violence

Social Sciences, vol. 6, no. 1, 2024, Open Access article: <https://www.pubtextto.com/pdf/?statism-debunked-analysis-of-selfaid-groups-as-vehicle-of-rural-development>.

³⁸Immanuel Kant, *Toward Perpetual Peace and Other Writings on Politics, Peace, and History*, Edited and with an Introduction by Pauline Kleingeld, Translated by David L. Colclasure with essays by Jeremy Waldron Michael W. Doyle Allen W. Wood (New Haven: Yale University Press, 2006), p. 70.

³⁹Numbers 36:7. Other legal dispositions can be found in Leviticus 25:27-28.

⁴⁰Sarah Bachelard, "Naboth's Vineyard (1 Kings 21: 1-10, 15-20)", *Benedictus Contemplative Church* (11 June 2016). Accessed February 18, 2023, https://benedictus.com.au/files/pdf/naboths_vineyard_110616.pdf. Readers can learn more about Naboth's misfortune by reading M. Z. Shamase and A. Nicolaidis, "Naboth's Vineyard: A guide for South Africa on the Vexing Land Issue," *European Journal of Theology and Philosophy*, Vol 2, Issue 1, January 2022: 1-9.

⁴¹Ksenafu Akulli, "Reflections on the Implications of the Community on Exploitation and Corruption in the Context of I Kings 21," *KAIROS - Evangelical Journal of Theology*, Vol. 5, No. 2 (2011), p. 299.

⁴²Akulli, "Reflections on the Implications of the Community on Exploitation and Corruption in the Context of I Kings 21," p. 299-300.

with four classes of basic needs we get the typology of [violence]. The four classes of basic needs—an outcome of extensive dialogs in many parts of the world [...]—are *survival needs* (negation: death, mortality); *well-being needs* (negation: misery, morbidity); *identity, meaning needs* (negation: alienation); and, *freedom needs* (negation: repression).⁴³

For the present discussion, I bring to the fore the fact that alienation is the negation of identity and the meaning needs. To return to Naboth's case, it is blindingly obvious that his vineyard satisfied the needs of his identity and the meaning of his life. Accordingly, the protection and preservation of people's land ownership are essential initiatives of peacebuilding in rural areas including the Sankuru region.

The second observation underscores an insight drawn from Naboth's motives. His disinterestedness in selling his ancestral heritage challenges the Marxist mentality that makes human flourishing dependent on material life or economic capital.⁴⁴ Human nature is a complex reality that includes both body and spirit. As a result, integral human flourishing requires attending to bodily and spiritual needs. That is why Katrien Hertog brings together the hard and soft aspects of peacebuilding. She characterizes the hard aspects in these terms: "Hard aspects of peacebuilding, [...], focus on the formal, objective side of peacebuilding, such as the development of structures and institutions. A focus on the hard aspects of peacebuilding is, for example, translated into reconstructing physical infrastructure, organizing disarmament, developing economies, installing democratic institutions, and taking security measures."⁴⁵ The State is usually in charge of these domains.

Concerning the other category, Hertog states, "*The soft aspects of peace building are understood in this study as the emotional, psychological, socio-psychological, and existential-spiritual issues involved in peacebuilding, such as attitudes, perceptions, cognitive thinking patterns, values, expectations, desires, emotions, traumas and wounds, assumptions,*

motivations, relationships, frustrations, intentions, concerns, taboos, principles, norms, beliefs, identities, loyalties, worldviews, and memories."⁴⁶

This comprehensive list accurately captures the scope of the spiritual realm of human life. I argue that individuals and communities experience this array of attitudes in their relation to their lands. As a result, because the dynamic of peacebuilding in rural areas of the Sankuru region revolves around the claim of land ownership, I agree with Hertog when she proposes "to put the soft aspects more to the center stage of peacebuilding theory and practice."⁴⁷ This prioritization means for example that peacebuilding theorists and activists heed the spiritual value that people attach to their lands instead of drawing hasty conclusions and superficial policies about the distribution or redistribution of lands in rural areas.

To sum up, this section underscores two values, namely material and spiritual that rural people attached to land ownership. The apprehension about the loss of these values can lead to tensions and even overt violent conflicts. This state of affairs thus propels moral imagination to envisage some options conducive to preventing issues of land ownership that might otherwise erupt in violence and bloodshed. The last section of this article considers these options.

3. Prospects of Peace Building in the Context of Land Ownership

I argue that the overarching approach that can inspire these options of peacebuilding in the context of land ownership in rural areas is the praxis of solidarity.

The previous discussion has emphasized that the rural people of Sankuru have recourse to violence to secure their land ownership. Likewise, it acknowledged that their claims rely on a customary basis. In other words, they claim that this or that land belongs to them because it is their ancestral heritage. Such affirmations become an unsolvable puzzle when two groups make the same claim without any other proof such as written documents. With orality, people can argue indefinitely or they can utilize violence to secure

⁴³Johan Galtung, "Cultural Violence," *Journal of Peace Research* 27, no. 3 (1990), p. 292.

⁴⁴I allude for example to the ten measures that Karl Marx and Friedrich Engels put forward for the revolutionary movement. See Karl Marx and Friedrich Engels, "Manifesto of the Communist Party," in Robert C. Tucker, ed., *The Marx-Engels Reader*, 2nd edition (New York: W.W. Norton and Company, 1978), p. 490. Elsewhere, Marx states that "Life involves before everything else eating and drinking, a habitation, clothing and many other things. The first historical act is thus the production of the means to satisfy these needs, the production of material life itself. And indeed, this is a historical act, a fundamental condition of all history, which today, as thousands of years ago, must daily and hourly be fulfilled merely in order to sustain human life." [Karl Marx, "The German Ideology," in Robert C. Tucker, ed., *The Marx-Engels Reader*, 2nd edition (New York: W.W. Norton and Company, 1978), p. 156. He further points out, "'Liberation' is a historical and not a mental act, and it is brought about by historical conditions, the development of industry, commerce, agriculture, the conditions of intercourse." [Karl Marx, "The German Ideology," p. 169].

⁴⁵Katrien Hertog, *The Complex Reality of Religious Peacebuilding: Conceptual Contributions and Critical Analysis* (New York: Lexington Books, 2010), p. 48.

⁴⁶Hertog, *The Complex Reality of Religious Peacebuilding*, p. 47. [Emphasis in the original]

⁴⁷Hertog, *The Complex Reality of Religious Peacebuilding*, p. 47.

the right of land ownership. From my perspective, both quarrels and violence are unhealthy approaches. Likewise, principles that are purely legalistic including Nozick's principle of rectification⁴⁸ and egalitarian principles are inappropriate and inoperative in the rural Sankuru context. In their place, I propose the praxis of solidarity as the hope for reestablishing trust and peace among the rural population of this region. As Nyeme Tese, a moral theologian of the Sankuru region, explains it,

Solidarity, as it appears in *the Otetela* worldview, constitutes the *sine qua non* of the realization of the purpose of life in the world. Without it, the wheels guaranteeing life rust necessarily, bringing about a disastrous paralysis of the whole created [world]. As it is well apparent, if life in its historicity constitutes the absolute value of *Otetela* ethics, solidarity in its plenary sense (generous support of the human being to the cause of life received from the Giver and cogivers) constitutes its fundamental backing, the ethical mode, which unites and informs every virtue and every behavior commended in *Otetela* morality.⁴⁹

Nyeme Tese is remarkably insightful at underscoring the pivotal role that solidarity plays in the ethics of life of the *Otetela* people in the Sankuru region. Solidarity in this sense can be viewed as the "eagle" virtue that protects life under its wings and prompts other virtues to do likewise.

The question that begs the answer is to know a way that can promote solidarity for the sake of peacebuilding among agitated claimers of land ownership. I highlight the indispensability of the use of images, metaphors, and proverbial language to the promotion and praxis of solidarity. Bénézet Bujo rightly points out that "The concern for wisdom means that poetic language, symbolism, proverbs, parables, and stories are often used in palavers to express fundamental insights about life."⁵⁰ Jørgen Johansen's perspective concurs with this conviction. Building on the work of Johan Galtung, Johansen suggests finding an antithesis to Galtung's trilogy of violence, namely direct violence,

⁴⁸Nozick, *Anarchy, State, and Utopia*, p. 152-153.

⁴⁹Nyeme Tese, *Munga*, p. 99.

⁵⁰Bénézet Bujo, "Distinctives of African Ethics," in *African Theology on the Way: Current Conversations*, ed. Diane B. Stinton (London: Society for Promoting Christian Knowledge, 2010), p. 83.

⁵¹See Johan Galtung, "Cultural Violence," *Journal of Peace Research* 27, no. 3 (1990): 291-305.

⁵²Jørgen Johansen, "Nonviolence: more than the absence of Violence," in *Handbook of Peace and Conflict Studies*, ed. Charles Webel and Johan Galtung (London: Routledge, 2007): p. 143-159.

⁵³Johan Galtung shows for example that "Cultural violence makes direct and structural violence look, even feel, right – or at least not wrong." [Galtung, "Cultural Violence," 291]. In other words, cultural violence is the instance that anathematizes or canonizes different expressions of violence.

⁵⁴Johansen, "Nonviolence: more than the absence of Violence," p. 151.

structural violence, and cultural violence.⁵¹ He proposes a trilogy of nonviolence: direct nonviolence, structural nonviolence, and cultural nonviolence.⁵² It is worth noting that my ensuing discussion focuses on cultural nonviolence because culture plays a vital role in shaping people's beliefs and attitudes.⁵³ According to Johansen, "Cultural nonviolence includes those parts of our culture that transmit traditions of nonviolent behavior and which commemorate and honor nonviolent values and qualities."⁵⁴ From this perspective, I acknowledge that there are fables, images, metaphors, proverbs, and practices proper to the Sankuru region that teach solidarity.

Alluding to some proverbs and practices here makes intelligible the way this *Otetela* ethics catalyzes the acquisition of the virtue of solidarity in the imagination of its sons and daughters.

One maxim says, "*Ombica la d'okonda ka koca la d'oswe*," that is, "Save me in the forest's matters, and I will save you in savannahs' matters." People often evoke this maxim when they make an earnest and urgent request to someone. This maxim is an honest reminder that nobody is independent or autonomous in all the domains of life. For example, a farmer needs the help of a hunter to be able to eat the fruit of his crop with meat. Likewise, a housebuilder needs the assistance of a blacksmith to get the tools for his work. In the same way, the blacksmith needs the builder to live in decent conditions. In light of this interpretation, this maxim can be invoked in the context of the conflict about land ownership to defuel tensions and promote cooperation and solidarity that establish peace among the members of a community.

In addition to this inspiring maxim, many proverbs in my native *Otetela* culture teach solidarity. I only mention four as illustrations. The first proverb says, "*Lonya otoy ndaame hakoke mbote ocumu*," that is, "When left alone, one hand can never make a bag." The second proverb states, "*Lohita otoy hakoke mbidja ekenga k'ahoho lonyo*," that is, "One single finger is not enough to put cooked corn's grains in the mouth." The third proverb affirms, "*Lohito otoy hakoke ndjaka oluyi*," that is, "One arrow is not

capable of killing a snake.” The fourth proverb asserts, “*Lonya otoyi hakoke mbidiya onto l’osongo*,” that is, “A single hand cannot make someone climb a tree.”

These proverbs proscribe a solitary life. Instead, they encourage cooperation and community life. Like fingers and hands, people are called to live in solidarity. It is worth highlighting, in this context, two practices that foster this life-sustaining value.

The first practice is called *Dikongo*. It is teamwork for agriculture. This type of work with bare hands is onerous and wearisome. As a result, rural people who work as a team make their toil easier and expect a bountiful harvest. From this perspective, chances are that people who work together live in peace and are disposed to share their lands with others.

The second practice is called *Dikelemba*. It is an exchange of funds among a group of people in rotation. In poverty-stricken communities, people have creatively imagined ways to cope with their misery. In this context, a group of people can agree to give a fixed amount of money to each member monthly. This amount (fund) can thus help the beneficiary of that month to meet his or her urgent needs.⁵⁵ From this standpoint, the sharing of land among the members of the *Dikelemba* group can increase their ability to contribute to their “mutual bank.” Like the case of *Dikongo* (teamwork), this financial exchange is a powerful expression of solidarity. It is, therefore, a great asset for peacebuilding in rural areas including the Sankuru region in the DRC.

4. Conclusion

The essence of this article is a reflection on the dynamic of peacebuilding in a specific location, the Sankuru region in the DRC. My foregoing analysis showed that this dynamic manifests itself in the claim of land ownership.

I articulated this reflection in three sections. The first section represented the basis for land ownership in the Sankuru region. It pointed out legal pluralism as the basis for land ownership. This pluralism includes religious, customary, and legal foundations. The second section explained the values of land ownership. Material and spiritual values serve as the reasons for the claim of land ownership in rural areas. The third and last section considered the prospects

for peacebuilding in the context of land ownership. In this context, I proposed an overarching initiative, namely the praxis of solidarity in Sankuru. As a result, my analysis argues that this initiative constitutes the path upon which the Sankuru people can tread to defuel conflict and violence triggered by the claim of land ownership. If chosen, this path will help them experience again the blessings of peace, brotherhood, sisterhood, and social harmony.

On the whole, this reflection acknowledges its “localist” or contextualized scope. It does not exhaust the breadth and complexity of peacebuilding. Nonetheless, my reflection shows that it is not indifferent to this question. It enters the debate by providing not dogmatic but non-negligible and vital insights.

First, my reflection is a case study that exemplifies what is at stake in the relationship between land ownership and peacebuilding. It is thus a significant contribution to the recent literature which is filling the gap of the previous lack of attention to the ways that “renewable natural resources underpin rural livelihoods in agricultural landscapes—the subsistence use of land, water, fisheries, and forests.”⁵⁶

Second, the highlight of the spiritual dimension of land ownership is another worthwhile contribution of this reflection. Notwithstanding the indispensability of securing land ownership for subsistence, the claim of land also relates to the necessity and value of protecting the land as a gift received from the forefathers and foremothers. This privilege involves the duty of properly handing it down to posterity. From this perspective, land ownership calls for intergenerational justice.

Lastly, my reflection corrects the often-reductive statist approach to the issue of conflict and violence. This approach almost exclusively localizes the cause of conflict and violence in the struggle of marginalized groups to have their shares in the monopolization of “the legitimate use of physical force as a means of domination within a territory.”⁵⁷ My reflection has broadened the perception of this issue by underscoring that the claim of land ownership accounts for the dynamics of conflict and violence in rural areas like the Sankuru region in the DRC. For this reason, peacebuilding theorists and activists or practitioners need to attend to the material and spiritual interests

⁵⁵For more information, see Raphael Okitafumba Lokola, “Statism Debunked: Analysis of Self-air Groups as Vehicle of Rural Development,” *Global Journal of Arts and Social Sciences*, vol. 6, no. 1, 2024, Open Access article: <https://www.pubtextto.com/pdf/?statism-debunked-analysis-of-selfaid-groups-as-vehicle-of-rural-development>.

⁵⁶Ratner et al., “Resource conflict, collective action, and resilience: an analytical framework,” p. 184.

⁵⁷Max Weber, “Politics as a Vocation” in *From Max Weber: Essays in Sociology*, translated, edited, and with an introduction by H. H. Gerth and C. Wright Mills (New York: Oxford University Press, 1946), p. 82-83.

that motivate such claims for the promotion of integral and lasting peace among rural communities.

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