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Two factors have molded the character of the indigenous land tenure systems in Zaire. The first is that the agricultural system throughout most of Zaire is that of shifting cultivation. This means that a man will cultivate a plot of land only temporarily and will change plots at regular intervals. The second factor is the population density is low throughout most of Zaire, which means that since new plots are easily found, a man has little interest in retaining permanent rights in any given piece of land. The land tenure system must therefore be flexible enough to accommodate the needs of shifting cultivation as well as changes in population due to natural increase or migration.

Despite the diversity of indigenous land tenure systems in Zaire, there are certain fundamental elements that are common to the vast majority of them. The diversity often shows variations on common themes rather than fundamentally different approaches, thus making it possible to generalize about land tenure in Zaire. This paper first looks at the common themes and then presents four case studies which will both illustrate the themes and test the validity of the generalizations.

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LAND TENURE AND AGRICULTURAL DEVELOPMENT IN ZAIRE, 1895-1961

by

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All views, interpretations, recommendations, and conclusiones expressed in this paper are those of the author and not necessarily those of the supporting or cooperating agencies.

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LAND TENURE AND AGRICULTURAL DEVELOPMENT IN ZAIRE, 1895-1969

by

Robert Harms*

I. INDIGENOUS LAND TENURE SYSTEMS IN ZAIRE

Despite the diversity of indigenous land tenure systems in Zaire, there are certain fundamental elements that are common to the vast majority of them. The diversity often shows variations on common themes rather than fundamentally different approaches, thus making it possible to generalize about land tenure in Zaire.[1] This section of the paper will first look at the common themes and then present four case studies which will both illustrate the themes and test the validity of the generalizations.

General Characteristics

Two factors have molded the character of the indigenous land tenure systems in Zaire. The first is that the agricultural system throughout most of Zaire is that of shifting cultivation.[2] This means that a man will cultivate a plot of land only temporarily and will change plots at regular intervals. The second factor is that the population density is low throughout most of Zaire,[3] which means that since new plots are easily found, a man has little interest in retaining permanent rights in any given piece of land. The land tenure system must therefore be flexible enough to accommodate the needs of shifting cultivation as well as changes in population due to natural increase or migration.

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1. For longer treatments of the common themes in Zaire land tenure systems, see Guy Malengreau, Les droits fonciers coutumiers chez les indigènes du Congo Belge (Brussels, 1947); E. Kremur, "Le droit foncier coutumier du Congo Belge," Bulletin des Jurisdictions Indigènes (1956), pp. 233-86; Daniel Biebuyck, "Systemes du tenure foncière et problèmes fonciers au Congo," in Daniel Biebuyck, ed., African Agrarian Systems (London, 1963), pp. 83-100.

2. Systems of agriculture in Zaire are best described in Marvin Miracle, Agriculture in the Congo Basin (Madison, Wis., 1967).

3. The population density is currently about 19 persons per square mile. Although approximately one-half of the land in Zaire is arable, only about 1.2 percent was under cultivation in the late 1950s, while an additional 15 percent - 20 percent was under fallow. American University, Foreign Area Studies, Area Handbook for the Democratic Republic of the Congo (Washington, 1971), pp. vii, 305.

The result is that almost everywhere in Zaire large tracts of land are held by corporate groups. Individual parcels for cultivation within a tract are distributed to the members of the group according to local laws each time the soil becomes exhausted in one place and it becomes necessary to set up new fields. Sometimes individuals move their fields, while at other times the whole village moves, causing a complete redistribution of the land.

In the majority of the cases the corporate group that holds the land is the lineage, though sometimes it is a political chiefdom. The land held by the group has fixed boundaries. Sometimes these boundaries are clearly marked by such geographical features as streams or imaginary lines between hills. In other cases the boundaries are less clearly marked, which leads to disputes whenever a group begins to actually exploit the boundary regions.

Within the tract of the corporate group there are several kinds of rights in land, such as hunting rights, gathering rights, and cultivation rights. All the members of the corporate group generally hold hunting and gathering rights in the uncultivated areas of the group's land, whereas plots under cultivation belong to the individual cultivators or their immediate families. The individual cultivator, who gains rights to a plot of land by putting it under cultivation, maintains his rights until he abandons the field for another.

In land held by lineages, strangers can gain rights in land. The key test is residence. Anyone who gains the right to live on the lineage lands has a right to a parcel of land. Spouses provide the most obvious example. In a patrilineal society the wives do not belong to the lineage. Yet they are the main cultivators of the soil. Strangers who move into the area either attach themselves to distant relatives or become clients of the lineage members, thus becoming eligible to receive land. In these cases most systems draw a careful distinction between inherited rights, which had come down from the ancestors who had first settled the land, and stranger rights, which cannot be passed on.

The question of whether land is alienable has been the focus of much debate.[4] The most accurate generalization appears to be that while land is generally not saleable, it is indeed alienable. Landholding groups often cede territory to immigrant groups. Land is divided when lineages split. Thus land is transferred from one corporate group to another, though it is not sold.

In order to give a better picture of how these features work out in practice, I will describe the land tenure systems of four Zairean ethnic groups--Kuba, Nyanga, Zande, and Mongo. These groups were chosen because they represent not only different geographical areas of the country, but different ecological zones, kinship systems, and political structures as well.

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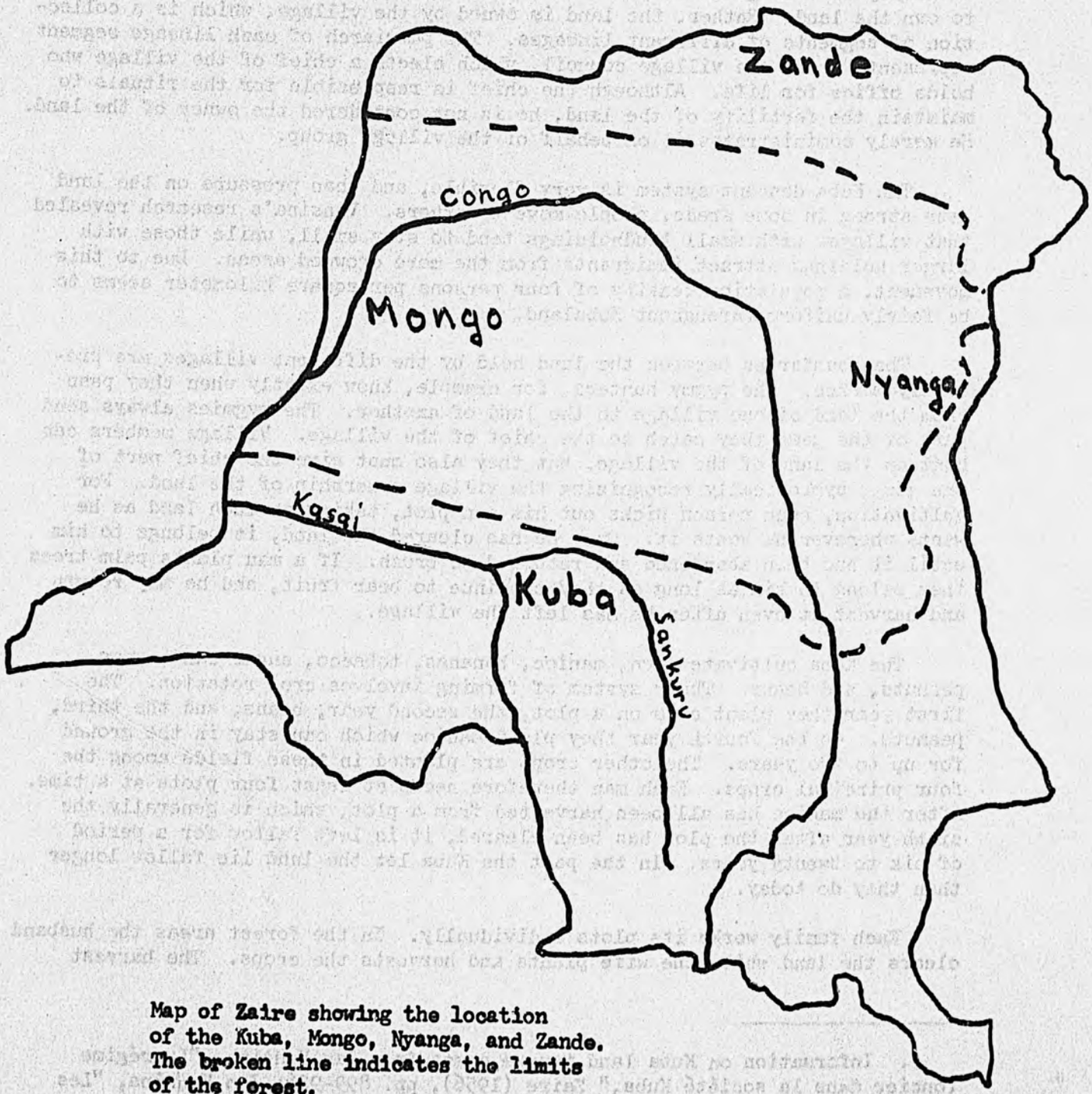
4. General discussions of the alienability problem are found in Malengreau, Droits fonciers, pp. 121-53; Kremur, "Droit foncier," pp. 243-51; and Biebuyck, "Systemes de tenure," p. 88.



Map of Zaire showing the location of the Kuba, Mongo, Nyanga, and Zande. The broken line indicates the limits of the forest.

The Kuba

The Kuba live along the Kasai River in savanna land that is frequently interrupted by forest galleries.[5] Although they practice matrilineal descent, a married couple generally lives in the village of the father. This means that members of a matrilineage do not live together, but live scattered in a variety of villages. Therefore lineages are not the logical corporate group to own the land. Rather, the land is owned by the village, which is a collection of segments of different lineages. The patriarch of each lineage segment represents it in the village council, which elects a chief of the village who holds office for life. Although the chief is responsible for the rituals to maintain the fertility of the land, he is not considered the owner of the land. He merely administrates it on behalf of the village group.

The Kuba descent system is very flexible, and when pressure on the land gets strong in some areas, people move to others. Vansina's research revealed that villages with small landholdings tend to stay small, while those with larger holdings attract immigrants from the more crowded areas. Due to this movement, a population density of four persons per square kilometer seems to be fairly uniform throughout Kubaland.

The boundaries between the land held by the different villages are precisely marked. The pygmy hunters, for example, know exactly when they pass from the land of one village to the land of another. The pygmies always send part of the game they catch to the chief of the village. Village members can hunt on the land of the village, but they also must give the chief part of the game, symbolically recognizing the village ownership of the land. For cultivation, each person picks out his own plot, taking as much land as he wants wherever he wants it. Once he has cleared the land, it belongs to him until it has been abandoned and returned to brush. If a man plants palm trees they belong to him as long as they continue to bear fruit, and he may return and harvest it even after he has left the village.

The Kuba cultivate corn, manioc, bananas, tobacco, sugar cane, yams, peanuts, and beans. Their system of farming involves crop rotation. The first year they plant corn on a plot, the second year, beans, and the third, peanuts. On the fourth year they plant manioc which can stay in the ground for up to two years. The other crops are planted in these fields among the four principal crops. Each man therefore needs at least four plots at a time. After the manioc has all been harvested from a plot, which is generally the sixth year after the plot has been cleared, it is left fallow for a period of six to twenty years. In the past the Kuba let the land lie fallow longer than they do today.

Each family works its plots individually. In the forest areas the husband clears the land while the wife plants and harvests the crops. The harvest

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5. Information on Kuba land tenure comes from Jan Vansina, "Le régime foncier dans la société Kuba," Zaire (1956), pp. 899-926; Jan Vansina, "Les régimes fonciers Ruanda et Kuba: une comparaison," in Biebuyck, ed., African Agrarian Systems, pp. 348-63.

belongs equally to the man and the woman. In the savanna the women do all the work themselves, and can keep any profit from the sale of surplus produce from their fields. The men plant palm and fruit trees around the village. Even though the village moves every five to seven years, the trees remain the property of the individual who planted them.

The Kuba make a distinction between individual and collective property. Individual property can be sold while collective property cannot. While land, which is collective property, cannot be sold, it can be alienated from a village by other means. When a group of strangers moved into an area, they often received permission to settle in a small hamlet on the land of a certain village. Eventually the hamlet would grow and the inhabitants would come to think of the land as their own. Finally, boundaries would be drawn between the land of the two villages, and each would become a recognized holder of land. On the other hand, small villages would sometimes join together, making land that had been held separately into common land. Vansina has noted that most modern Kuba villages are composed of former villages that fused. Thus land gets transferred among groups, but it is never sold.

The Nyanga

The Nyanga live at the extreme eastern edge of the tropical rain forest.[6] The area is sparsely inhabited; the 1956 population density was less than two persons per square kilometer. The Nyanga see the country as divided into mountains. Each mountain, which contains both the mountain itself and the adjacent flatlands, has a name. Each mountain is in turn subdivided. Since the land is sparsely occupied, the Nyanga make a careful distinction between the land near the villages and fields, where people go often, and the more remote areas, where hunting and trapping take place only intermittently.

The Nyanga are patrilineal. The main descent group is the clan which is a kin group about six generations deep. While each clan has a cohesive core group that lives together in an area said to be the place of origin of the clan, many segments have moved to other areas, making the clans dispersed units.

The most important unit of Nyanga social organization is the nuclear family, which consists of a man, his children, and perhaps his grandchildren. Several nuclear families, usually from the same clan, are ritually linked together to form a rosho. These share a rosho hut, where men gather to eat, drink, organize rituals, etc.

All of Nyangaland is divided into estates. The Nyanga say the divisions were made in olden times. Each local clan segment has control over an estate defined in terms of a certain number of mountains. Each of the rosho groups in the clan segment has direct control over one or more mountains within the

6. Daniel Biebuyck, Rights in Land and its Resources Among the Nyanga (Brussels, 1966), is the only work on Nyanga land tenure.

estate. The mountains are subdivided among the nuclear families which make up the rosho group. These subdivisions, called motondo, form the basic unit of landholding.

Since all the members of one or more rosho may live together in a large village, most of the villagers will not reside on their land. Yet each family will go to its own land to hunt, gather, or cultivate.

Within each motondo certain areas, called ndemo, are reserved for cultivating. The patriarch divides these among his sons and unmarried daughters. Each adult male son, their wives, and any unmarried daughter get land. The men who receive land are called "owners of the land" while the women are called only "owners of the crops." Incoming male clients who attach themselves to the group are also called "owners of the crops." In practice there is little difference between the two types of ownership except that the men can pass their land to their sons, while women or male clients cannot.

The main crop grown by the Nyanga is the banana. The women grow the plantains used for cooking and the men grow the sweet bananas used for making beer. The Nyanga distinguish five types of banana fields, according to how long they have been growing. After a field reaches the fifth stage, when all the banana plants have died out, the field needs to rest about 13 years before it can be cleared again for growing.

A man and his wife work together to clear a banana grove. This is not done at any particular time, since bananas can be started at almost any time of the year. It is not done every year; that is not necessary. A man may simply plant new shoots in an existing banana grove, or enlarge it a bit. If the man wants to expand onto fallow land left by another, he must first get permission from the original cultivator, who retains rights in the land. Generally, however, the man will clear a new patch of virgin forest. When the banana grove is cleared, he will allocate parts to himself, his wives, and any clients or strangers that have attached themselves to his family. While ownership of the cleared plots is strictly individual, certain kinsmen may obtain the rights to pick bananas in the grove.

Rights in land are less strictly observed in the remote areas away from the villages and fields. When the estate of a clan segment is divided among the rosho groups, some of the more remote portions are generally left unallocated. Any member of the clan segment is free to hunt or gather there. Furthermore, people are generally allowed to hunt or trap in the remote regions of the motondo of their neighbors, provided that they respect certain items such as raphia palms which remain the exclusive property of the owners.

The Zande

The Zande live just north of the forest in northeastern Zaire. Zandeland presents a bewildering variety of types of soil and vegetation arranged in a mosaic pattern so that a few square meters of uniform vegetation are hard to find. Being careful farmers, the Zande have classified the vegetation into over 700 types, and have also classified the different micro-ecological zones

and soil types found in their country.[7] They know that certain micro-ecological zones and soil types are best for producing certain kinds of crops. Each farmer cultivates a variety of field types, producing a variety of crops. They grow eleusine, maize, sorghum, rice, peas, beans, peanuts, sesame, cassava, sweet potatoes, and yams. They rotate their crops, knowing that certain crops are best planted on first-year land, others on second-year land, etc. This rotation does not follow a strict order, but varies according to conditions and the judgment of the farmer.

The most unusual thing about the Zande is that they lack a social structure based on kinship, which is common throughout most of Zaire. The people do not live in villages, but in homesteads scattered about the landscape. Each homestead contains a man, his wife, and perhaps his married sons. The family cultivates the land around their homestead until the soil becomes exhausted. Then they consult the oracle and move to a place that has fertile soil.

This lack of social structure is due to the conquest of Zandeland by the Vungara clan during the nineteenth century. Prior to this the people had an organization based on clans, but the clans have now lost all function. Zandeland is divided into small chiefdoms, each ruled by a Vangara chief who has absolute power. The chief is said to be the master of the people and the master of the land. He knows the precise boundaries of the land of his chiefdom. The main brake on the chief's power is that if he does not rule wisely the inhabitants might flee to other chiefdoms. Between the chief and his subjects are two levels of officials called notables and capitas, but these have no authority over the land. In effect, the hierarchy of land rights has only two levels--the chief and the head of the homestead.[8]

As master of the land, the chief must give his permission whenever a person wants to move his homestead. He also has the final say over who can live on the land of his chiefdom. Strangers arriving in the chiefdom must receive permission to settle from the chief. Inhabitants who displease the chief can be forced to leave.

When the land around a homestead is exhausted, the family first consults the oracle.[9] While he will generally tell them to move to another stream or valley within the chiefdom, he may tell them to move to another chiefdom. If this happens they must get permission from both of the chiefs concerned. Once the oracle and the chief have agreed on the general area for the new homestead, the head of the family chooses the exact site for himself, taking into consideration such factors as water, fertility of soil, proximity to neighbors, etc. After establishing the new homestead, the head of the family distributes the plots among his wives and sons.

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7. Pierre de Schlippe, Shifting Cultivation in Africa: The Zande System of Agriculture (London, 1956), pp. 37-47.

8. Jacques Vanderlinden, "Principes de droit foncier zande," Revue de l'Institut de Sociologie (1960), pp. 583-604.

9. de Schlippe, Shifting Cultivation, p. 192.

The first year on the new site is generally a lean one; the second year is better; the third and fourth years are plentiful. After the fourth year new plots will have to be cleared farther out from the homestead.

The crops from the wife's fields go into her granary. They are mainly used for feeding the family, though she can sell some of them with her husband's permission. When she sells some produce, she must give some of the money to her husband for his help in the fields. The crops of the husband's fields go into his granary to be used mainly for entertaining guests. He can sell as much as he wants without asking his wife, though he gives her some of the profits for her work in the fields. Adolescent boys get small fields of their own, but only for crops which do not require processing.[10]

A homestead site is often completely exhausted after ten years, though they have been known to last as long as seventeen years. When the site must be abandoned, the family moves on, allowing the land to revert back to bush to be reclaimed by another family at a later date.

The Mongo

The Mongo live in the forest of central Zaire. They grow mostly manioc and bananas along with some corn and a little sugar cane for making wine. Although they raise some goats, chickens, and ducks, hunting and fishing remain important sources of meat.

Mongo society is basically patrilineal, though land can pass through either line. A segment of a patrilineage occupies a part of a village, with the oldest man in direct line of descent from the founding ancestor of the segment being the patriarch. Several such segments live together in a village. The patriarchs of the lineage segments form the village council which makes the common decisions regarding war or the moving of the village. There is no village chief.[11]

The lineage segment is the unit that owns the land. Yet the Mongo do not perceive the land as being owned communally. "The family is not a man and therefore cannot own land," they say. "The land belongs to the father of the family."[12] The patriarch of the lineage segment is thus perceived as the owner of the soil. The land of each lineage segment has a name, and there is no unclaimed land except for the small strips of no-man's-land which sometimes divide the holdings of the lineages from each other.

Although the Mongo are patrilineal, each Mongo enjoys residence rights and therefore land rights in the lineage of his mother, as well as the lineages

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10. Ibid., p. 105.

11. The best short description of Mongo social and political structure is G. Hulstaert, Les Mongo: Aperçu Générale (Tervuren, 1961).

12. E. Boelaert, "Propriété foncière dans l idéé des Nkundo," Bulletin de l'Académie Royale des Sciences d'Outre Mer (1955), p. 166.

of his grandparents, and sometimes his great-grandparents. Each Mongo, with residence rights in a minimum of four lineages, has a variety of choices. Research has shown that in some cases a man could claim rights in villages up to a hundred miles from his home. Since there is plenty of land for everyone, one would not settle in another village simply to get land. The main reasons that young men leave their home villages are disputes and debts.

A member of the lineage can cultivate any plot of land that has not already been taken. Once he has cleared a plot, he refers to it as "my plot." All the products of personal work in the field belong to the producer if he is a grown man. Wives give the produce to their husbands, and unmarried sons give the produce to their fathers.

A plot generally produces only two to three years, but it remains the property of the one who cleared it even after it has been abandoned. Since secondary growth land is easier to clear than virgin land, a man will maintain possession of it in hopes of returning to it years later when it has regained its fertility. His rights over the plot end only when he gives them to another or when the land returns to primary forest.[13]

If a man leaves his house permanently, the rights to the gardens near the house go to the next resident. If these gardens include a grove of bananas, however, the former resident has the right to come back and harvest the bananas from the plants that he planted. Newly grown plants in the grove become the property of the new resident.

A person may hunt on the territory of another lineage, but he must first get permission from the patriarch of that lineage as well as give him half of each animal killed. If a wounded animal runs across a border, however, the hunter may follow the animal across the border and kill it without sending tribute to the patriarch of the land on which the animal was killed. Generally, only the pygmy hunters crossed the borders freely, but even so they were careful to always send tribute to the patriarch whenever they killed game on his land.

The various cognates and clients who live on the lineage lands have stranger rights. They can cultivate virgin soil, hunt and gather in the forest, and cut palm nuts from wild trees. In theory they must get permission from the patriarch to do these things, but in practice these rights are considered implicit in the right to live with the lineage.

Even though strangers receive the right to live on the land, the lineage members do not think of them as permanent inhabitants. They view land as property which they have inherited from their ancestors, and which they must guard. "The forest is a relic of the ancestors," the Mongo say.[14]

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13. Ernst Muller, Le droit de propriété chez les Mongo-Bokote (Brussels, 1958), p. 30.

14. Boelaert, "Propriété," p. 164.

Although the Mongo do sell land on rare occasions, they view the transaction as granting stranger rights in return for tribute rather than permanently alienating the land. One Mongo summed up this idea when commenting on a European plantation. "The Europeans have bought the land in vain; they will never become the proprietors. They are strangers who have come to live with us, but it is not permanent. When they go they will leave the land again to the real proprietor."[15]

While land cannot be sold, it can be alienated. Alienation of land is an evolutionary process, however, rather than an abrupt one. One common way for this to happen is for a part of the family to settle in a hamlet apart from the main group and begin to cultivate the land around the hamlet. Soon their occupation of that area becomes generally recognized, and others avoid it. Eventually the group breaks off, and everyone recognizes it as a lineage segment with its own land.

Conclusion

While the generalization that land in Zaire is held by corporate groups is confirmed by all four cases, the nature of these corporate groups varies widely. Among the Zande it is the chiefdom; among the Kuba it is the village. The patrilineal descent group holds land among the Nyanga, while each person has rights in a number of lineages among the Mongo. All of these peoples make provision for various clients and strangers who settle on their land. The corporate groups are not stable, but are constantly dividing, merging, and shifting. The corporate group that holds the land is usually a small group--a village or a part of a village.

The role of the head of the group varies considerably. The Mongo patriarch is the "owner of the land," while the Kuba village chief is simply an administrator with minimal authority over land. Generally, however, the man responsible for land is relatively low in the political hierarchy.

The question of alienability remains complex. The Mongo will sell land, though they don't regard it as permanently alienated. Other groups won't sell land, but they will transfer land to corporate groups such as groups of immigrants of breakaway segments of the lineage. These transfers of land are generally long processes rather than definitive acts.

II. LAND TENURE AND RURAL DEVELOPMENT DURING THE COLONIAL PERIOD

The Belgian colonizers who gained control of the Congo in 1885 generally misunderstood the indigenous land tenure systems and fashioned policies that either misinterpreted or ignored them. One common misconception, which persisted throughout the colonial period, was that land was owned by "tribes" or clans. As a result, the early colonial officials often negotiated land

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15. Ibid., p. 165.

agreements with kings and paramount chiefs, despite the fact that those with real authority over land were generally much lower in the political hierarchy.

A far more serious misunderstanding, however, arose over the issue of vacant land. In pre-colonial times vacant land was virtually non-existent, for almost all land was claimed by one corporate group or another. These groups usually distinguished between cultivation rights, which one established by clearing a plot on the land held by his group, and gathering rights, which gave any member of the group free access to the wild products of the forest while at the same time excluding members of other groups. Although the Congo Independent State generally recognized cultivation rights on cleared land, it completely ignored gathering rights, which were equally well defined and regulated by customary law.

Expropriation of Land

Immediately after its foundation in 1885, the Congo Independent State laid down the essential lines of its land tenure policy by declaring that all vacant lands belonged to the State. While the law did not define vacant lands, the practical meaning of the term soon became clear. All land that was not under settlement or cultivation was considered vacant.[16] The State claimed absolute and exclusive rights to the vacant land, reserving for itself not only the right to cultivate and settle the land, but gathering rights in the natural products of the land as well. It could prosecute as robbers any unauthorized persons who gathered on State lands.

The policy had two practical aims. The first was to reserve for the State the wild rubber, ivory, and copal, which were its main sources of revenue. The second aim was to control private European trading companies which were trading in these goods.

For exploitation purposes, the Congo was divided into three zones. The largest was the private domain, in which all commercial exploitation was reserved for the State or for companies which received concessions from the State. The second was the crown domain, which was exploited directly for the personal treasury of King Leopold II. The third was the public domain, in which free commerce was allowed.

Since wild rubber was the most important export of the Congo Independent State, most of the rubber producing areas fell under the control of the State or the companies which had received State concessions. A look at the Anglo-Belgian India Rubber and Exploration Company (known as Abir), which was the largest of the early concession companies, will illustrate how the concession system worked.[17]

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16. The Congo. A Report of the Commission of Enquiry (London, 1906), p. 19.

17. Robert Harms, "Abir: The Rise and Fall of a Rubber Empire" (M.A. thesis, Univ. of Wis., 1973).

Abir's original concession consisted of the right to exploit all the products of the forest in the basins of the Maringa and Lopori rivers, an area of about 30,000 square miles. Furthermore, it received outright ownership of all land within a 25-mile radius of eight posts which the company was to establish.

The people living in the concession area had to collect rubber for the company in lieu of paying taxes to the State. Each adult male received a fortnightly quota, and those who failed to meet their quotas were beaten, imprisoned, or shot. The company enjoyed de facto political sovereignty in the area, maintaining a private army that could be reinforced by State soldiers whenever necessary.

The rubber that the people collected came from the landolphia vines that grew wild in the forest. Frequent tapping of a vine caused it to die, and by 1904 the supplies of rubber in the Abir territory were almost exhausted. The scarcity of rubber had several effects on the area. First, since the men had to work nearly full time at collecting rubber in order to meet their quotas, they didn't have time to clear new fields. As a result the women continued to plant the old worn-out fields, receiving lower and lower yields. Soon famine struck the area.

Another problem was that as a group exhausted the rubber supplies on its land, it began to encroach on the land of a neighboring group. Wars erupted as groups began to fight over rubber resources. Sometimes individuals and groups moved out of the concession area to take up stranger rights on new land. If the immigrant groups were large, they often had a hard time finding a place to settle.

In 1906, with production falling sharply and rebellion springing up throughout the concession, Abir pulled out, leaving the State to continue exploiting the rubber on its behalf. The same process was apparently at work in the other rubber producing areas, for by 1910 the rubber was becoming so depleted all over the Congo that the State abandoned the rubber tax and revoked the concessions of the rubber companies, giving them outright grants of land as compensation. Abir, for example, received 50,000 hectares (1 hectare = 2.47 acres) in return for giving up its concession.

Although the State and the concession companies had controlled large tracts of land in the Congo Independent State, their interest was not so much control of land as maintaining monopoly rights on the gathering of certain products. As long as the State or the companies got the rubber, ivory, and copal, they didn't care if the Africans moved their fields or gathered food in the forest.

With the decline of rubber exploitation, the Congo government turned to Lever Brothers to get the palm oil business going. In 1911 the government gave Lever the right to 750,000 hectares of the best palm groves on the vacant lands found in six circles, each having a 60-kilometer radius.[18] Lever, in turn, was to install an oil factory in each of the six circles.

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18. Michel Merlier, Le Congo de la Colonisation Belge à l'Indépendance (Paris, 1962), p. 66.

Upon claiming an area, Lever's first act was to claim ownership of all palm groves that were not directly joined to villages, despite the fact that each palm grove was already owned by a local person or lineage. The expropriated palm groves produced enough oil so that Lever did not need to start plantations of its own until 1924. In 1926 Lever gained control of the palm groves adjacent to villages by making a complicated legal agreement with the government that declared occupied lands to be indivisible with vacant lands.

After taking over the palm groves, Lever needed workers to cut the palm nuts and bring them to the factories. With the cooperation of the government, Lever began forcibly to recruit labor. In addition the government instituted a tax in money to force people to earn money by working for Lever. As a result of these measures large numbers of people began to work for the company. The men cut the fruit while the women gathered the nuts and carried them to the company posts. A doctor in one area that was being exploited by Lever reported that agriculture had been abandoned because everybody worked full time for the company.[19]

In addition to giving land to concession companies, the government gave land to missions and private individuals. Missions received 200 hectares of choice land for each station they built. In 1924 the government began a system of small land grants to European settlers.[20] Former civil servants could receive up to 500 hectares free after twelve years of service. This right was later extended to war veterans.

Information on the total amount of land given out during the colonial period is difficult to determine since government statistics on this topic are unreliable. In 1944, however, the government reported that 12 million hectares had been given to large companies, 241,000 to individual Europeans, and 126,000 to missions.[21] The total is equal to about 5 percent of the land area of the country.

Required Cultivation

The required cultivation of certain food crops first became widespread in the Congo during World War I when troops were sent to the Eastern Congo to guard against a possible attack from the German colonies. In order to feed the more than 260,000 troops and porters, the government demanded that each farmer grow a certain amount of rice and other food crops. The resultant success of the policy encouraged the government to continue it after the war was

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19. Janet Pugh, "The Pende Revolt" (seminar paper, Univ. of Wis., 1972), p. 5.

20. Th. Heyse, Grandes Lignes du Régime des Terres du Congo Belge et du Ruanda-Urundi (Brussels, 1947).

21. Merlier, Le Congo, p. 70.

over. The rice and food crops thus produced were used to feed the populations in mining and urban centers. By 1931 the Congo was producing 55 tons of rice per year.[22]

Since the need for food crops was limited, crops such as cotton, which could be exported, began to be emphasized. Cotton was first introduced into the Congo in 1915. Three years later 1,600 hectares of cotton were under cultivation, and cotton became a required crop in many areas of the Congo.

To introduce cotton cultivation into a village an agricultural agent would gather the chiefs and notables of a village and explain that they should start to grow cotton because it was easy to do, would bring good results, and, furthermore, was required by law. After securing the consent of the chiefs, who could not refuse, the agent would call all the men of the village together, take them out to choose land for the cotton, and tell them to clear the land. When it was cleared he would return to make sure that each person had prepared a plot varying in size from five to ten ares (1 are = 10 square meters), according to the region.

When the first harvest came, it brought in just about enough money to enable the cultivator to pay his taxes. Each year the cultivators were required to extend their fields, eventually having 30-50 ares under cultivation. The theory was that eventually the farmers would find cotton-growing to their advantage and put even larger areas under cultivation on their own initiative. This failed to happen because the profits from growing cotton were quite small.

When cotton was first introduced, the government bought the crops. In 1920 the government turned the buying and processing of cotton over to private companies, the largest being the Compagnie Cotonière Congolaise. A company had to establish a cotton gin in an area in order to receive rights to buy the cotton. Once the gin was built, the company had a monopoly on that region. Since each region was under a monopoly, the government set the minimum price that could be paid. This generally became the standard price.

The profit from cotton was small. The average farmer with 45 ares of cotton received about 100 francs for his crop after paying his taxes in 1930. This compared to a salaried worker on a plantation who received 600-1,200 francs per year, or a mineworker who received 3.5 to 4 francs per day.[23]

Since most farmers had little enthusiasm for cotton-growing, they would plant the cotton on poor ground or on fallow fields, while reserving the fertile fields for their own food crops. To counter this the government tried to force the people to plant their food crops on the same plot with the cotton, and to follow a system of rotation. This scheme did not succeed, however.

Despite the fact that the required cotton fields took much more work than the legal maximum of 60 days per year, the government continued to press for

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22. Edmond Leplae, "Histoire et Développement des Cultures Obligatoires de Coton et de Riz au Congo Belge de 1917 à 1933," Congo (1933), p. 657.

23. Ibid., pp. 725-26.

the expansion of cotton production. By 1932, 65,000 hectares were planted in cotton.

The exact crops required varied from region to region. In some areas the people were required to plant ten to fifteen palm trees apiece each year. By 1932 over 70,000 hectares had been planted in palm trees. The following example from the Equator district shows the required crops for each adult male.[24]

Bumba, river region	20 ares of manioc 10 ares bananas or corn
Bumba, non-river area	50 ares of rice 30 ares of manioc 20 ares of corn, bananas, palms
Yakoma, Banza Chiefdom	20 ares of cotton 10 palm trees
Bosobolo, Bua	25 ares of cotton 10 palm trees
Lisala	25 ares of manioc and corn 5 ares of peanuts 30 banana trees 30 palm trees

The required cultivation had several negative effects on the rural population. First, it was hard on the soil. The required crops greatly expanded the amount of land under cultivation. Since it was very difficult to clear enough new land for new crops, the farmers would continue to plant in fields long after they were worn out. They would also begin planting on fallow land that had not rested long enough. The result was a continuous degradation of the soil in many areas. A second negative effect was that proper nourishment became a problem in some areas because the people spent so much time tending to their cash crops that they didn't have time to properly take care of their own.[25]

The most notable effect of the required crops, however, was the decrease of the rural population. Between 1939 and 1945 one district noted a 23 percent decrease in the number of planters; another noted a 40 percent decrease. In one palm-growing region the agent reported that the program was behind schedule because half of the planters had left their villages.[26]

An example of the reaction to required cultivation can be seen among the Zande. The introduction of cotton aroused opposition because the

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24. Ibid., p. 650.

25. Merlier, Le Congo, p. 93.

26. Ibid., p. 95.

individual farmers were used to making their own decisions and did not like being told what to plant and when to plant it. Nor did they like being told where to plant, since formerly each farmer had chosen only the land that he considered good.

The new rotation system was manioc, cotton, peanuts. During the first year a man had to clear a field of the required size and plant it in manioc, which gave him more manioc than he could eat. The extra manioc served only to prepare the ground for cotton.[27] Under the rotation system each farmer had to keep three of these large fields going every year, which greatly increased his work. Since the profit from the cotton was very low in proportion to the work involved, the farmers grew cotton only because it was required.

The Paysannats

By the early 1930s the government had become aware that the policy of forced cultivation was causing an exodus of the rural population and exhausting the soil. Government agronomists began looking for new methods of cultivation that would conserve the soil while giving higher yields per unit of labor. In 1936 they came up with the scheme that later received the name paysannat.

In a typical paysannat, each farmer was given a long strip of land which was divided into 20 equal plots (see diagram). The first year he would plant corn on plot 1. The second year he would plant corn on plot 2 and cotton on plot 1. The third year he would move up the corn and cotton and plant peanuts on plot 1. During the fourth year he would move up the corn, cotton, and peanuts, and plant manioc on the first plot. The fifth year he advanced each crop one plot, leaving plot 1 fallow.

Every year after that he would advance each crop one plot. Each plot would thus be successively planted to corn, cotton, peanuts, and manioc, and then returned to fallow. By the 20th year, when the farmer reached the last plot, the first one would have regained fertility, so the farmer would be ready to start over.[28]

The strips were not isolated, but placed side by side to form a block in which all the landholders followed the same scheme. Thus in a given year, for example, plot 8 of all the strips would be planted in peanuts. The reason for this grouping was to facilitate the use of farm machinery, which the government hoped to introduce at some unknown time in the future.

The government favored the system because it was a way to introduce individual holdings and fixed land tenure. They believed that the system would be easily adopted by the population since it was not something drastically

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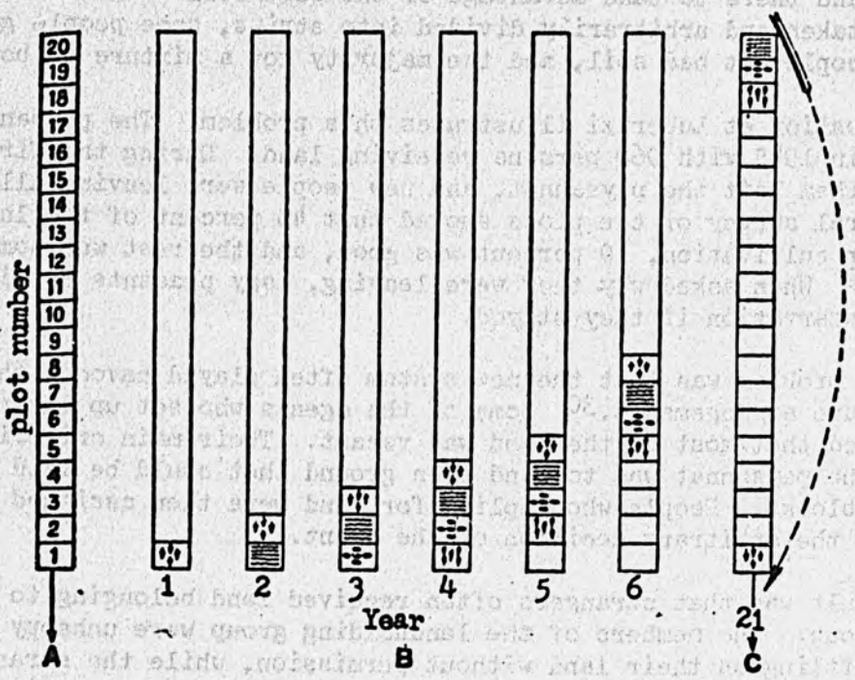
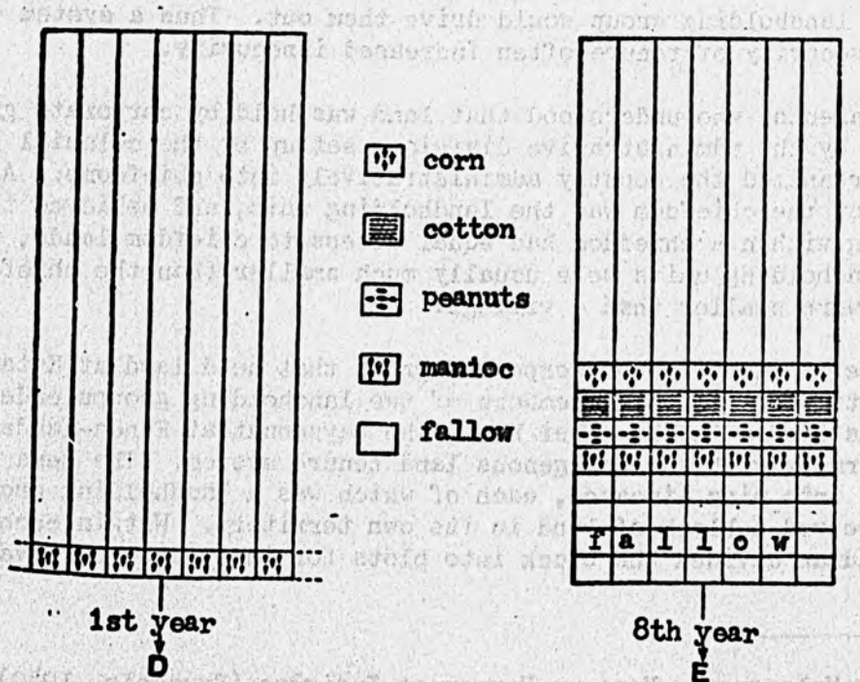
27. Jacques Vanderlinden, "Problèmes Posés par l'Introduction de Nouveaux Modes d'Usage des Terres chez les Zande Vungara du Congo Belge," in Biebuyck, ed., African Agrarian Systems, pp. 341-46.

28. A. Brixhe, Le Coton au Congo Belge (Brussels, 1958), pp. 74-75.

ROTATION PLAN FOR A PAYSANNAT





Sketch by A. Brixhe

new, but merely a rationalized form of the traditional system of shifting cultivation.

The system had several disadvantages, however. The first was that the quality of soil in Zaire is very uneven. It can be good in one place and bad a few steps away. Under the indigenous system the farmers scattered their fields here and there to take advantage of the best soil. When a large block of land was taken and arbitrarily divided into strips, some people got good soil, some people got bad soil, and the majority got a mixture of both.

The situation at Luberizi illustrates this problem. The paysannat was established in 1945 with 960 persons receiving land. During the first three years 71 of them left the paysannat, and new people were leaving all the time. An agricultural survey of the plots showed that 45 percent of the land was worthless for cultivation, 10 percent was good, and the rest was somewhere in between.[29] When asked why they were leaving, many peasants replied that they feared starvation if they stayed.

Another problem was that the new system often played havoc with customary land tenure arrangements.[30] Some of the agents who set up the paysannats still believed that most of the land was vacant. Their main criterion for setting up the paysannat was to find even ground that could be laid out in rectangular blocks. People who applied for land were then assigned strips according to the arbitrary decision of the agent.

The result was that strangers often received land belonging to the local corporate group. The members of the landholding group were unhappy to see strangers settling on their land without permission, while the strangers, knowing that the settlement was contrary to customary law, lived in fear that someday the landholding group would drive them out. Thus a system designed to provide security of tenure often increased insecurity.

Other agents, who understood that land was held by corporate groups, were misled by the administrative divisions set up by the colonial government, which had organized the country administratively into chiefdoms. Agents often believed that the chiefdom was the landholding unit, and believed that all those living within a chiefdom had equal access to chiefdom lands, when in fact the landholding units were usually much smaller than the chiefdoms. Often they were smaller than a village.

Failure to identify the corporate group that held land at Katako-Kombe led to a settlement in which members of two landholding groups ended up on each other's land. On the other hand, the paysannat at Kanda-Kanda was set up in conformity with the indigenous land tenure system. The Bena Sona clan was divided into nine lineages, each of which was a landholding group. Each lineage received a block of land in its own territory. Within each block the lineage headman divided the block into plots for individual cultivators.

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29. Guy Malengreau, Vers un Paysannat Indigène (Brussels, 1949), p. 23.

30. Ibid., pp. 29-32.

Sometimes agents who understood which groups owned the land tried to equalize things in setting up the paysannat by taking land from a group with large holdings and giving it to a group with smaller holdings. This redistribution failed because both parties viewed it as only temporary. The people receiving land didn't feel that it really belonged to them, while those who lost land hoped to get it back at the first opportunity.

While most of the paysannats assigned strips to individual farmers, some of them gave out broad strips to groups who worked the land collectively. The advantage of the collective strips was that the cultivation could be divided among the members of the group according to the needs and desires of each person.

The size of the plots varied from place to place. Land was generally more abundant in the forest areas, so the plots there were larger. In the North Sankuru area each person received 9 hectares divided into 18 plots of 50 ares each. In the lower Ulele each person received 7.2 hectares divided into 20 plots of 36 ares each. In Maniema each person received 12 hectares divided into 20 plots of 60 ares each.[31]

In the savanna region, where the population was denser, the strips were usually smaller, forcing a reduction of the fallow time. At Luberizi, for example, each person received only 4 hectares. The rotation system was designed so that a plot lay fallow for only five years.

The Ten-Year Plan, 1950-1960

In 1950 the Congo began its first ten-year plan for coordinated economic development. The keystone of the agricultural section of the plan was the expansion of the paysannat system, which was to incorporate the following elements for the improvement and rationalization of Congolese agriculture:[32]

1. judicious choice of plots;
2. rational rotation of crops;
3. optimum spaces between plants and optimum density of seeding;
4. use of selected seeds adapted to the region;
5. raising the value of the crops harvested;
6. partial mechanization of the pre-planting and post-harvest operations; the introduction of rudimentary equipment.

The paysannats were not only to grow annual crops, but were to raise animals and grow tree crops as well. Pre-planting and post-harvest operations were to be organized and coordinated in a way to most efficiently use the resources and manpower. Emphasis was placed on getting the most value out of the products by developing better storage facilities, better transportation,

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31. Ibid., pp. 37-38.

32. Belgium, Ministère des Affaires Etrangères, Plan Decennal pour le développement économique et social du Congo Belge (Brussels, 1949), pp. 373-93.

and better organization of sales. At each paysannat there was to be an experimental farm, medical services, and schools, which would help to attract people and keep them on the paysannat. In short, the paysannat would be run like a plantation.

The plan did not go into many specific details, since these would vary from place to place. In setting up a paysannat the agricultural agents were to visit an area to study both the soil and the local land tenure system, and then determine with the local authorities how the land was to be divided to form the paysannat. As a general rule a family should receive nine hectares in forest regions and seven in savanna regions.

In formulating these plans for the paysannats, the policy makers carried on a debate on the relative merits of private vs. communal ownership of land.[33] Many Belgians favored individual ownership, arguing that it would be a stimulant to work and a guarantee of good conservation practices. It would help the stabilization and improvement of agriculture, and would provide security so that farmers could get credit.

Those who favored communal tenure arrangements countered by arguing that there was no proof that individual ownership made people better farmers. On the contrary, the disruption caused by the introduction of individual ownership was an obstacle to development. Using land as security would only assure that some people would fall into debt and lose their land, creating a class of landless laborers. Individual ownership would also create the need for surveys and registration of land, which would greatly increase the workloads of local administrators. These people argued that the traditional system was well suited to the paysannats, for although large sections of land were owned communally, usufructuary rights to the produce of individual plots always belonged to the individual.

Two types of land tenure arrangements were envisaged for the paysannats. Both respected communal ownership, and differed only in how the land was to be divided up. The first method was the system of individual strips side by side. Each individual would maintain a claim to his strip by keeping parts of it under cultivation at all times. The main problem with this system was its rigidity. The checkerboard arrangement made it difficult to work around steep or swampy spots, or patches of poor soil. Furthermore, it was hard to adapt field sizes to changing conditions.

The second method was less orderly, but allowed greater flexibility. The agent was to mark off a strip 100 meters wide and of variable length, and divide this land among the planters according to the needs and ambitions of each. The next year another strip would be marked off and divided up. This would continue until about twenty strips had been cleared, and the farmers could return to the first one. The amount of land each man got could vary from year to year. After the land was divided, each man cleared his own plot and

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33. J. Henry, "Les bases théoriques des essais de paysannat indigène," in Belgium, Ministère des Colonies, Contribution à l'étude du problème de l'économie rurale indigène au Congo Belge (Brussels, 1952), pp. 175-80.

cultivated his own crops. After a strip reverted to fallow, ownership went back to the corporate oup until it was time to be divided up again.

The advantage of this system was that it allowed for increasing the size of fields if necessary, or decreasing them in case fertilizer or other new methods increased the yields. In cases of uneven ground, poor ground could be left unplanted without disrupting the system.

During the period of the ten-year plan the government hoped to install 385,000 families in paysannats. This amounted to about 20 percent of the total number of planters in the country.

A second stage in the development of paysannats, which was relegated to sometime in the vague future, included plans for the mechanization of the paysannats and the development of intensive agriculture through the use of fertilizers and irrigation. When the plan was formed in 1949, however, not enough was known about applying these methods to tropical agriculture. Therefore, these methods were to be the object of research.

Application and Results of the Ten-Year Plan

In practice, the development of paysannats varied widely according to both local conditions and the inclinations of local agents. At Turumbu, which was in a forest region, the crops were laid out in 100-meter-wide strips with 100-meter-wide strips of forest separating them. The crop rotation cycle was three years followed by 15-20 years of fallow. There was no individual allocation of land, but the land belonged to the group, which redivided it every year. Trial plots for growing permanent crops using machinery were set up, but the method never spread to the rest of the paysannat.

At Gandajika, in the savanna region, individuals were given strips, which were laid out in the classic checkerboard pattern. The main crops were cotton, peanuts, cassava, maize, and Kasai beans. The agents found that it paid to introduce machinery and fertilizers. Furthermore, by protecting the fallow against fire, it became possible to shorten the fallow period without cutting down on yields. A cooperative was formed which began to acquire tractors and fertilizer.

Several experimental paysannats tried to introduce intensive farming methods. The paysannats at Luberizi and Kilila, which had earlier been abandoned, were reopened by the government as experiments in intensive farming. By introducing irrigation, machinery, fertilizers, and drainage, they were able to increase yields, though the data do not reveal whether the increase in yields was enough to pay for the machinery. A cooperative was formed so that the farmers could process their own cotton. In these paysannats there were no individually owned plots of land. The land was divided up by the group, though each farmer was the owner of his harvest.[34]

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34. Congo, Ministère de l'Agriculture, Land Reform in the Congo (Rome, FAO, 1966), pp. 1-4.

Despite a few conspicuous successes, however, the plan as a whole failed to achieve its goals. The desire for fast results and impressive statistics caused the neglect of basic land tenure studies, choices of poor land, poor choices of crops, and bad scheduling of operations in many areas. By 1955 the program was temporarily halted so that it could be thoroughly reviewed.[35]

Several unexpected problems had cropped up. Concentration of crop growing led to the proliferation of crop pests and diseases. Cooperatives often failed because they lacked people trained in business management. Sometimes production increased much faster than processing, storage, and preservation facilities. By 1959 only 194,000 planters were living on paysannats.[36] This was about half the number called for in the plan.

III. POST-INDEPENDENCE DEVELOPMENTS AND CURRENT NEEDS

There is little information on the fate of the paysannats after independence in 1960. A report issued by the Ministry of Agriculture in 1966 stated that those paysannats operating in parts of the country that had remained peaceful during the troubled years of 1960-65 had survived and were playing an important role in supplying rural and city populations with food.[37] It does not say, however, how many survived, or in what form. A U.S. Department of Agriculture brief noted simply that the paysannat system "broke down" during the troubles.[38] Since then the Zaire government has shown little inclination to revive it.

Agricultural production dropped rapidly during the troubled period following independence. By 1967 food production in Zaire was 20 percent less than it had been in 1958. Agricultural exports such as cotton, which made up almost half of the total exports prior to 1960, fell to one-sixth by 1967.[39] In order to feed the urban populations, the country had to import food items such as rice that could have been grown locally, thus diminishing the amount of foreign exchange available for development purposes.

There were several reasons for this drop. First, forced cultivation was lifted. Second, the free market provided little incentive to continued production of cash crops. During the troubled period from 1960 to 1965 money was unstable and transportation to markets was expensive and unreliable. Therefore, many farmers went back to subsistance farming. The drop in

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35. Ibid., p. 4.

36. Michel Merlier, Le Congo de la colonisation belge à l'indépendance (Paris, 1962), pp. 97-98.

37. Land Reform, p. 5.

38. "Patterns of Change in Congolese Agriculture " (LTC file Congo, NR).

39. Carl E. Ferguson, Getting Congolese Agriculture Moving (AID, 1968), pp. 10-11.

production was more than a temporary phenomenon, however, for production did not increase substantially during the peaceful years of 1968 and 1969.[40]

The Zaire government has only limited options. Reimposition of forced cultivation would be politically unfeasible. The paysannat scheme, which was largely a failure under the Belgians, does not provide the answer either. This scheme had two main advantages to the colonial regime. First, it combatted the tendency of farmers to plant the required crops on worn-out ground. Second, it provided a situation that might allow for the introduction of mechanization. Neither of these advantages has any current validity. Forced cultivation is a thing of the past, and the large-scale introduction of mechanization, which the Belgians failed to accomplish, is beyond the present resources of the government.

The present focus of government activity must be to create favorable market conditions so that farmers will find it to their advantage to increase production. This requires several things. First, the roads, many of which are now almost impassable, must be repaired. This would greatly cut transportation costs and increase the profits of the farmers. Second, profits of middlemen must be decreased, probably by fixing prices for the main agricultural commodities by law each year according to world market prices. Third, processing plants for cotton, rice, and palm oil should be installed in local villages. These could be purchased by local cooperatives which would run them for the benefit of their members. All of these steps would make sure that a higher percentage of the market price of the crops would go to the farmers, who currently receive only a small percentage of this price. A final step should be to restart the Belgian practice of periodically distributing selected seeds to the farmers. This would help to increase yields without increasing labor. All of these improvements could be accomplished with a minimum amount of social disruption.

40. U.N. Economic Commission for Africa, Summary of Data (3rd year, no. 43), pp. 5-7.

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