International Journal of Industrial Administration (IJIAdm)
Vol. 2, Issue 3, June-July 2022 *p-ISSN:2811-2946; e-ISSN 2811-2954 (online)*
www.southrockjournals.org *editor.ijiadm@southrockjournals.org*

Complex Issues in Agricultural Land Acquisitions and Socio-Economic Limitations of FDIs in Developing Countries

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Abstract

Foreign direct investments in agricultural development are primarily with the objective intent to alleviate the communal land owners from their state of poverty and lack to measure up with certain international benchmarks. National governments have been known to embark on policies that bring about this needed change. However, the methods adopted have not brought any measurable benefits to the people as have been found from the declining population growth rate of the African continent. This decline in the rate of population growth is significantly tied to undernourishment and conflicts on the basis of land ownership thus resulting in avoidable deaths and external migration of Africans to other continents in search of food security, comfort, and safety of their lives. The solution to these complexities lies in the formulation of appropriate policy frameworks that empowers the local communities to take full control of their lands and where necessary directly participate in land deals with foreigners in manners that would be beneficial to them.

Keywords: *land acquisition, economic value, FDI projects, communal welfarism, foreign investments, financial balance sheet, resource limitations.*

1.0 Introduction

As historical facts suggest, native lands were originally acquired by first-in-time settlers who may have migrated from other places in search of fertile lands and water for agricultural purposes. At other instances, these lands were acquired by conquest, where original settlers were either driven away, killed or made subservient by stronger enemy forces. In all the situations, lands bear relevance on the basis of the history of their ownership and occupation.

Land acquisition in this respect; is central to agricultural development all over the world. This also means that many policies of governments and municipal authorities towards land acquisition bear relevance to the policy direction of the government in that area. There are also communal lands acquisition restrictions especially for lands within native occupation. Thus, direct ownership of these types of lands are restricted to the natives and in such cases, such lands are not sold or leased to strangers. Instructively, this practice limits external investment that will also benefit the members of such communities. In Nigeria for instance, practices of this nature are the reason behind the enactment of the Land Use Act of 1979. This public land management system also applies in many other developing countries. It is worthy to note that in Nigeria, this Land Use Act of 1979, was an instrument of control which was decreed by a military dictatorial government to forcefully removed ownership of lands from the natives and citizens and vest same on the national and state governments.

Although this forceful redirection of ownership of native or communal lands requires that compensations should be paid; however, there are provisions that the governments are also empowered under the Act, to compulsorily take over lands in the pretext of "public use". Land acquisition is therefore a complex issue where viewed along the lines of real and remote sentiments that are attached to it. These prevarications draw from the nature of native ownership and inheritance, which sometimes dates back to some long historical facts that form the consciousness and identity of the people, especially for lands that were owned by reason of communal conquest, and similar modes of native ownership.

In addition, communal or native lands within developing countries like African nations, have cultural ties or links to their lands on the basis that their forebearers and original owners of the lands were buried on such lands. It thus implies that with this complex and complicated mindset, the economic value or potentials of such lands would not be realizable, and as such there is need for some form of coercive legal force. This is where public policy comes in. Such policies should therefore be designed with caution and human face, especially where the investment would require large scale occupation of forest lands, which partly serve the natives as farms, hunting grounds and lots of other forest resources, such as woods, medicinal roots and herbal leaves, etc. Acquisition of a land described as above for agricultural purposes is likely going to alter the economic base or balance of these natives and in the overall, dispossess them of its use. It should be noted that even when public policy as to financial compensations are complied with, it is not in doubt that such commitment will not be adequate to assuage the incidental losses of revenue, opportunities and immense memory and satisfaction of that land to the native owners.

Consequent on the foregoing, any meaningful acquisition of land must take into cognizance these conditions in addition to adequate provision for corporate social responsibilities in favour of the host community. Thus, effective CSR policy in the regard, must protect the interests of the host communities in the environment, especially where the food products to be embarked on by the large scale investor was previously a cash crop for the natives. An example is palm oil, where its production requires a large expanse of fertile land. This product obviously would have natives who were running private oil mills before the advent of the large scale farm. Thus, corporate social responsibility in this regard, imply that public policy should insist that the investor must make adequate provisions that safeguards the local producers, otherwise they would be chased out of business. The consequences of this frustration would be better imagined. In view of this situation, relative land acquisition should be a well thought out project given its peculiarities.

Further, it is important to state that due to the increasing demand for cheaper alternatives in terms of food and other agricultural products, there is a clear interest in deploying foreign financial resources for acquisition of land within African Rural Communities (Daniel and Mittal, 2009). In this line of reasoning, Dessey, Gohou, and Vencatachellum (2010) referred to foreign acquisition as *land grabbing* based on the methods deployed to achieve it. They further characterized such acquisitions, as including:

i) a reduction in cultivable land for local farmers
ii) all products being exported
iii) the farms of the land transactions are negotiated by the central government of the host community.

The foregoing characteristics are indicative of the contextual nature of most foreign direct investments in agriculture and allied products. Thus, since the central interest is production for export, the FDI operatives utilize available local resources to expand their operations for their foreign consumers, (Daniel and Mittal, 2009). The implication of this type of land acquisition is that it reduces the survival chances of local farmers (Oakland Institute, 2000) and also results different types of conflicts with local farmers. In the face of the conflicts resulting from farm land allocation to foreigners, it is important to note that funds generated by governments or supervisory authorities could be deployed to optimize the agricultural capabilities of the local stakeholders. This approach has a commensurate assuaging benefits to the host communities and also improves the relationships between local farmers and the foreign investors.

Further, Dessy *et al* relying on the views of Fleshman (2008) opined that some local farmers do not have access to significant funding. This means that the gains of their governments arising from the FDI initiatives should be ploughed back into the local community in terms of provisions of improved varieties of seedlings and subsidies for fertilizers and many other agricultural extension services. They further argued that the money generated from the lease should be used to build infrastructure that can expedite agricultural transactions of the locality or seek new employment avenues that positively impact on the local populations. Thus, the creation of jobs from proceeds of native farmland leases also has its drawbacks, as a school of thought has maintained that where jobs are created, the local farmers are tempted to abandon their farms for the new jobs and this automatically makes them consumers of food instead of producers.

Thus, their status as consumers further makes them dependent on imported food products. In this regard, Dessey *et al* argued that such local communities within a limited time would become burden bearers to foreign 'food-insecure nations', who would transfer their national food challenge to the host communities of their FDI initiatives. In the overall, the central or municipal government is expected to possess the capacity to enter into land acquisition transactions with foreign investors since they also hold the communal lands in trust for the locals or natives. This reason imply that they are duty bound to be accountable to the host communities on the utilization and management of the proceeds of the land leases or sales. In the foregoing regard, the conditions that are necessary for the proper implementation of FDI projects in order to satisfy the aspirations of the host communities is very crucial and must be viewed along the lines of communal welfarism.

2.0 Target Driven Acquisition and Economic Balance

It should be noted that FDIs directed at African countries operate on target driven acquisitions of native forests and farmlands. Instructively, the interest and welfare of the rural dwellers are mostly not considered as governments are known to apply the derived revenue into other sectors and places that did not contribute to such funds, all in the name of public or government policy of that particular administration. Accordingly, Dessey *et al* maintained their argument that most FDIs that are meant for agriculture and food production target rural locations whose means of livelihood is subsistent farming within environmental conditions that are sometimes characterized by various degrees of famine, hunger and starvation of key survival resources. This was experienced in countries like Ethiopia and Kenya in the late 2000s.

In respect of the foregoing, a study by the Oakland Institute (2011) indicated that a land acquisition in Mali resulted serous contestations and disquiet among peasant farmers whose lands were given out without their involvement or consent. The report observed that, that act of the government negatively impacted on the lives of the natives who themselves lack the capacity to socially organize themselves for better representations to press home their demands.

In the foregoing regard, the position of this study in respect the views of the Oakland Institute (2011) report is that, the actions of the government no matter how well intentioned cannot be said to represent the aspirations of the local farmers whose only heritage is their land. Secondly, it could also be deemed to be a deliberate act by locating such project in the place where they know that the natives lack capacity to offer any form of resistance. This complex issue is not only characteristic of rural dwellers, but also for small stakeholders who do not fully understand or appreciate their rights to better standard of living. Consequently, a public institution that acts in disregard to the aspirations of peasant farmers and rural dwellers by leasing or selling their lands without their inputs during negotiations have not acted in their interest (Cotula, Vermeulen, Leonard and Keeley, 2009). This inappropriate act of deprivation by public office holders as opined by Dessy *et al* is prevalent in Africa.

Further it should be noted that there are other players on this field. These persons embark on strategic support campaigns by proposing to national governments that the involvement of FDIs in their economic development blueprint will result poverty alleviation and rural developments. They fail to inform the government of the potential challenges of the foreign investments in the targeted areas. These organizations are large international institutions such as, International Fund for Agricultural Development (IFAD), Food and Agricultural Organization, World Bank, etc. Although their projected views are not altogether irrelevant, suffice to say that the major thrust of their enslavement campaign runs under the following argument:

i) Africa has very massive unused or under-utilized land mass for which applying them for FDI use will not harm the rural dwellers or their economies. They also argue that since these large expanse of land are not used, deploying them to satisfy foreign interest will not result any form of humanitarian crisis such as internal displacement.

ii) Displacement is only an opportunity for better advancements in the lives of the rural dwellers. They thus agree that if such foreign investment in agriculture affects the income power or privileges of the rural people, then an opportunity has also arisen for them to engage in paid employment or undertake any other business in the value chain created by the FDI. This argument is also lame on account of the fact that most rural dwellers may not be interested in paid employment if they have better alternative of managing their private farms. Secondly, some will not be willing to undertake training and work orientation for their roles in the paid employment. In these regards, targeting land resources belonging to local farmers without their informed consent or direct accrual benefits that assuages their pains is counter-productive in the long run.

iii) Desirable benefits accruing from such long term lease or sale of community land could be applied into the community to uplift the people. This implies that economically beneficial re-investments could be pursued with the proceeds of such FDIs and those inputs should be within the local communities where the projects are sited. Experience and practice have shown that this is not often the case. A similar case in point is the oil minerals of the Niger Delta Region in Nigeria. The host communities whose lands were compulsorily acquired for this purpose suffer clear absence of basic amenities and the people are in serious poverty without access to drinking water, good roads and medical facilities. This region is also faced with environmental degradation and most of the time oil spills devastate their lands and make it unfit for any agricultural production purpose.

Under any of the foregoing argument, this study does not believe that the lives of the rural dwellers have been any better in the long run. Meanwhile, their land has been taken away from them without any commensurate benefits. Although the FAO (2009) report asserted that the upstream and downstream opportunities and linkages that has been created by the FDIs has lifted a lot of persons from the poverty bracket; suffice to say that in communities where FDI in agriculture has been allowed, the lives of the rural people have not been any better, in the long run. Meanwhile, the siting of that foreign investment in such locations has resulted colossal rise in cost of living to the detriment of the host communities.

Additionally, another well pronounced complex issues targeted at the host communities where agriculturally based FDIs have been located is the fact that improved seedlings could be placed at the disposal of the natives. This argument is also faulty. If it is not, how come that the cost of living in such areas are comparably higher than similar areas without such investments? How come there are incessant complaints or protests from the natives against the FDI organizations?

Further, the land tenure system in some African Countries is also a complex challenge. An instance is Nigeria where rural farmers do not have legal documents of ownership over the lands that they own or farm on. In this regard, the country's Land Use Act 1979, vested all lands on the governor of the state. This condition makes it easy for the governor to allocate land in the way he chooses, albeit under the said Act. This legislative limitation to the right of ownership of land becomes a crucial concern in that regard.

3.0 Assessing the Developmental Impacts of Agricultural FDIs within African Nations

The performance of every policy is measured on the scale of its impacts on the target. In this regard, FDIs deployed to African countries cannot be said to have achieved the core national mandate of public policy makers if the strategic interests of the rural farmers and other persons have not been achieved within the given time frame. Thus, in order to assess the performance of these foreign investments, vis-à-vis the income generated from such ventures to the financial balance sheet of the funding country or continent, the study shall consider the developmental impacts of the FDIs on the host community.

Further, as observed by Nwozor and Olanrewaju (2020), despite all FDIs invested in Africa, food security for most of Africa is still a far cry from what obtains in the developed food-secure nations. Drawing an inference from FAO, IFAD, UNICEF, and WHO (2019) reports, it could be affirmed that irrespective of the huge investments into agricultural FDIs in Africa, the notably high prevalence of undernourishment (PoU) has persisted, thus dwarfing whatever perceived gains may have been made in the regard. This implies that the Malabo Goals 2025 for African Development may not be realizable. Further, the agreed targets of Goal II of the Sustainable Development Goals (SDGs), may be out of reach when considered alongside the FAO and ECA (2018) joint finding that an estimated population of 257 million persons living in Africa are under chronic under-nutrition. They further observed that, of the population of 257 million persons, 237 million live within the sub-Saharan region of Africa.

In the foregoing regard, a comparison with previous reports indicates a steady and fast decline in nourishable food availability and increasing food security problems. This is a clear testimony that the FDIs have not been able to deliver on their mandate of poverty alleviation and provision of nutritional food products. Based on this line of reasoning, FAO *et al* (2019) pointed out that under-nourishment within the African region has been on a steady decline from a recorded 10.4% in the ear 2010 to 14.7% in 2018. This figure would be more devastating to the sensibility of policy makers if other crucial parameters such as population rise as a result of births and inward migrations from other communities, reduction of food availability on the occasion of fixed or declining food productivity are computed into the assessment. This appears to be the case as Figures 1 to 3 below suggests.

The foregoing notwithstanding, in an interesting study, Zoungrana (2013), posited that by 2020 the population of the West African region would record 420 million persons, which would overstretch the food and nutrition balance given the dwindling size of food production in the region. Thus, a consideration of African wide population condition as at year 2013 when Zuongrana made his prediction would indicate the highest population growth rate of 2.59% as shown in figure 1 below:

Population growth rate in Africa from 2000 to 2030

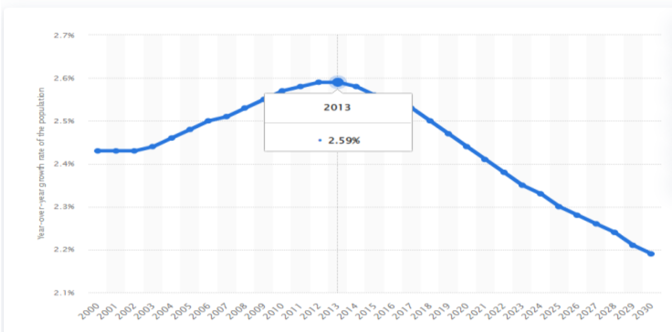

Figure 1: Rate of growth of African population year 2013
Source: Mariam Saleh (2022), a research expert with Statistica

Further, a careful observation of Figure 2 below would indicate that currently in year 2022, African continent has witnessed reduction in the rate of population growth to 2.38%. The implication of this view to this study is that insufficiency of food and nutritional benefits of agriculture has been on the decline, thus resulting increasing reduction in the rate of population growth.

Population growth rate in Africa from 2000 to 2030

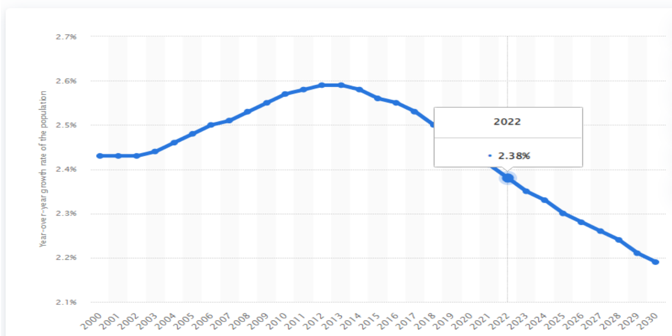

Figure 2: Rate of growth of African population year 2022
Source: Mariam Saleh (2022), a research expert with Statistica

Although the study is not about the empirical reasons for the decline in population growth rate of the African region, a further view of Figure 3 below, would indicate that the downward trend of Figure 2 is likely to be maintained if projection is considered up to 2030 where it is estimated to hit a low of 2.19%.

Population growth rate in Africa from 2000 to 2030

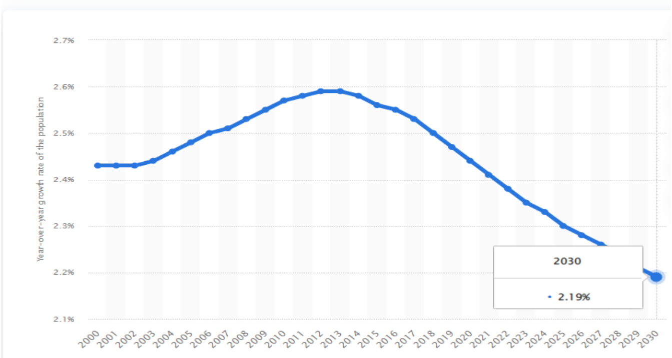

Figure 3: Rate of growth of African population year 2030
Source: Mariam Saleh (2022), a research expert with Statistica

The overall implication of these figures in respect of this study is that agriculturally based FDIs have not really achieved their anticipated progress in the whole of Africa and even if it is projected up to 2030 it will still not be achieved. This means that something must be fundamentally wrong with the initiatives or the methods adopted to establish and operate the initiatives. Further, in considering this challenge, the ECOWAS Community originated the idea of tackling food insecurity by initiating and administering a West African food sovereignty regime. This unifying policy of the region referred to as ECOWAS

Common Agricultural Policy (ECOWAP), which was established in 2005. This effort was made in order to respond to the emerging regional food challenges and also made pursuant to Chapter 4, Article 25 of the ECOWAS Treaty. Given the basis for the establishment of ECOWAP, being same with individual Country reasons for attracting agricultural FDIs from perceived food-secured nations; it is evident that those reasons have not been realizable, hence the intervention of the regional agencies.

In furtherance of the foregoing argument, Nwozor and Olanrewaju (2020) opined that the establishment of ECOWAP, the Millennium Development Goals (MDGs) and the Comprehensive Africa Agricultural Development Program (CAADP), was a desire to actualize the provisions of the ECOWAS Treaty, by using these frameworks as platforms for driving sub-regional commitments towards a joint effort for the realization food security and adequate nutritional balance for Africans and Non Africans, resident in the region. It should then be noted that the inability of the Agricultural FDIs intervention in Africa to guarantee and sustain their basis of establishment is a crucial reason for all of these regional interventions. In respect of the foregoing, Crola (2015) averred that the duo of ECOWAP and CAADP were designed to function in the following respect:

i) introduction and establishment of modern sustainable agriculture
ii) promotion of agricultural practices that enhances agro-allied productivity and intra-regional competitions in agricultural practices
iii) achievement of sustainable food and nutritional security
iv) creation of avenues for earning of incomes to rural farmers and workers in agricultural endeavours.

In view of the foregoing functions, Nwozor and Olarenwaju pointed that the ability to actualize these objectives are based on the regional capacity for integration as enhanced by the paper's articulation of the various interventions in agriculture that are domiciled in the various countries in the region. Thus, there is a clear indication that the implementation of the intervention programs has been indigenous to the regional populace. This means that the sourcing of funds for these projects from diaspora has not succeeded in guaranteeing food and nutrition security. Further, there are other natural and unnatural impediments to food security in Africa which the various FDIs have not been able to surmount.

In the foregoing regard, food sufficiency and food sovereignty within the continent of Africa has been a clear case of under management of available agricultural resources (Mbow, Van Noordwijk, Luedeling, Neufeldt, Minang, Kowero, (2014). In addition, it has been argued that one of the weaknesses of the intervention programs had been its assessment of success or performance on the basis of national and subnational agricultural development (Nwozor, Olanrewaju and Ake, 2019) and (Bini, 2016). Consequent on this development, Nwozor and Olanrewaju (2020) advanced that, whatever efforts are attributed to the regional organizations, such efforts should be specifically linked to sub-regional and continental policy frameworks in agriculture. In view of the central focus of this Section i.e. assessing the developmental impacts of FDIs in Africa, suffice to state that agricultural FDIs could be said to have positively impacted on African communities when:

> *"all people at all times have physical, social and economic access to food, which is safe and consumed in sufficient quantity and quality to meet their dietary needs and food preferences and is supported by an environment of adequate sanitation, health services and care, allowing for a healthy and active life" (FAO, 2012, 8)*

The foregoing implies that within the contexts of the observable impacts of FDI on the development of agriculture and adequate food production, resulting food sufficiency and security, it cannot be said that the African region have on the basis of its physical, social and economic standing accessed food in safe, sufficient quantity and quality in the actualization of their dietary needs. Further if food security which comprises various aspects and relativities of deprivation is to be used as the basis of assessment, then this study agrees with FAO (2019) that a key indicator should be the prevalence of undernourishment index (PoU); which also surmises a situation within a defined period, where a population's access to hygienic food is inconsistent and as such no guarantee as to the availability of nutritional requirement in order to keep the populace healthy.

4.0 Resource Management Limitations of FDI Deployment in Developing Countries

The study finds that in the administration of FDIs, there are some crucial limiting factors that are capable of stagnating any form of growth or benefits derivable from such ventures. These limiting factors if properly identified and managed has a way of advancing the anticipated profits that is accruable from the venture. In this respect, the management of key resource variables that define the profitability of the enterprise is not only desirable, but a necessity for upward advancement of the intervention programs.

In view of the foregoing, this study shall consider some critical project management limitations that has weakened or made FDIs unable to satisfy the mandates of their establishment, in the various rural communities of Africa. Although this list is not a conclusive proof of the failure of foreign agricultural investments in Africa, they nevertheless indicate possible areas of attention for optimal performance, (Staatz, Dialo and Dembele 2017). Further, discussions along this list of limitations would also enhance the evolution of a standard framework for performance evaluation, especially where issues discussed go beyond the borders of any particular country within the region of interest.

In addition, it would serve as a research based checklist that can enable the ease of tracking of progress in FDI initiatives, in order to consolidate on the gains of accelerated rural transformations within African native communities (Hendricks, 2018). In line with ECOWAS Commission Report (2009), the ECOWAP/CAADP program focused on six pillars of progress at the ECOWAS regional level. These pillars would be discussed alongside the identified response management limitations. The pillars as identified by the ECOWAS Commission (2009) Report are as follows:

i) management of water
ii) management of shared natural resources
iii) development of farms in sustainable ways
iv) development of markets and supply chains
v) prevention and management of food crisis and other natural disasters
vi) institutional strengthening

In view of the foregoing, an understanding of the management of these under-listed limitations are crucial to better application of foreign investments in Africa's native land.

a) *Data availability and decision making based on quantitative and qualitative analysis: -*

Studies have shown that data availability and appropriate analysis is a crucial factor in the proper management of agricultural resources within foreign investment initiatives. As observed by Divan (2017), that in arriving at a decision, the process must significantly depend on contextual premise of the issue and should be guided by the objectives intended for that decision itself. In this regard, the contextual assumptions are a clear representation of external factors that confront the decision maker (Von Bertalanffy, 2006).

Thus, these external factors if not well understood by decision makers have the capacity to create confusion in respect of data information, application and development. This view affects foreign investments in agriculture in the sense, that reliable data must be consistent, comparable and traceable. This means that the issue of inconsistent data imply that data must be identified and known before it can be analyzed for decision making. Thus, a proper understanding of data content and structure is a necessity for removal of a critical limitation, especially as the views of Liu (2014) indicates that data inconsistencies have accounted for previous decisions that produced wrong results.

b) *Bulk of FDI initiatives go to food manufacturing/ processing and preservation: -*

It is important to state that most FDI within the African continent have heavily invested in manufacturing capabilities such as processing, canning/packaging and preservation. In some instances, as reported by Liu (2014) records show that between 2006-2008 only about 10% actual food production from farms occurred with the FDI initiatives. This imply that FDI in agriculture have maintained active growth in food processing rather than actual cultivation.

The importance of this argument is that some FDIs end up buying food produce from local farmers and then add value by processing and packaging. This makes the food products more exorbitant to domestic consumers. This point aligns with current practices in rural Africa communities where food produced locally are unaffordable to domestic consumers. This creates problems of food insecurity, as the food produced locally are shipped to other locations to solve food insecurity problems.

In the foregoing regard, Kubik (2018) observed that FDI in agricultural sector in Africa has taken private ownership dimension, which in turn has taken charge of food production and majored on processing and retailing. He further observed that this situation is based on agricultural liberalization and globalization which has reshaped the African agricultural and allied sectors towards food processing for export by both domestic and foreign investors. Thus, the central desire or object of food production for exports to food-insecure destinations is a clear indication that it is a limiting factor to FDI gains within Africa.

Further, domestic agricultural sector investors who can mobilize resources also embark on production for export due to the attractive financial benefits. This creates lots of socio-economic problems for the rural populace who themselves are struggling with food insufficiency. Further, as a means of managing these problems, public policy makers are to ensure that only a certain percentage of production should be exported. If this is not done, the gains of FDIs will never be seen in the rural communities of Africa. Secondly, the fact that these large scale investors buy from the local farmers means that the farmers will continue to be peasants, at the mercy of the bulk buyers, who mostly buy below fair market price, while they make over profit from their exports of processed food products.

c) *Direction of profit migration and lack of local capacity development policy: -*
Studies have further shown that a key limitation to the benefit of FDI deployment in Africa is the fact that the benefits or profit accrued are migrated to the investor's countries whom Lowder and Carisma (2011) categorized as upper-middle and high-income countries. This view could therefore be understood to mean that the core interest of these foreign investments in agriculture is not social or economic development of the host communities but the financial gains of the investor countries. Further, instances exist where the investor country flood the farms with its nationals on the excuse that they are well trained or experienced to handle the machines, or the production and processing systems.

d) *Control of agricultural land and living standards of the host community: -*
As has been observed earlier in this work, land is a crucial resource to the survival of any person or community. In this regard, it should be stated that where foreign investors have unrestricted access to large expanse of community or native lands, then control of the local economy of the native people is inevitable. This view is inimical to the healthy performance of FDI in agricultural sector. The further implication of this shows that such FDIs would suffocate the economic growth of the natives, especially in ventures that has close relationship to land resources (Liu, 2014).

e) *Multiple meaning of land: -*
The study found that different people view land differently. This entail that the meaning and relevance ascribed to land determines the accruable or anticipated benefits from land. To some, land is a cultural phenomenon while to others, it is relevant for business and economic purposes and to a significant number of persons, it is a fortress for security. This means that FDI operators are to satisfy themselves that they have understood what their host community's views of their lands portend.

This clear understanding can assist the foreign investors to understand the needs of the people, which they hope could be solved by the FDIs involvement in their communal lands. The paper views the limitation as a big factor that hinders or restricts the actualization of the full potentials of the foreign investments in communal lands. Further, Liu (2014) observed that beyond the economic value of land, when large expanse of land is acquired, complex issues bordering on cultural, legal, religious, social conditions, etc. are generated. This account for the reason why public regulations in such regard is a necessity.

f) *Long term lease of land: -*
The study found that foreign investors in agriculture do embark on long term lease of land rather than purchase of same. According to De Shatter (2009), Article 11 of the International Covenant on Economic, Social and Cultural Rights, nation states are under statutory obligations to ensure that their citizens and other persons under their jurisdiction have access to minimum essential food and nutrients that will enable them live healthy.

This food must be safe, adequate and guarantee their freedom from the threat of hunger. Thus, by the said instruments, the states are mandated to respect, protect and satisfy the right of humans to food. The implication of this provision is that state actors are prevented by international law from infringing on the rights of persons to feed themselves and to prevent other persons with vested commercial or other interests from encroaching on the ability or capacity of people thereby preventing them from feeding themselves. This means that it is a legal duty of national governments to prevent massive land acquisitions that impairs the ability of people to feed themselves in the manner prescribed under FAO, (2012) as stated above.

Thus, De Shatter (2009) reported that with the massive transactions in land in respect of foreign investment in agriculture in African, it cannot be said that national governments have lived up to such expectations. The report by De Shatter (2009) indicates that China was alleged to have acquired 2.8 million hectares of land in DR Congo, to set up the world's largest oil palm plantation. The report also stated that 45,000km of land have been leased by the government of Madagascar to an Indian Company, Varun International for rice cultivation that would be exported to India for sale and consumption. These and many more land deals were analyzed in the said report.

Thus, whether these massive transactions in native land finally succeeded or not, is a different issue, however the point to be made here is that the practice of long term land lease or even outright sales to foreign interest, has been shown not to be beneficial to the host community or native persons, whose lands have been traded out by their governments. This is a great limitation of the application of agricultural FDIs on African soil.

g) *Land purchase through local partners: -*
As observed in Liu (2014) and De Shatter (2009), there are countries with prohibitive regulations, that makes it illegal to sell land to foreigners. These prohibitions do not prevent long leases of communal lands. However, foreign interests wishing to buy such communal lands have used local partners as fronts in such purchases. This circumvents the policy of the government as the land is deemed to have been sold to a native; meanwhile, the native partner does not own controlling shares in the business, and as such has very little say in the transaction, or the running of the venture. This unethical practice is also a significant limiting factor to the efficient performance of agro-based FDIs in Africa, since the native-minor partner may not be able to determine or influence the policy directions of the business.

h) *Unreliable media report on African lands acquisitions: -*
A major drawback to the effectiveness of agricultural FDIs in Africa is the information released by media houses and platforms. These reports most of the time are unreliable and as such should be treated with great caution. This is because the projected transaction may not after all be realizable since the investors for many reasons may decide not to proceed with the investment or may decide to reduce the size of the investment. For instance, Cotula and Polack (2012) reported that media sources stated that in Mozambique more than 10million hectares of land has been acquired between 2008 and 2010; but government records within 2004 and 2009 show that only about 2.7 million hectares have been transacted. The implication of this, is that before media data on issues of these transactions are used, it is necessary to confirm same from government records (Deininger and Byerlee, 2011) and (Liu, 2014).

i) *Discrepancies on account of the type of methods used in assessments: -*
As have been observed, there are differences in computed sizes of land or financial worth of investment. These differences account for the discrepancies in records. Studies have shown that the discrepancies are as a result of the type of methods used. This means that various methods of land assessment and data computation may introduce different results. For instance, a study may use information on the basis of media repost when the project was announced. However, the actual information on ground may become different. Thus, the actual recorded transaction that is feasible should be the information that could be used.

j) *Historical perspectives of colonialism or antecedents as a limiting factor: -*
In the assessment of foreign investment in agriculture, it should be noted that historical antecedents of the home country of the investor is very crucial. For instance, most natives may not prefer to enter into large scale land and long term lease agreements or transactions with companies from the country that colonized them. They will feel that such venture may later result second round of colonization. To this end, in parts of Africa, the colonial experience of the natives who struggled and even died in order to achieve independence is a cardinal reason not to engage in any long lease of land, to such persons from the colonial past. Thus even when it is accepted, it is done with eternal vigilance and suspicion. This condition will hardly support any meaningful progress in the development of the FDIs.

5.0 Conclusion

The study has viewed land ownership on the basis of various known forms of native inheritance. Thus the surviving generations become the owners and occupiers of lands that were originally obtained by their progenitors who were first settlers or who acquired such lands by conquest. This historical perspective has been shown to be crucial in dealing with the complex sentiments attached to native lands and this has in certain circumstances hindered derivable benefits from land. This challenge has been shown to be solved by national legislations that has attempted to remove the barriers.

The elimination of these socio-cultural barriers have further introduced new forms of problems, thus resulting communal restiveness and even armed conflicts at certain points. The study has noted that legislations that seek to open native lands for beneficial commercial purposes such as FDIs should incorporate the interest of the natives in such away that compensations and other benefits can assuage the pains of such lose of land and its direct and indirect benefits. The study advanced its argument on the basis of a three capacity enabling views which dealt with the core reasons of failure of FDI initiatives; drawing attention to the capitalist and profiteering nature of such investments in connivance of the officials of national governments of the host countries. The study also considered the insensitivity of such national governments who would not invest in the community of impact but remit such accruable financial benefits and resources to faraway lands, that would not directly benefit the host communities of the FDIs.

Further, the effectiveness and efficiency of every policy is directly linked to its impact on the target. In this regard, a careful assessment of the impact of agricultural FDIs on the continent of Africa indicate that it has not actualized the objectives of the national governments whose policy thrust the initiatives were engaged to serve. Consequently, population rate decline based on an estimation of over 20 years' assessment, is a cause for worry and go to show that FDIs have only benefited the nation states of the funding organizations and this decline is estimated to continue even beyond year 2030. Thus, the overall effects of these insufficiencies is lack of access to quality food with complementary nutritional benefits to nourish the human body. The decline in the rate of population growth thus mean that there is high prevalence of undernourishment (PoU). This key indicator is crucial in the assessment of agricultural FDI and also necessary in the determination of policy directions. It is also an index for computation of the performance or extent of success of a nation's food security objectives and programs.

6.0 Recommendations

The study has dissected the complex issues bedeviling the effectiveness of agro-based FDIs in Africa and has concluded that many identified variables in terms of their complexities have accounted for its ineffectiveness in achieving the core ideals of its objectives. On the basis of the identified limitations in the study, it is recommended as follows:

1. Reliable data from authenticated sources should be the basis for quantitative and qualitative analysis before decision for agricultural FDI initiatives in Africa.

2. National governments in Africa should evolve policies that limit the quantity of food exports from their countries. This is to increase the nation's food security index and create strong local food economy. Under this scheme, exports are only permitted when a certain threshold is attained.

3. African governments should set up policy frameworks that mandate the banks to declare the size of profit repatriations to FDI funding countries to the relevant government agencies. This will check the advent of excessive profit migration. In this vein, it is also recommended that local content policies should be implemented to the letter.

4. National governments should initiate policies and legislations that prohibit foreign control of native lands. This can be achieved by criminalizing any attempt by foreigners to expand agricultural lands that are allocated to them without government approval.

5. Foreign investors are encouraged to understand the communal meaning of land within the context of the host communities perspectives. This understanding will foster good relationships with the host communities, thereby reducing possible frictions.

6. National governments should ensure that long term leases of agricultural lands are prohibited. These long term leases have been shown to be inimical to the progress of the host communities except where corporate social responsibility policies of the foreign investor protect the rights and privileges of the host communities.

7. Where a foreign company is represented by a local partner who presents himself to purchase native land, the interest of that local partner in that organization should be significant enough to convince government authorities to approve such acquisition.

8. Media reports on land transactions should be treated with maximum care especially where public records are not available to confirm the claims. This also mean that the confusions that accompany the various methods of land assessments and reporting should be unified within the framework of nation states. This increases the authenticity of published transaction records.

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