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LAND TENURE: ATTITUDES IN LEBOWA

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ABSTRACT

The land tenure system in Lebowa is similar to most traditional African systems. Both communal and individualised tenure have been advocated by different experts. A survey was conducted to determine the attitudes of Lebowa smallholders and leaders to land tenure systems. The majority of smallholders are in favour of change. The response from traditional leaders seems to be ambiguous. Both smallholders and non-traditional leaders favour more individualised tenure with more land being farmed by the better farmers. In general, there seems to be an interest in modernisation.

INTRODUCTION

The most common form of land tenure in Lebowa is similar to the typical communal system prevailing in most parts of Black Africa. Most land is held in terms of what Proclamation R.188 of 1969 describes as "Permission to occupy". The main features are (Leseme *et al.*, 1980):

- Land is divided into residential, arable and grazing zones. Residential and arable plots are occupied individually and the commonage is used communally for various purposes.
- The acquisition of rights to land is controlled by Commissioners in conjunction with Kgosis or headmen.
- The principle of one-man-one-plot is in vogue. Only married men and single women with family responsibilities are eligible for an allocation.
- Individual holders are required to comply with the conditions of grant and policy of the Department of Agriculture and Forestry. These conditions concern various aspects such as (Becker, 1975, p. 18): Conservation of resources, prevention of injudicious fragmentation, consolidation of fragmented units, inheritance, stability of occupation, transfer of rights, payment of fees and compensation for suspension of occupation.
- The rights of holders of land may be suspended or terminated by the authorities. In the case of suspension or termination of rights the holder is allowed to remove his improvements from the land provided he does not cause any damage to the land. Compensation may be paid.

The Tomlinson Commission (1955, pp. 152-153) advocated revision of the land tenure system. This view has also been central to many other writings by numerous authors, particularly over the past two decades. At the same time, the present system is protected by law in accordance with the 1956 White Paper on the Tomlinson Commission's report (pp. 3-4). In this White Paper the Government of the day expressed an intention to preserve the communal system of land tenure.

Land tenure, including communal tenure, naturally tends to change as circumstances change and communities evolve. Some authors (Wolf, 1971, Hyden, 1976 and 1980, Pearse, 1971) contend that in Africa, as elsewhere, peasants control the land they cultivate. Within the community ways in which land is acquired change in a manner which parallels the evolution of rotational practice. As land becomes scarcer, communities exercise more stringent control over the acquisition of new areas by the individual. This is balanced by an increasing awareness of rights on the part of the individual (Collinson, 1972). In this process, usufruct gives way to inheritance and finally to legal registration as the basis of land rights.

Literature abounds with arguments on the merits and demerits of communal and individualised tenure. It is, however, clear that reform of tenure cannot in itself stimulate agricultural development. It can, however, serve as a contributing or a retarding factor. One of the many conditions governing its constructive effect is its acceptability to the people who do the farming. Non-acceptability is, in itself, probably sufficient to render tenure a retarding factor. It may, for example, be a major reason for the failure of the ujamaa movement in Tanzania.

In literature one often also encounters opinions regarding acceptability of tenure forms among those who do the farming (see Fényes and Groenewald, 1977, Fényes, 1982). In very few cases have such opinions been substantiated by actual opinion surveys conducted among small farmers. In any area where tenure may be retarding agricultural development, efforts should be made to ascertain the farmers' opinions on land tenure.

A survey was undertaken in Lebowa with the purpose of gaining a broader insight into the farming practices and attitudes of smallholder farmers including those on land tenure (Fényes, 1982). The respondents were approximately 400 smallholder farmers 100 traditional tribal leaders and 100 non-traditional leaders (teachers, ministers of religion, artisans, traders, etc.)

In this article the opinions and attitudes of these three groups on various aspects of land tenure are reported. Most of the analysis appears in tabular form, with comment and explanation limited to

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pointing out the salient features. After this the authors turn their attention to a wider interpretation.

OPINIONS ON LAND TENURE CHANGE

opinion that another system of tenure would improve the productivity of farming. (Table 1). The highest percentage (27,3 per cent) prefer land to be developed on an agency basis. Next in order of popularity are the use of Trust land by development

TABLE 1 - Smallholders' opinions on alternative land tenure systems (percentages)

Opinions	Percentage
Another land tenure system would improve the productivity of farming	67,8
It would not	32,2
Prefer allocation of plots on a more permanent basis with regard to possession, e.g. 99-year lease	17,3
Prefer family ownership of land without the right of alienation	14,5
Prefer utilisation of land exclusively by the tribal authority	6,4
The use of trust lands by land development corporations	18,3
The development of tribal lands on an agency basis (e.g. irrigation or other agricultural projects)	27,3
Prefer private ownership of arable land and communal ownership of grazing land.	16,2

The introduction of tenural change usually implies a radical change in economic and social organisation among peasants. It can create problems that require special analysis.

A change in the direction of either private tenure or modern forms of communal production will involve a clear divergence from existing structures. It is almost always a new experience for the participants and frequently also for the government. A positive commitment to participation and the confronting problems as they arise is probably the most important element for success.

The first step in predicting whether a change in tenure will be successful is an assessment of the degree to which smallholders are satisfied with present conditions and also of their perception of and preference for alternative land tenure and land use patterns. The same is true with regard to traditional and non-traditional leaders because - depending on the method of implementation - they may play a vital role in participant mobilisation.

Nearly 68 per cent of smallholders are of the

corporations (18,3 per cent), the allocation of plots on a more permanent basis, e.g. 99-year lease (17,3 per cent), and private ownership of arable land with communal ownership of grazing land (16,2 per cent).

About 73 per cent of the traditional leaders thought that another land tenure system would improve the productivity of farming (Table 2) and 69 per cent of them thought it would also improve satisfaction among farmers. Development of tribal lands (e.g. irrigation or other agricultural projects) on an agency basis was most popular (22,7 per cent). The security aspects, i.e. the allocation of plots on a more permanent basis, e.g. 99-year lease (20,3 per cent) and family ownership of land without the right of alienation come second and third. About 50 per cent of the traditional leaders were in favour of private land ownership exclusively for commercial farmers, but when asked if they were in favour of the present system of land allocation 73,2 per cent replied in the affirmative. In reply to another set of questions 67 per cent were in favour of leasing land to private farmers producing 30 bags of grain per

TABLE 2 - Traditional leaders: Percentages expressing opinions on land tenure

Opinions	Percentage
Another land tenure system will improve the productivity of farming	73,2
Another land tenure system will not improve the productivity of farming	26,8
<i>Preferring change in land tenure:</i>	
Allocation of plots on a more permanent basis with regard to possession, e.g. 99-year lease	20,3
Family ownership of land without the right of alienation	15,9
Family ownership of land with the right of alienation	12,7
Utilisation of land exclusively by the tribal authority	7,2
Land development by the Lebowa Development Corporation on Trust lands	4,4
Development of tribal lands (e.g. irrigation or other agricultural projects) on an agency basis	22,7
Private ownership of arable land and communal ownership of grazing fields	10,4
State ownership of all agricultural land	2,4
Co-operative ownership of all agricultural land	4,0
Another land tenure system would improve the satisfaction of the farmers:	
Yes	69,0
No	31,0
In favour of private land ownership exclusively for commercial farmers (e.g. 300 ha or more)	49,5
Not in favour of the above	50,5
Favour the allocation of land as at present	73,2
Not in favour of the above	26,8
Land should be leased to private farmers producing 30 bags of grain per hectare	67,0
Land should be sold to a few members of the tribe producing 30 bags of grain per hectare	16,5
The present system should continue with crop yield of 30 bags per hectare	16,5

hectare. Sixteen and a half per cent proposed land sale and the same percentage were in favour of retaining the present system.

In reply to similar questions the smallholders also favoured leasing (52,3 per cent) to sale (24,5 per cent) and to maintaining the present system (20,4 per cent). Only 2,8 per cent favoured the establishment of production co-operatives.

the necessary land, capital and entrepreneurship to produce economically within the present system. 5,8 per cent favoured private ownership because they thought collective systems give rise to decreased initiative and productivity. 16 per cent favoured private ownership as practices by White farmers.

Approximately 70 per cent of the non-traditional leaders were not satisfied with the

TABLE 3 - Private or collective use of land: Smallholders opinions (percentages)

Opinions	Percentage
In favour of private ownership exclusively for commercial purposes (e.g. 300 ha or more)	57,1
Not in favour of the above	42,9
In favour of collective use of arable land, for instance the kibbutz system of Israel or the Soviet system of large-scale collective and/or state enterprises	35,7
Not in favour of the above	64,3
Favour production co-operatives or collective enterprises because co-operation leads to progress and helps educating and motivating people	21,8
Favour private ownership, management and planning and want to maintain full rights over the farming activities and products	38,7
Favour collective enterprises mainly because of marketing reasons: easier and cheaper to market collectively	6,2
Favour private ownership because collective systems lead to decreasing initiative and productivity	5,8
Favour private ownership as practised by Whites	16,0
Favour collective production because it will lead to equality and modernised farming practices	3,1
Favour collective production because the people of Lebowa do not have sufficient land, capital and entrepreneurship to be able to produce economically within the present socio-economic framework.	8,4

TABLE 4 - Non-traditional leaders: Percentages expressing opinions on land allocation

Opinion	Percentage
Satisfied with the present system of agricultural land allocation	22,9
Not satisfied	70,1
Prefer individual tenure and title deed which will lead to increased production and commercialisation of agriculture	30,9
Progressive farmers should get more land: they will employ people and produce for the whole population	27,9
Each Lebowa citizen should be allotted one hectare of arable land because the number of landless rural people is increasing	5,9
Government assistance should be given to develop state and/of tribal irrigation projects	10,3
Good farmers should get more land, others only one hectare	4,4
All people should share in the tribal projects because of land shortage	2,9
Trust lands should be develop as co-operative enterprises	5,9
The Department of Agriculture should allocate the land because they have scientific knowledge of farming	7,4
Land should be sold to able farmers	4,4

Of the smallholders, 80,8 per cent averred that more land should be allocated to progressive farmers, 12,8 per cent preferred private ownership and the rest (6,4 per cent) sought the solution in the modernisation of the traditional system. When asked specifically about their preference between private and collective use of land, the majority of farmers were in favour of private land ownership (57,1 per cent) and 35,7 per cent were in favour of collective use or arable land. (Table 3).

38,7 per cent motivated their preference for private ownership by stating that they want to maintain full rights over farming activities and products, whereas 21,8 per cent favoured production co-operatives or collective enterprises because, in their view, co-operation leads to progress and improved education and motivation. Another 17,7 per cent favoured collective enterprises because of marketing, equality and modernised practices and because in their opinion the people of Lebowa lack

present system of land allocation. Table 4 indicates that 30,9 per cent prefer individual tenure and another 27,9 per cent are in favour of more land being allocated to progressive farmers.

It appears that 82,3 per cent of non-traditional leaders prefer individuals to possess farms in Lebowa. The most important reasons given are that it will lead to scientific crop production and animal husbandry (26,6 per cent) and that it will lead to the selection of good farmers (Table 5). It appears (Table 6) that 68,4 per cent of non-traditional leaders are of the opinion that private enterprise together with ownership of land will increase agricultural output, 31,6 per cent that the output of a few farmers will increase, but not Lebowa's total output and that, in addition to this, it will lead to greater inequality. The most important reasons for belief in increased output are that farmers who cannot cope with modern practices will be forced to leave farming (23,1 per cent), that private enterprise will increase

TABLE 5 - Non-traditional leaders: Percentages expressing preferences and reasons for individual possession of farms

Preference/reason	Percentage
Prefer individuals to possess farms in Lebowa	82,3
Against individual possession of farms because it will cause social disorder	17,7
Prefer individual holdings because traditional allocation is outdated	5,0
Man/land ratio is worsening	15,2
All of us cannot be farmers	12,6
It will lead to the selection of good farmers	22,8
It will provide security to get loans	11,3
It will lead to capital accumulation	2,5
It will lead to scientific crop production and animal husbandry	26,6
Private farmers will motivate others	4,0

TABLE 6 - Non-traditional leaders: Percentages expressing opinions on private enterprise and ownership of land

Opinions	Percentage
Private enterprise together with ownership of land will increase agricultural output	68,4
Output of few will increase, but not total output and it will lead to gross inequality	31,6
Output will increase, given financial assistance at the beginning	18,5
Productivity will increase	12,3
Private landowners will form co-operatives and produce more	13,8
The income from farming will serve as an incentive for higher production	9,2
It will promote the spirit of competition	15,4
Farmers who cannot cope with modern practices will be forced to leave farming	23,1
Ownership generates love for land	3,1
It will lead to specialisation	4,6

productivity, provided financial assistance is available (18,5 per cent) and that private landowners will form co-operatives and produce more (13,8 per cent).

favour the use of fertilisers, thorough ploughing and the use of new seed varieties and new crops. 17,6 per cent of them reported mechanised harvesting. Only 23,7 per cent of them were in favour of collective use

TABLE 7 - Traditional leaders: Percentages expressing preferences on collective use of land

Preference/opinion	Percentage
In favour of allocation of land in the traditional manner	66,0
It will be agriculturally more profitable if bigger fields are allocated to commercial farmers only	70,1
In favour of new developments in agriculture	90,7
Promote the use of fertilisers	85,5
Promote thorough ploughing of lands	80,5
The tribe makes use of mechanised harvesting	17,6
Promote the use of new seed varieties and new crops	85,5
In favour of controlling the amount of animals to improve grazing	82,5
In favour of collective use of arable land (such as Israeli kibbutzim or Soviet system of larger scale agriculture)	23,7

Note: To determine disagreement with preference or opinion, subtract from 100

TABLE 8 - Traditional leaders: Opinions on land size: Percentages of responses

If agricultural output will be increased when land is worked by a few landowners with agricultural knowledge:	Percentage
The respondents will be satisfied	64,9
The respondents will not be satisfied	35,1
It will have the approval of the tribe	32,0
It will not have the approval of the tribe	68,0
Think that a small plot of land is an economically viable proposition to make a good living, all depends on intensive scientific production	27,8
Do not think so, at least 10 hectares of cropland are needed, provided there is enough water for partial irrigation	72,2

Table 7 shows that 66 per cent of traditional leaders are in favour of the traditional land allocation system. The majority (70,1 per cent) think that it will be agriculturally more profitable if larger fields are allocated to commercial farmers only. 90,7 per cent said they were in favour of new developments in agriculture and nearly as many agreed that control of livestock numbers is necessary to improve the quality of grazing land. They also

of arable land in systems such as the kibbutz in Israel or the Soviet system of large-scale collective and/or state agricultural production.

The reaction of traditional leaders to a possible situation in which land would be worked by a few landowners with agricultural knowledge who would increase production is significant: 64,9 per cent would be satisfied with such a state of affairs, but 68,0 per cent of them expressed the opinion that it

would not gain the approval of the tribe. If compared with the answers to questions of a similar nature, the impression gained is that they may be trying to put the responsibility of resistance on the tribe as a whole, while simultaneously maintaining the image of having a progressive outlook and attempting to perpetuate a situation of privilege.

Their preference for the present system of land allocation (Table 7) and, at the same time, the opinion (Table 2) that another land tenure system will improve farming productivity, gives the impression that they are resisting changes which may weaken their position of authority. This impression is strengthened by the apparent contrast between the views reflected in Tables 4 and 7.

"EFFICIENT TENURE" RECONSIDERED

The search for efficient tenure systems goes on in many parts of Africa. The Lebowa smallholders, their traditional leaders and the non-traditional leaders realise that the present system is inefficient and must somehow be altered, modernised or reformed.

This process is supposed to be developmental by nature, but development is an ambivalent process, in which the risk of loss is often as great as the prospect of gain.

Development is not only a matter of improvement of material conditions. It is also a question of losses in respect of other values and, above all, it is a matter of trading social autonomy for increased dependence on other social classes. This dependence may seem very important to African smallholders because they are the only social class today that has not yet been captured by capitalist or socialist causes (Hyden, 1980). They operate according to the law of subsistence rather than the law of value (Chayanov, 1966). Polanyi (1957) regards these societies as more human than those where the law of value prevails. They are, however, also less efficient. Their economic action is not motivated by individual profit alone, but is based on a range of social considerations that allow for redistribution of opportunities and benefits in a manner which is impossible where modern capitalism or socialism prevails and where formalised state action dominates the process (Hyden, 1980). This largely explains the relative lack of success of both capitalist and socialist tenurial reforms in Africa. Hyden (1980) states that in Africa those with power are not necessarily those in control of the state. Those with power are rather those who remain outside the control of the state. The dilemma of how to make smallholders more responsive to official policies remains a burning question because in most African countries the economic structures of the smallholder system have not been transformed. Referring to Schumacher's famous phrase, Hyden (1980) states that, having their hands full with the problem of making the many small producers in the rural areas more productive, African officials are not very likely to support the notion that "small is beautiful". In their experience, small is powerful and

as such constitutes an obstacle to development.

Hyden (1980) also concludes that it is time to recognise the fundamental contradiction between modern development logic and the social logic of the peasant system. The problem is not that peasants are not interested in development, but rather that they are interested only in those aspects of development that cost money - that is, policies aimed at facilitating social reproduction - and much less so in policies that change the parameters of the peasant mode and the pace at which they are prepared to transform their means of production is too slow in relation to the macro-developmental needs of the economy at large.

The means of attracting smallholders' interest to issues relating to development are twofold: first, the provision of reliable services by the various institutions that are necessary to serve modern agriculture and, secondly, approaching the peasant as a consumer and not only as a producer. It is therefore necessary to base all policy measures aimed at the problem of productivity, including land tenure policy, soundly on an intimate knowledge of the human system. The study by Farmer *et al.* (1977) in India and Bangladesh proved the futility of doing otherwise. Coldham (1979) showed how futile it is to expect people to change their behaviour simply because of the existence of laws on statute books which require or encourage them to do so. At least two further conditions need to be met: laws must be effectively communicated to those whom they affect and the people concerned must be convinced that the balance of advantage favours the adoption of the proposed modes of behaviour. They must perceive it to be in their interest to conform and the more fundamental the changes in behaviour desired, the greater the compensation must appear to be. We must therefore, in the first place, know the current behaviour, methods of production and distribution, aspirations, etc.

In the case of Lebowa the smallholders and their non-traditional leaders gave a clear mandate for land tenure reform, with the majority opinion tending towards the capitalist model of individual freehold. The traditional leaders were more hesitant in this regard.

BIBLIOGRAPHY

- CHAYANOV, A., 1966. *The theory of peasant economy*. Homewood, Ill: Richard D. Irwin Inc.
- COLDHAM, S.F.R., 1979. Land tenure reforms in Kenya: the limits of law. *Journal of Modern Africa Studies*. 7(4).
- COLLINSON, M.P., 1972. *Farm management in peasant agriculture. A handbook for rural development planning in Africa*. New York: Praeger Publishers
- FARMER, B.H. (Eds.) 1977. *Green revolution?* London: The MacMillan Press Ltd
- FÉNYES, T.I., 1982. *A Socio-economic analysis of smallholder agriculture in Lebowa*. Unpublished D.Sc. (Agric.)-proefschrift, Universiteit van Pretoria
- FÉNYES, T.I. & GROENEWALD, J.A., 1977. Socialist enterprise forms in agriculture. VII: Potensiële toepassing in die Afrika-landbou. *Agrekon* 16(3): 2-9

- HUGHES, A.J.B., 1971. Tribal land tenure - an obstacle to progress? *S. Afr. J. African Affairs*. 1: 56-73
- HYDEN, G., 1976. Co-operatives as a means of farmer grouping in East Africa: Expectations and actual performance. In: Hunter, Guy, Bunting, A.H., en Bottral, A.F. (Eds.) *Policy and practice in rural development*. London: Croom Helm.
- HYDEN, G., 1980. *Beyond ujamaa in Tanzania. Underdevelopment and an uncaptured peasantry*. London: Heinemann, 1980
- JEPPE, W.J.O., 1980. *Bophuthatswana land tenure and development*. Cape Town: Maskew Miller
- JOHNSON, HARRY G., 1976. *Equity, economic theory and economic development in portfolio*. University of Minnesota, International Economic Perspectives, Vol. 3
- LESEME, R., FÉNYES, T.I. & GROENEWALD, J.A., 1980. Traditional and legal aspects influencing agricultural development in Lebowa. *Development Studies Southern Africa*. 2: 171-195
- PEARSE, A., 1971. Metropolis and peasantry, the expansion of the urban industrial complex and the changing rural structure. In: Shanin, T. (Ed.) *Peasants and peasant societies*. Harmondsworth: Penguin Books Ltd
- TOMLINSON, F.R. (Chairman), 1955. *Summary of the Report of the Commission for the Socio-economic Development of the Bantu Areas within the Union of South Africa*. Pretoria: Staatsdrukker, UG 61/1955
- UNION OF SOUTH AFRICA, 1956. *White Paper on Government Decisions on the Recommendations of the Commission for the Socio-economic Development of the Bantu Areas within the Union of South Africa*. Government Printer
- WOLF, E., 1955. Types of Latin American peasantry: A preliminary discussion. *American Anthropologist*. Vol. 57