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People, poverty and the need for a rights based approach to land policy reform in Africa: a study of the importance of socially and environmentally focused land policy coordination in Africa to achieve the right to food, health and housing: the case of the Democratic Republic of Congo (DRC) and the Kingdom of Lesotho

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Abstract:

The research looks at the coordination of land policy with population growth and biodiversity loss as a means through which economic, social and cultural rights may be achieved. The argument is made that poor coordination of land policy with social and environmental systems may perpetuate the circumstances that drive poverty in Africa. This given the fact that land policy is a public policy that may challenge the legitimacy of economic, social and cultural rights when not properly coordinated with social and environmental systems. The research questions what considerations are taken into account when determining land policy that reflects the economic, social and cultural needs of the people within a respective State. Given clearly identified dependencies on land for development by the majority of the African population, the research aims to address how land policy may be reformed in order to take on a multilateral perspective regarding coordination, as opposed to the current unilateral perspective that stays within the realm of land administration and commoditization of land. The hypothesis of the paper assumes that current land policies in Africa challenge the legitimacy of economic, social and cultural rights since coordinated with the systems of population growth and biodiversity loss as representatives of social and environmental sectors that most influence poverty are non-existent. The research focuses on the Democratic Republic of Congo and the Kingdom of Lesotho as comparative regions where; regardless of the differing characteristics of both regions, population growth and biodiversity loss prove to be common factors that influence society's experience of poverty. The paper makes use of structural functionalism and conflict theory as a framework for analysis. Finally, the paper makes suggestions for further study into multilateral land policy reform as a contributing factor to the achievement of human rights.

Key Words:

Biodiversity Loss, Child Mortality, Corruption, DRC, Economic Social and Cultural Rights, Environmental Services, Food Security, Health, Housing, ICESCR, Land Policy, Land Tenure, Lesotho, Population Growth, World Bank