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# States and corporate land acquisition: comparing regimes of dispossession across the global south

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## ABSTRACT

How do processes of land dispossession vary across countries and sectors, and how could these differences be studied comparatively? In this introductory essay to the special issue *Comparing Regimes of Dispossession*, we address these questions by analysing a range of cases of corporate land dispossession from Brazil, East Timor, Thailand, India, Indonesia, and Cambodia. We compare these cases by analysing five aspects of dispossessionary processes: actors, legal mechanisms, degree of regulatory evasion, coercion and remuneration. Building on this framework, we argue that these dimensions align in ways that reveal three distinct forms that processes of land dispossession may take: eminent domain-based, curtailed land rights-based, and decentralized coercion-based dispossession. We propose that a comparative approach is crucial for understanding the conditions that facilitate land dispossession, as well as the opportunities for affected communities to effectively resist the corporate acquisition of their land.

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## Introduction

Consider these two examples corporate land acquisition:

As part of the 'National Solar Mission' of the Indian government, the state-owned company Solar Energy Corporation of India (SECI) set out in 2010 to establish the 'Gujarat Solar Park.' Invoking a colonial-era law that stipulated that any land could be seized if it served a public purpose, local government officials announced in village councils that villagers were to relinquish their land in exchange for compensation. Trickery and threats ensured that this remuneration remained low. Once the land was cleared, the Gujarat state government, acting through SECI, opened tenders for companies to bid for the opportunity to develop solar projects. The successful companies subsequently acquired the land from the state (Stock & Birkenholtz, 2024).

In 2005 the company PT HMBP acquired a 35-year land lease from the Indonesian government to establish an oil palm plantation in Central Kalimantan. With the permit in hand, representatives from PT HMBP approached villagers living and working on the land to obtain the necessary consent to incorporate their land into the plantation. As most villagers did not have legally recognized land titles, they found it difficult to resist the combination of offers of financial compensation – albeit limited – and threats from hired *preman* (thugs). Most villagers ultimately surrendered their land to PT HMBP,

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and protests only emerged later when it became evident that the company had expanded the plantation beyond the boundaries of its concession. (Berenschot & Dhialuq, 2023)

These are two examples of land dispossession fostered by processes of land-use change. The expansion of corporate activities in the sectors such as mining, hydropower, big agro-business (like palm oil or sugar cane), infrastructure or real estate development is having a massive impact on patterns of land tenure, as private corporations as well as government agencies acquire control over land previously used by rural communities. As a growing literature on 'land grabbing' details, these processes of land acquisition often proceed without informed consent nor adequate compensation of affected people (e.g. Hall et al., 2015; Pearce, 2012; Zoomers, 2010). Such corporate land acquisition is generating widespread conflicts – efforts to count and document such protests have identified 3,350 such 'ecological distribution conflicts' by January 2021 (Martinez-Alier, 2021).

Yet the reader might have noticed that these two examples of corporate land acquisition harbour important differences. In the Indian case the actual dispossession was executed by state officials, while in Indonesia the palm oil company was directly involved in convincing villagers to give up their land. Furthermore, in the Indian case the legal justification of the dispossession relied on eminent domain clauses in a colonial law, and involved claims that the land would be repurposed 'in the public interest'. The palm oil company in Indonesia, however, expressed no such claims. The legal basis for its land acquisition was the temporary concession it acquired from the Indonesian state, facilitated by the fact that affected villages lacked legal title to their land. In short, these two examples of dispossessory processes differ considerably in terms of the actors and the legal mechanisms involved.

Such differences in *processes* of land dispossession have received limited attention in the growing literature on land grabbing. While there are several insightful overview studies (e.g. Andreas et al., 2020; Borras et al., 2011; Borras & Franco, 2013; Hall et al., 2015; Yasmi et al., 2013; Lucas & Warren, eds, 2013; Vandergeten et al., 2016; Liao & Agrawal, 2024), the literature on land grabbing and dispossession is largely dominated by case studies. The prevalence of studies focusing on single conflicts, or a small number of cases, limits the ability to identify broader patterns in the trajectories and outcomes of land dispossession. Furthermore, available multi-country studies on land conflicts tend to focus on identifying and analysing general characteristics (see also Borras & Franco, 2013; Hilson, 2002; Schoenberger et al., 2017; Temper, 2019) and pay little attention to differences between countries and sectors. There are a few studies that do explicitly compare land dispossession across national contexts (e.g. Andreas et al., 2020; Yang & He, 2021) which underscore the importance of land tenure, legal structures and regime type. However, the comparative focus of these studies is on the underlying conditions and outcomes rather than on the mechanisms and processes of the actual dispossession – which is the focus of our comparative endeavour.

As the cases of Gujarat Solar Park and PT HMBP suggest, the 'regimes of dispossession' (Levien, 2018) through which private capital acquires land differ markedly. A comparative analysis of such differences is necessary not only to better understand the contentious politics of land-use change within individual countries but also to improve our understanding of how and why these conflicts unfold differently across national and sectoral contexts. Such an analysis holds promise for both deepening our knowledge of dispossessory processes and strengthening efforts to prevent and resist land dispossession. How might we comparatively study these varying characteristics of corporate land acquisition? And what is the relevance of these differences for understanding both the outcomes of these processes and the prospects for affected people to resist corporate land grabs?

In this introductory essay to the special issue *Comparing Regimes of Dispossession*, we aim to address these questions by analysing a range of cases of corporate land dispossession from Brazil,

East Timor, Thailand, India, Indonesia, and Cambodia. We compare these cases by analysing five aspects of dispossessionary processes: actors, legal mechanisms, degree of regulatory evasion, the role and character of coercion and the remuneration offered to victims. Building on this framework, we tentatively argue that these dimensions align in ways that reveal three distinct forms that dispossessionary processes may take: eminent domain-based, curtailed land rights-based, and decentralized coercion-based dispossession. We propose that a comparative approach is crucial for understanding the nature of resistance to land dispossession and the varying opportunities for contestation available to affected communities.

This special issue is the outcome of two workshops, the first held online in February 2021 and the second in-person at KITLV in Leiden in September 2022, with some contributors also gathering at the LANDAC conference in June 2023. We invited a range of scholars working on land dispossession across different countries, selecting cases based on two key considerations. First, we aimed to include both a diverse range of countries and sectors. Second, we sought to rely on scholars with extensive fieldwork experience on dispossessionary processes. To ensure a manageable scope, we focused on countries in the Global South with relatively similar income levels, thereby reducing some of the complexity inherent in comparative analysis.

At these venues, participants not only shared their case studies but also debated the applicability and limitations of the comparative framework we present in this article. The text reflects insights gleaned from these discussions, and we express our gratitude to all the authors in this special issue for their contributions – without implying that everyone necessarily agrees with our conclusions. To further the discussion on the value and character of comparative analysis, we have invited Michael Levien to complement this special issue with a concluding essay.

This article is structured as follows. Given the conceptual challenges inherent in comparative analysis, we begin by discussing how the concept of regimes of dispossession – and their variations – can be extended. We then conduct a comparative analysis of the six cases, identifying key comparative dimensions and distinguishing different forms of land dispossession. In the final section, we outline the potential benefits of this comparative approach for understanding how companies acquire community land and the broader implications for resistance and policy interventions.

## **Towards the comparative study of regimes of dispossession**

By land dispossession, we refer to the ways in which state or non-state actors use extra-economic force to expel people from their land for the purpose of facilitating capitalist investment (cf. Levien, 2012, p. 940). With its emphasis of this definition on extra-economic force, this definition excludes cases of dispossession driven solely by market dynamics or economic pressures. Likewise, we focus specifically on instances where dispossession serves to attract external investors seeking to alter land-use patterns.

Despite these delimitations, the definition still encompasses a broad array of cases often discussed under the rubric of ‘land grabbing’. It also underscores the diverse forms land dispossession can take. The means of expulsion may vary widely – from overtly violent coercion to ostensibly peaceful or semi-voluntary displacement. Similarly, the actors involved in dispossession can differ significantly, and the process itself may unfold differently across regions, countries, or economic sectors. For instance, large-scale land acquisitions in India often occur through public-private partnerships that repurpose farmland for industrial projects, while in sub-Saharan Africa, foreign agribusiness investments frequently result in the mass displacement of rural populations. These differences highlight the need for a structured analytical framework that can account for both

commonalities and divergences. Given the variation in how dispossession unfolds across different regions, economic sectors, and governance structures, a comparative perspective needs to be able to illuminate broader patterns while remaining sensitive to the contingent and historically specific dynamics that shape land struggles.

The point of departure for our comparative endeavour has been Michael Levien's concept of *regimes of dispossession*, as it provides a critical framework for understanding the political, legal, and ideological infrastructures that facilitate and normalize land expropriation under contemporary capitalism. Drawing on Antonio Gramsci, Pierre Bourdieu, and Karl Polanyi, among others, Levien conceptualizes regimes of dispossession as structured, state-organized systems governing land appropriation – shaped by class relations, economic imperatives, and institutional conditions. He defines dispossession as 'a social relation of coercive redistribution,' in which those who control the means of coercion – typically states – transfer land from one group to another (Levien, 2018, p. 6). Much like a regime of production secures and obscures surplus value in labour processes (Burawoy, 1985), a regime of dispossession legitimizes, executes, and regulates land acquisition. This conceptualization highlights the institutionalized rules, actors, and enforcement mechanisms that structure political and economic outcomes. A regime of dispossession, therefore, describes how states organize, justify, and enforce land transfers, varying across time and space depending on state structures, development models, and socio-political struggles.

Levien's framework builds on Marx's (1976) analysis of primitive accumulation, which describes how producers were forcibly separated from their means of subsistence to create the conditions for capitalist expansion. However, whereas Marx saw primitive accumulation as a historically bounded process, Levien follows Harvey's (2003) concept of accumulation by dispossession, arguing that expropriation remains an ongoing and central feature of contemporary capitalism. Yet, he departs from Harvey in a crucial way: while Harvey treats dispossession as an intrinsic logic of capital, Levien conceptualizes it as a politically mediated and institutionally structured process. This brings him into closer dialogue with state theory (Jessop, 2008; Poulantzas, 1978), particularly perspectives that emphasize how states function not simply as passive enforcers of capitalist interests but as semi-autonomous entities that actively structure accumulation in historically contingent ways. In doing so, Levien counters assumptions that dispossession is a uniform or inevitable feature of capitalist development, instead demonstrating how its execution varies across different institutional contexts, legal systems, and political-economic regimes (Levien, 2018).

The framework of regimes of dispossession is useful for comparative analysis as it highlights both the mechanisms through which land is expropriated and the broader political and economic structures that condition these processes. By situating dispossession within specific legal and ideological infrastructures, Levien's approach makes it possible to examine the drivers and actors shaping expropriation. Whether through legal reforms that facilitate private land transfers, the mobilization of developmentalist discourses to justify expropriation, or the suppression of dissent through coercion, regimes of dispossession operate within historically specific political economies. This allows scholars to explore how different countries rationalize and execute land expropriation, depending on their institutional legacies, economic priorities, and class structures. It also provides a means to analyse how dispossession is resisted, as affected communities respond through legal challenges, protest, and negotiation.

While Levien's framework provides a crucial foundation for our comparative endeavour, the diversity of cases analysed in this special issue – combined with our focus on the processes through which dispossession is enacted – required us to adapt certain aspects of his approach. Developed in the Indian context, Levien's conceptualization is both historically grounded and analytically rich.

Yet to apply the concept across diverse political and institutional settings, we found it necessary to both broaden and narrow the framework in four key respects.

First, we shed Levien's focus on the state as the primary actor in executing dispossessionary processes. Instead, we propose that the concept of regimes of dispossession is also applicable to cases where coercive dispossession is organized by non-state actors, or where companies and state agents share in coercive power. In many contemporary cases of land dispossession, corporate actors take the lead in orchestrating dispossession, including by employing security guards or hired goons, or even sponsoring military units tasked with removing villagers from their land (e.g. Loughlin, 2020). In such cases state institutions do function as enablers, for example by legitimizing expropriation through legal and administrative means. But state agents are not always directly involved in the actual dispossession, as in many cases, corporate actors leverage the symbolic and legal authority of the state, and by doing so convey an implicit threat of state-backed enforcement (e.g. Berenschot & Dhiaulhaq, 2023). The perception that state intervention is possible – or that legal recourse is unavailable – can serve as a coercive mechanism, pressuring communities to relinquish land without overt physical force. Such cases demonstrate how dispossession can be orchestrated by actors whose coercive capacity depends on an invocation of state complicity.

Second and relatedly, land dispossession is not always initiated or controlled by the state, but often emerges through informal and collusive relationships between state agents and private actors. Intermediaries, brokers, and local power-holders navigate regulatory ambiguities and exploit political connections to facilitate land transfers. These informal networks blur the boundaries between state and non-state actors and highlight how dispossession can occur outside formal legal frameworks – via coercion, fraud, or manipulation of customary tenure systems. Yet such processes still exhibit a 'consistent pattern', rooted in durable political – economic networks and informal institutions. As Hall, Hirsch, and Li (2011) have shown in their discussion of the 'powers of exclusion' in Indonesia, informal mechanisms can structure access to land as systematically as legal ones. Expanding the analytical lens beyond state-led expropriation enables a more comparative grasp of the informal practices and power relations that shape land conflicts across settings.

Third, this special issue places greater emphasis on legal regimes – not merely as instruments of state or corporate power, but as constitutive frameworks that shape the governance of land and property. Levien presents law primarily as a state-deployed tool for legitimizing and enforcing expropriation. However, as Christian Lund argues in his contribution to this issue (see also Lund, 2016), law also performs a foundational role in defining property rights, structuring ownership, and establishing the institutional boundaries of land governance. Law thus functions not only as a mechanism of extraction but also as a boundary-setting force that determines who can hold land and under what conditions. Comparative attention to legal regimes reveals how dispossession can proceed through legal ambiguity – via delayed land titling, opaque procedures, or the strategic use of legal exceptions. As Berenschot and Dhiaulhaq (2023) show, such mechanisms gradually erode local claims and expose communities to displacement without overt coercion.

Fourth, in one important respect we acknowledge that our approach is also narrower than Levien's. As noted, his framework identifies both the economic logics and class interests driving dispossession, and the means of compliance through which it is effected – coercion, legitimacy, compensation. Our comparative focus lies more squarely on the latter. We bracket a full comparative analysis of the economic drivers behind each case in order to focus more closely on how dispossession is practically organized: how people are removed from land, what kinds of coercive, legal, and informal mechanisms are used, and how these vary across contexts. This narrowing reflects both pragmatic and analytical considerations. Given the complexity of the cases under

comparison, a full analysis of the economic logics behind each would have made systematic comparison unwieldy. Furthermore, we believe it is analytically productive to zoom in on the dispossessionary process itself. As the case studies in this issue demonstrate, focusing on the mechanics of dispossession can yield insight into the contingent, evolving configurations through which land control is exercised and contested.

Taken together, the contributions to this special issue show how Levien's concept can be applied across a wide range of cases by attending more closely to the specific processes through which dispossession is enacted. Rather than attempting to explain all dimensions of land expropriation, our focus is on how dispossession is practically organised, legitimated, and enforced – including through informal alliances, legal ambiguity, and hybrid forms of coercion. This approach retains the conceptual architecture of regimes of dispossession while proposing a somewhat amended analytical focus in order to facilitate a comparative analysis of the diverse forms that dispossessionary processes may take.

### Land dispossession: comparative dimensions

Having outlined the scope of our comparative endeavour and our focus when using the regime of dispossession concept, we now turn to the cases in this special issue to examine their similarities and differences. Read side by side, these cases illustrate the varied nature of dispossessionary processes along five key comparative dimensions.

First, dispossessionary processes differ in terms of the **actors** engaged in the actual dispossession. Our cases are marked by a contrast between state-led and company-led dispossession. In the case with which we started this article, the establishment of solar parks, state authorities took the lead in freeing up the land and expropriating and expelling occupants (Stock & Birkenholtz, 2024). Similarly Almeida (2025), Arpornsilp (2025) and Loughlin and Milne (2024) describe cases where state officials handed out eviction notices and, with the help of the police and local authorities like village heads, ensured that citizens vacated the land. In such cases the corporate acquisition of land takes place *after* state officials have expropriated the former occupants of the land.

In our other cases, the role of state institutions is limited to providing legal legitimacy, while the actual acquisition of the land and expulsion of occupants is organised by corporate actors themselves, sometimes by hiring local mafias or paramilitaries. The expansion of palm oil plantations, as discussed by Berenschot and Dhiaulhaq (2023), is marked by such company-led dispossession as palm oil companies themselves, rather than state officials, engage in efforts to convince occupants to give up (their claim to) land. Krogers study of dispossession in the Brazilian Amazon illustrates another possibility: in this case local farmers (*posseiros*) were chased of their land by local thugs backed up by police officers and state officials who, crucially, did not represent or act on behalf of the Brazilian state, but rather used their position to protect these thugs, and served their own interest by pocketing a nice profit in the process. Emphasizing the importance of this particular form of highly informal state-society interaction, Kroger proposes that in this case the dispossession is neither state – or company-led but rather implemented by 'land mafia'.

Second, dispossessionary processes differ in terms of the **legal mechanisms** facilitating them. The studied cases highlight a particularly important contrast between dispossession based on eminent domain clauses on the one hand, and curtailed land tenure on the other hand. A considerable number of cases in this special issue (Stock & Birkenholtz, 2024; Almeida, 2025; e.g. the Tasi Mane case) and beyond (e.g. Dolcerocca, 2022; Wang et al., 2017) involve the invocation of eminent domain clauses. Both the Indian and the East Timorese states declared the development of,

respectively, a solar park and an oil and gas industrial park to be in the public interest. Consequently, state officials could claim that eminent domain clauses – sometimes going back to colonial times – gave them the right to expropriate citizens.

These are, in other words, cases where occupants do possess legally recognized land tenure, which the state subsequently terminates for the purpose of projects deemed being in the public interest. As Arpornsilp (2025) illustrates with a case from Thailand, such legal recognition does not need to involve individual land ownership as it could also be a state-recognized community forest. Generally speaking, the invoked eminent domain clauses often also prescribe ((limited) procedures for) obtaining consent and providing compensation for affected villagers. While also inherently coercive (as affected people generally can hardly avoid consenting) such regulation generally disallows direct, violent coercion and prescribes a somewhat fair amount of compensation. Yet, as the Tasi Mane case in East Timor in this special issue illustrates (see Almeida, 2025) such obligations imposed on the state are often circumvented, a topic we take up below.

A different type of legal mechanism encountered in our cases concerns curtailed land ownership, often in combination with a concession system. As Lund (2024) emphasizes in his contribution to this special issue, dispossession is shaped by the ways in which states codify the possession of land, and the restrictions and limitations that come with this codification. In some cases, state regulation and procedures are in place that prevent citizens in various ways from obtaining legally recognized land ownership. In Indonesia, for example, almost two-thirds of the country's territory is declared 'forest estate', an administrative category that comes with regulation that forbids land tenure in this territory (Berenschot & Dhiaulhaq, 2023; Arpornsilp, 2025). Tragically, this situation has been compounded by the particular way in which the Indonesian state recognizes customary land rights. The existence of customary rights to particular plots of land prevents people from obtaining individual land titles, while it often fails to prevent the state from awarding such land to companies. This curtailment can also take the form of regulation that allows the state to repossess abandoned land, as in one of the cases from East Timor (Almeida, 2025). Such curtailed land ownership facilitates dispossession because it provides the state with discretionary control over land and, hence, the legal right to award this land to companies in the form of (mostly) concessions.

Thirdly and relatedly, dispossessionary processes differ in terms of whether such legal mechanisms are actually adhered to. Land dispossession unfolds in contexts which differ in terms of the degree to which the prevalent nature of state-society interaction facilitates the **subversion of legal procedures**. On the one end of the spectrum are countries where intense collusive relationships between economic and political elites regularly serve to weaken legal protections, and where corruption and political dependency have made the courts subservient to these elites. When informal exchanges of favours between corporate and state actors are commonplace, legal provisions are often selectively applied, and communities experience a large gap between rights-on-paper and rights-in-reality. Berenschot and Dhiaulhaq (2023) describe this collusive circumvention of legal protections as the 'production of rightlessness'. They show how such business-state collusion enables palm oil companies to bypass consent requirements while minimizing the legally mandated financial compensation or profit sharing. Loughlin and Milne's (2024) analysis of the strategies of real estate developers in Cambodia is similar in this respect, while Almeida's (2025) analysis of land dispossession in East Timor is also suggestive of how informal exchange relations lead to a 'misuse' or circumvention of legal clauses designed to protect the interests of East Timorese citizens. Again, the most extreme case on this spectrum is offered by Kröger's (2024) analysis of dispossession in the Amazon, where informal collusive relationships between armed entrepreneurs and state officials

enabled a ‘land mafia’ to disregard all legal protections and implement a form of dispossession with no pretense of legality.

Located somewhat closer to the other side of this spectrum, are our Indian and Thai cases. While the articles are suggestive of the possibility that government officials benefit personally and some deception took place, on the whole these dispossessionary processes seem to have largely followed applicable procedures for establishing a special economic zone (Thailand) and a solar park (India). In that light it is remarkable that, as Arpornsilp (2025, p. 10) writes, the procedures were followed so diligently that even villagers living around the targeted land benefit from the process because ‘[t]he cadastral survey of Chaiya community forest for SEZ land demarcation clarified the boundaries of adjacent farmlands, resulting in [villagers holding this land gaining] official title deeds and [benefitting from] speculative prospects of private land deals’. In this sense our cases display considerable variation in terms of the degree to which legal procedures were actually followed.

The fourth comparative dimension concerns the **coercion** involved in dispossessionary processes. By definition all our cases involve some form of extra-economic coercion, but their character and intensity differ. At one extreme we find (again) the land dispossession occurring in the Brazilian Amazon, where armed actors actually chase people off their land through intimidation and actual violence (Kröger, 2024). In this case the coercion also took a decentralized form, as a range of non-state actors were involved in such practices. In our other cases the coercion was less violent, more centralized and more subtle as legal frameworks prescribe that affected people give their consent and receive some remuneration for the loss of land. However, companies and state officials often resort to coercive practices to obtain this consent. In Cambodia’s real estate projects and Thailand’s SEZ development, the state’s tacit support signals to villagers that resistance is both futile and risky, especially when these projects align with government-backed development agendas tied to political interests. As a result, fear of the state apparatus discourages active protest. This form of pressure may eliminate the need for violent coercion, while still relying on implicit threats and expectations (and past experiences) of the violent potential of state actors.

In the less authoritarian setting of Indonesia, the expansion of palm oil plantations does lead to considerable protests. In this case the relationship between companies and police officials serves to suppress such protests, either by ensuring the (sometimes violent) presence of a police contingent at such protests, or by arresting protest leaders on trumped up charges. Furthermore, palm oil companies seem to regularly enlist local thugs as well as village leaders to intimidate and harass villagers refusing to give up their land (Berenschot & Dhiaulhaq, 2023).

In both the Indonesian and the Indian cases deception also seems to have played a role in getting people to give up their land. Stock and Birkenholtz (2024, p. 6) describe how ‘*mamlatdars* [local officials] and collectors attended village meetings and tricked illiterate and marginalized peasants into giving away their lands without remuneration by providing thumb prints and signatures on documents they did not understand.’ Representatives from palm oil companies in Indonesia engaged in similar forms of deception, where for example signatures on attendance lists of information meetings were taken as a sign of consent. In this case companies often use the signature of a village head or customary leader as proof (when applying for state licences) that the whole village had consented – often to the surprise of the village.

A fifth comparative aspect is the **compensation** that people receive for the loss of land, which differs widely. Despite these forms of coercion and deception, it seems that with the exception of the Brazilian case, in the other cases most people did receive some form of compensation in exchange for (forcibly) consenting to give up their land. Yet there seems to be considerable variation in terms of whether this compensation corresponded to the market value of this land.

While the articles are not always explicit in this regard, it seems that that remuneration was relatively small in East Timor, Indonesia, and Cambodia, and more generous in India and Thailand. In these cases coercion was hardly absent, as state officials and village leaders seem to have been putting considerable pressure on villages to provide consent to their land being incorporated into, respectively, a solar park and a SEZ. It seems that in the case of the Solar Park in India, the villagers who consented (and avoided the trickery of officials) could potentially get near market-value compensation – while due to the workings of caste-based hierarchies these benefits tend to end up in the hands of village elites (see also Levien (2018)). The compensation in the Thai case also made villagers relatively content, as community land surrounding the SEZ was converted into individual land titles. As we discuss in the next section, it is likely not a coincidence that these cases are instances of state-orchestrated dispossession.

### Different regimes of dispossession

With this overview we aimed to illustrate that the character of processes of land dispossession indeed vary considerably – and we proposed five key dimensions of such variation, concerning the actors executing the actual dispossession, the legal mechanisms, degree of regulatory evasion, and the mix of coercion and financial compensation. Does this variation then reflect the presence of different ‘regimes of dispossession’, in the sense that these aspects are reflective of consistent patterns, and caused by differences in the local economic, political and legal constellations facilitating dispossession?

Such questions cannot be taken up without expressing considerable disclaimers. This special issue involves a limited range of cases, and the articles do not always provide sufficient contextual background to facilitate a full analysis of the causes of the variation that we encountered. Furthermore, a comparative analysis unavoidably involves a simplified rendition of often highly complex cases. For these reasons our reflections on the encountered variation need to be read as tentative and explorative, and as an attempt to spark debate and further research. Such disclaimers also apply to our attempt to summarize our cases in Table 1. This attempt to briefly summarize our cases disregards important complexities of each of the cases, while the four very different cases of land dispossession from East Timor underscore that this summary concerns cases of land dispossession, not countries – we use country names here simply as shorthand to refer briefly to the articles in the special issue. We emphasize, in other words, that with this table we do not

**Table 1.** Comparing land dispossession.

| Regime of dispossession      | Legal basis for dispossession               | Actor                       | Coercion                                     | Compensation    | Examples from this special issue | Other examples                                             |
|------------------------------|---------------------------------------------|-----------------------------|----------------------------------------------|-----------------|----------------------------------|------------------------------------------------------------|
| Eminent domain-based         | Eminent-domain clauses enable expropriation | State-led                   | Limited, some deception                      | Somewhat better | India, Thailand, East Timor      | China (Wang et al., 2017), Burkina Faso (Dolcerocca, 2022) |
| Curtailed land tenure-based  | State awards fixed-term concessions         | Company-led                 | Coercion and deception, but limited violence | Limited         | Indonesia, Cambodia, East Timor  | Botswana (Molebatsi, 2019)                                 |
| Decentralised coercion-based | Illegal/none                                | Land mafia with connections | Violent coercion                             | Almost none     | Brazil                           | Colombia, Mexico, Honduras (Hristov, 2021)                 |

mean to suggest that all land dispossession taking place within these countries necessarily takes the same form.

Yet, while keeping all these disclaimers in mind, this table does illustrate a suggestive pattern emerging from our comparative exercise. When we read our cases together with other case studies, a practically and analytically relevant contrast emerges between land dispossession involving expropriation based on eminent-domain clauses on the one hand, and land dispossession facilitated by curtailed land tenure on the other. Or, taking up the concept Lund (2024) proposes to capture this distinction, the ‘regime of land possession’ has an impact on the ways in which land dispossession unfolds. While there is considerable variation, eminent-domain-based dispossession comes with a bigger role for state actors, since eminent domain clauses empower only the state to engage in the actual expropriation. Curtailed land-tenure-based expropriation, in contrast, can legally be executed by companies or actors hired by companies. When land rights are already curtailed, the occupants of the land might not need to be legally expropriated by the state. In such cases where occupants have no legal claim to the land, the state can award companies with legally sanctioned access to the land *before* the occupants have vacated the land – whereas in eminent-domain-based cases, companies acquire the land only after the state has vacated the land. For this reason the state is described as a ‘land broker state’ in studies of eminent-domain cases (e.g. Levien, 2018, pp. 31–63), while such label is not fitting to describe the role of the state in curtailed land-tenure cases, where companies are more commonly executing the actual land dispossession themselves.

We propose that it is not a coincidence that our eminent-domain-based cases offer a slightly brighter picture in terms of coercion and compensation for the victims. When dispossession is state-led, victims can make use of different and potentially more effective accountability mechanisms to address their grievances. As for example Levien (2013a, 2018) describes when analysing resistance to land dispossession in India, victims can appeal to politicians and ask them to intervene. Victims of eminent-domain cases of dispossession in China could effectively voice their discontent by pointing out to state officials that applicable rules and procedures have been violated (O’Brien & Li, 2006; Wang et al., 2017). In these studies affected people succeeded in forcing politicians and state officials to take at least some measures to protect their interests, and in some cases even abandon the project. In such cases, judicial proceedings or complaint mechanisms offer avenues to discipline state officials, while (in India) politicians dislike being seen as taking the side of investors against their own constituents. In other words, when state institutions are themselves responsible for the actual expropriation, victims of land dispossession can take recourse to political or bureaucratic accountability mechanisms to address their grievances.

Such accountability mechanisms are less effective when land dispossession is company-led and facilitated by curtailed land tenure. The effect of curtailed land tenure is that the state plays a more indirect role in both the dispossession itself and the provision of compensation. As a result, state representatives are less easily held accountable for violations. Here, the dispossession is executed not by the state but rather by corporations. This allows state officials and politicians to distance themselves from wrongdoing, claiming their role is merely to monitor corporate actions. While they might be pressured to intervene, local authorities often face conflicting incentives – including bribes – that encourage them to overlook corporate violations (see Berenschot et al., 2024). In that light it is not surprising that Berenschot and Dhiaulhaq (2023) find that palm oil companies engage in coercive practices and provide relatively little compensation. Companies can only be held to account indirectly – via state officials – for their behaviour, and hence face less risk of being punished or disciplined. In other words, a comparative reading of our cases suggests that in situations of curtailed land rights various aspects of dispossessionary processes – the actors involved, the

opportunities for coercion, the remuneration, the possibilities for redress – are likely to be different compared to dispossession facilitated by eminent-domain laws, and that these differences matter for their outcomes.

While these two ‘types’ of regimes of dispossession have in common that at least in theory they are guided (and legitimated) by legal procedures, our Brazilian case offers an example of illegal and more straightforward coercion-based land dispossession. In this case the ‘land mafia’ does rely on informal dealings with state officials to arrange the paperwork such as changing land registrations, but in themselves these acts of expropriation lack legal legitimation. In such cases the outcome of dispossessionary processes depends more squarely on a capacity to threaten or enact violence – and on the (lack of) capacity of victims to protect themselves against such violence. Compared to our other cases, such a regime of dispossession emerges in the context of a state with a tenuous hold over the monopoly of violence and with weak regulatory capacity due to intense collusive practices, as these two factors generate opportunities for this kind of non-state, decentralized form of coercion. While some might argue that in such a context we cannot speak of a ‘regime’ of dispossession due to the more limited role of state institutions and legal procedures, it is important to acknowledge (and to study) that in such contexts there are informal institutions and regularized exchange relationships at play (such as those guiding the functioning of these land mafias) which also generate relatively consistent patterns of dispossession. Even land dispossession that is largely based on coercion exhibits recurring patterns, in the sense that it thrives on informal yet relatively stable patterns of state-society interaction.

Such very tentative efforts to identify some regularities and coherence in the bewildering heterogeneity of land dispossession cases, need to be accompanied by an admission that our cases do not perfectly fit the analysis. The Thai case involves individually curtailed land rights, while the state does recognize a collective claim to land – thereby requiring a form of expropriation that we categorized as ‘eminent-domain-based’ while the actual legal proceedings involved somewhat different clauses. The Cambodian cases similarly do not fit neatly into the analysis, as state-business patronage is obscured through the expropriation of land under the guise of development, primarily via state-backed concessions. In reality, however, these concessions serve as a mere facade for speculative ventures. Furthermore, the four very different East Timorese cases discussed by Almeida (2025) show that dispossessionary processes can differ considerably within one country depending on the sector and the (‘coding’ of the ownership of) the land involved.

Yet such idiosyncratic complexities of cases of land dispossession also illustrate the importance of engaging in comparative analysis and attempts to identify general patterns. The literature on land grabbing is marked by either grand headline-grabbing generalizations on the one hand, or detailed and often very theoretical analysis of highly specific cases on the other, while a middle ground between these two extremes also holds significant analytical promise. A comparative analysis focussed on recurring common characteristics aimed at identifying general patterns, can serve not only to better understand why and how land dispossession proceeds, but also to understand the likelihood and character of successful resistance.

## Conclusion

This special issue examines land dispossession through a comparative lens, highlighting the importance of analysing the actors involved, the legal mechanisms employed, the nature and degree of coercion, and the forms of remuneration (or lack thereof) in shaping dispossessionary processes. By moving beyond a singular notion of ‘land grabbing,’ our analysis identifies key patterns in

how land is expropriated, revealing significant variations in the ways dispossession unfolds across different contexts. The comparative approach underscores that dispossession is a multifaceted phenomenon shaped by historical, political, and economic conditions unique to each case.

We tentatively identified three distinct types of regimes of dispossession: eminent-domain-based, curtailed land-tenure-based, and decentralised coercion-based. The eminent-domain-based regime operates through formal legal expropriation mechanisms, where states justify land takings through statutory frameworks, often invoking public interest or development imperatives. This process may involve some form of compensation, though the adequacy and fairness of such remuneration vary widely. The curtailed land-tenure-based regime, by contrast, functions through the erosion, manipulation, or non-recognition of land rights, often targeting populations with tenuous legal claims to their land. In such cases, dispossession does not always involve direct expropriation; instead, it materializes through legal ambiguities, bureaucratic neglect, or policy shifts that undermine land tenure security. Finally, the de-centralised coercion-based regime is characterized by explicit violence, intimidation, or extralegal force enacted by (mostly) non-state actors. This form of dispossession often occurs in weak legal environments where powerful actors – such as armed groups or land mafias – use threats, force, or outright violence to expel communities from their land.

While these categories provide a useful heuristic for comparison, they are neither exhaustive nor rigid. Our goal was not to propose a definitive framework for comparing cases of dispossession but to demonstrate the value of comparative analysis in illuminating the diverse logics and mechanisms at play. Identifying patterns across cases enables a deeper understanding of how dispossession is structured and legitimized while also shedding light on the varying prospects for resistance. The differences in regimes of dispossession matter because they shape both the strategies available to those seeking to acquire land and the possibilities for affected communities to contest expropriation. In contexts where dispossession occurs through formal legal mechanisms, legal challenges, policy advocacy, and negotiations may provide viable avenues for contestation. However, in cases dominated by coercion or tenure erosion, resistance may require different forms of mobilization, such as grassroots organizing, transnational advocacy, or direct confrontation. Understanding these distinctions is crucial for activists, policymakers, and scholars who seek to support affected communities and develop strategies to mitigate land dispossession's social and economic impacts.

Ultimately, this special issue aims to spark further discussion and encourage additional research to refine comparative approaches to dispossession. A comparative approach clarifies the conditions under which land dispossession occurs, how it is justified and enforced, and what these variations mean for those seeking to resist displacement. Recognizing these differences is essential for developing more effective strategies for contestation and for understanding the broader political economy of land-use change.

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