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AFRICAN FREEHOLDERS:
A STUDY OF INDIVIDUAL TENURE FARMS IN SWAZI OWNERSHIP*

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SUMMARY

This study of Swazi rural freeholders in 1986 is based on an examination of the records of the Land Deeds Register and on extended interviews with a random sample of thirty Swazi freeholders drawn from the Register of farms. Swazi freehold must be seen in a historical context.

Freehold tenure was introduced into Swaziland in 1904 by the British, who, at a stroke of the pen, converted foreigners' existing negotiated rights to a share in the use of Swazi's land (the "land concessions") into absolute, exclusive inalienable ownership. Over the next decade the collective right of Swazis to two thirds of their country was steadily extinguished as white settlers' freehold rights were extended.

In 1915 the Swazi right to participate, as purchasers, in this new land market was severely curtailed when the British, by proclamation 2 of 1915 deemed it "expedient" to "control" the purchase of land by "natives". It was fifty years before the property market became accessible to Swazis themselves, when Act 46 of 1963 prohibited restrictions in property dealings on the grounds of race. Independence followed in 1968.

Act 8 of 1972 was designed to redress the racial imbalance in freehold ownership patterns by making the purchase of land by non-citizens difficult. Swazi buyers now always have priority in every transaction. A Land Speculation Control Board vets and must approve all purchases by foreigners, which have to be justified in terms of the common good.

All land in Swaziland is registered, including communally held Nation Land which since 1967 has been registered in the name of the King as Ngwenyama. The Deeds Register this gives a comprehensive national picture of land ownership.

Sixty percent of rural Swaziland is communal Nation Land, 2 percent belongs to the Crown and government, 1 percent to parastatals. This leaves 37 percent in freehold. More than half of this (20 percent of all land) belongs to registered companies, 3 percent belongs to churches and embassies. Only 14 percent is held as freehold by individuals (See Table 3 in main body of report).

Almost half of these individual freeholders are Swazis (identified as such by their distinctive names); but because their parcels tend to be on average slightly smaller than those of non-Swazis, they owned, in 1986, a little less than a third of the individual freehold land (see Table 4 in main body of report).

One in 7 Swazi freeholders are women. Women's parcels are very much smaller than men's (see Table 9), and tend to be peri-urban rather than rural.

A random sample of thirty Swazi-owned land parcels, stratified by size and ecological zone, led to interviews with owners, tenants, managers, workers and squatters on these parcels. So small a sample does not lend itself to convincing statistical inference, but it offers some limited insight into Swazi freeholders as a social category.

Although predictably salaried employees, active or retired, predominate amongst freeholders, the diversity of the group is striking, with a fifth being waged manual workers at the time of purchase (see Table 16). Half paid outright cash for their land; only 17 percent relied heavily on bank loans for purchase (Table 15). Their educational attainment is above average, their rate of polygamy three times the national estimate. Their motives in buying land were predominantly to create wealth either for themselves or their descendants or their kin or ethnic group, through cattle accumulation, farming, land speculation or property development. Some are undoubtedly very wealthy, but the attainment of others towards this goal is very modest. Some 10 percent have no cattle, and many have little conspicuous wealth but live a life indistinguishable from that of the majority on Nation Land. Indeed, many have a house on Nation Land and live considerable parts of their life there rather than on the freeholding.

Although 10 percent of the sample were members of the royal family they are to a marked degree self-made men, inheriting nothing to set them apart from others.

Their freehold land is usually one element in a broad range of sources of income. A third are in full-time paid, off-farm employment, and two-thirds engage in non-farm enterprises of various kinds--busses, bottle stores and butcheries, etc. (see Table 18). A quarter do both the above, and also farm. Eighty-three of the sample produce commercial crops or animal products, but farming as such is a major source of income to only some 40 percent (Table 19). Given the spread of their energies and interests, it comes as no surprise to learn that they perceive their most serious problem as farmers to be lack of effective management.

Since resistance to the alienation of land through freehold has been a persistent theme of twentieth century Swazi history, landowners are often ambivalent about their freehold tenure. This emerges most clearly in their relations with chiefs, on the one hand, and with squatters on the other.

Relationships with chiefs are for the most part circumspect. Ninety four per cent render tribute to a chief, and through the chief to the monarch. Almost half retain a house on communal land; 17 percent live on communal land.

Yet as landowners they also share some of the attributes of chiefs; they are able to offer land to others in exchange for labor. Most owners resented the presence of squatters on their land. Some challenged the legitimacy of such farm-dwellers by denying them the right to work.

The most far-reaching implication of purchase of land is the introduction into Swazi society of new rules of inheritance, and with them, the right of successors to realize sudden wealth by selling their inheritance.

Figure 1
 The Place of Farming in Swazi Landowners' Economic Strategy

Do Not Farm	Engage In Some Farming		
17%	83%		
	Full-time Farmers	Part-time farmers	
	7%	76%	
	Also Have non-farm Business	Have a Regular Paid Job	Have Both Business and Job
	42%	10%	24%

INTRODUCTION

This study of Swazi freeholders made in June-September 1986 is part of a broader survey of changes in land tenure and land use in Swaziland, undertaken jointly by the Ministry of Agriculture and Cooperatives in Swaziland, and the Land Tenure Center of the University of Wisconsin (see Appendix 1).

Scant attention has been paid to freeholders as a category, despite the fact that some 40 percent of Swaziland is held on freehold. The official annual survey of these "individual tenure farms," restricted to data received from a postal questionnaire, is recognized as deficient not only in its abysmal response rate, but in its adherence to the dogma that there are 800 freehold farms in Swaziland, with its implication that there are 800 freeholders.

In 1984 the Social Science Research Unit at the University of Swaziland decided to make good this gap by transcribing and analyzing all registered freehold farms in the Deeds Register. This report draws on a preliminary analysis of that transcription, as well as a sample survey of thirty freeholdings registered as owned by Swazi. Historically, access to freehold land in Swaziland has been shaped by ascriptive, racial criteria: white settlers and land speculators monopolized freehold until Independence. Swazi freeholders are at the center of this inquiry into the changing pattern of land ownership.

The research proceeded simultaneously on two fronts:

- a. an examination of the records of the Land Deeds registers;
- b. informal, usually tape-recorded interviews with owners, managers, tenants and "squatters"* on a random sample of 30 freehold parcels, stratified by size and ecological zone.

The two techniques are complementary. The registers provided the sampling frame and gave excellent data on a few parameters (name of owner, from which we could deduce status, whether corporate or individual, private or national, etc.; size of parcels and holdings; date of acquisition, and history of transfers). The more detailed information obtained from interviews with a sample of people owning and/or living on the parcels enabled us to make reasonable inferences about other less accessible facets of Swazi landowners and landowning.

* The term "squatters" carries derogatory connotations of impermanence and illegality, but the alternative, "farm-dwellers", officially preferred, is ambiguous in the context of this report.

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PART ONE

EVIDENCE FROM THE DEEDS REGISTER

1. The Land Registration System

All land in Swaziland is registered in the Deeds Office, including the so-called "native areas" set aside in terms of the Land Concessions Partition Proclamation of 1907, and Nation Land subsequently acquired and registered in the name of "The Ngenyama" (or "The Indlovukati" or "The Paramount Chief")-- "on behalf of the Nation."

The Deeds office keeps three separate sets of land registers: proclaimed townships, land concessions, and farms.

Holdings in the proclaimed townships, viz. the urban areas and company towns, exceed all others in number, but account for only 5 percent of the land area. They have been excluded from this study except as we make mention of the extent to which the rural landholders occurring in our sample own also urban property.

a. Land Concessions

Historically the land concessions were the first stage in a process by which land was alienated from the collective ownership of the Swazi people and transformed into a marketable commodity. From 1860 to 1890 Swaziland was increasingly penetrated by Boer, British, Portuguese and Zulu aliens who negotiated a variety of rights to land use with successive Swazi Monarchs. The majority of concessions, including the valuable mineral and revenue concessions with which we are not here concerned, date from 1880 and were contracted with "Umbandine, koning der Swatie nasie" (Mbandzine, king of the Swazi nation); but there are also records of earlier contracts with "de Kaffir koning Umswazi" (e.g., Land Concession 1 p.), and at least one on 11/7/1887 was granted by "Tandile, queen of the Swazis" (Land Concession 21 pp.).

To Swazi amazement, anger and dismay, most of these land concession were subsequently converted into freehold rights by the British who assumed control of Swaziland in 1903 after their victory over the Boers in the war of 1899-1902. By the infamous Land Concessions Partition Proclamation 24 of 1907 (now the Land Concessions Partition Act of 1907, as amended), concessionaires with leases of at least 99 years, or with title which seemed to imply ownership of the land, and who owed no concession rentals, were granted outright freehold title to two-thirds of each such concession. All concessions had to be partitioned, and a third set aside as "native areas" for "the sole and exclusive use of natives" (defined, with an amazing disregard for recent Swazi history, as "any aboriginal of Africa"). Since not all concessionaires

met these conditions, not all land concessions were thus immediately transformed into freehold. Rather there was a gradual transfer over the next two decades. Some concessionnaires never met the criteria for freehold.

After Independence, King Sobhuza put an end to any further erosion by this route of the nation's collective landrights by the Land Concession Order 15 of 1973, which, with retrospective effect to Independence in September 1968, declared "all concession land to be held subject to the will and pleasure of the King," specifically extinguishing concessionaires "entitlement" as of right to be issued with freehold title in respect of any land or portion of land held by him under a concession title or lease (Para. (14), Order 15/1973).

Some 4 percent of Swaziland is still registered as Concessions, though almost half of this so-called Concession Land has now reverted to the Nation.

Table 1
Showing Extent and Ownership of Current Land Concessions

Registered Holder	Number of Parcels	Area	
		Hectares	Percent
Swazi Nation Land	12	32,572.4	45.8
Registered Companies	22	15,819.3	22.3
Private individuals	126	20,886.3	29.4
Churches	8	445.5	0.6
Crown and Government*	13	1,361.4	1.9
Other	1	3.4	0.0
TOTAL	182	71,088.3	100.0

* Ownership vested in the King by Order-in-Council 45/1973.

b. Farms

The term "farms" in the Swazi Land Register is used to refer to all non-concession land outside of the declared urban areas, and is to some extent an anachronism. There are 1,268 numbered and registered farms, which vary in area between 2 hectares (for example, Farm 123), and over 70,000 hectares (for example, Farm 1052).

Although originally registration of land as a "farm" signaled acquisition of freehold tenure as distinct from mere concessionary rights, the inclusion in the Farms Register of Nation Land and Crown Land, as well as permanent leases,¹ makes it impossible any longer to maintain this simple distinction. In 1966, 36 communally held Nation Land areas, whose title had hitherto been unregistered except by default as "native areas" (i.e., listed

deductions of a third of each concession) were registered as farms 1022-1057 in the name of the Ngenyama in trust for the Swazi Nation.

The numbered "farm" of the Deeds Register is thus a completely unpredictable entity. It may be very large or no bigger than an urban plot; it may be subject to traditional communal tenure under one or several chiefs. It may in reality not be farmland at all but urban fringe, visually indistinguishable from the suburbs it abuts.

The same unpredictability attends the subdivisions of farms. Over the years many "farms" have been formally subdivided, some of them very extensively,² resulting not in 1,268 but 4,017 separately registered "farm" holdings. There is no necessary correspondence between the status of a parcel, whether a whole farm or a subdivision thereof, and its size. The 17 most intensively subdivided farms have on average 98 sub-divisions each. Although this excessive subdivision tends to be a peri-urban phenomenon, with parcels accordingly small,³ not all intensively subdivided farms consist of small portions. Farms 69 and 161 have 82 subdivisions of an average size of 686.5 hectares each.

Ownership of these parcels may be by individuals or by corporate bodies such as registered companies, churches, or parastatals like the Swaziland National Trust Commission and the Swaziland Electricity Board. Individual owners may be Swazis, Swazi citizens,⁴ foreign residents, or absentees. Ownership may also be by the King, overwhelmingly in his capacity as "Ngwenyama on behalf of the Nation" (i.e., Swazi Nation Land), but also, very modestly, in his private capacity,⁵ or as "Crown" in terms of Kings Order-in-Council 45 of 1973. By this latter Order "all land and real rights to land presently registered in the name of the Crown or the Government . . . shall . . . be deemed to rest in the King but shall be described in the Deeds Registry Office and in the title deeds relating to such land and in any documents dealing with such land or rights as resting in the "Crown" (Para. 3 of Order 45/1973). Paragraph 6 of the same Order preserves the historically important distinction between Crown Land and Nation Land by stating that "nothing in this Order shall be construed as relating to or affecting land which is vested in the Ngwenyama in trust for the Swazi Nation." In colonial time, Crown land belonged to the British crown, and was for a period systematically sold off to white settlers to raise revenue to balance the Protectorate's annual budget.

Table 2 shows the present distribution, amongst various kinds of titleholder, of the subdivisions of these registered "farms."

2. Swazi Freeholdings

This provides the background against which we consider Swazi freeholders, identified by name in the Deeds Register. Our figures thus inadvertently include as Swazi some Zulu and other Nguni names, and exclude those Swazi who through possibly distant foreign paternal descent, bear non-Swazi surnames.

Our figures also exclude Swazis holding land as directors of companies. The more sophisticated commercial farmers are likely to operate as companies,

Table 2
Showing Distribution of Farm Parcels, January 1986

Registered Owner	Number of Parcels	Area	
		Hectares	Percent
Swazi Nation Land	411	1,065,943.3	60.8
Registered Companies	956	349,860.5	19.9
Private individuals	2,182	228,910.6	13.0
Churches (with charities clubs, foreign states & international agencies	193	53,878.1	3.1
Crown and Government	156	38,764.1	2.2
Parastatals	115	17,616.6	1.0
Total	4,013	1,754,973.2	100.0

Combining Tables 1 and 2 we get the following overall distribution of non-urban land.

Table 3
Showing Overall Distribution of Non-Urban Land, 1986

Registered Holder	Percentage Held	Area
Swazi Nation	60%	1,098,515.7
Crown and Government	2%	40,125.5
Registered Companies	20%	365,679.8
Private Individuals	14%	249,796.9
Churches, Embassies, etc.	3%	54,323.6
Parastatals	1%	17,620.0
Total	100%	1,826,061.5**

** For an explanation of the discrepancy between this figure and the generally accepted area of the country as a whole see end note.⁶

directorship being confined to a partnership or within the family. Unfortunately there has been no study of the extent to which Swazi participate in and/or control companies--with the significant exception of some recent attention to the role of Tibiyo and Tisuka, the monarchy's investment corporations, which on behalf of the nation, hold significant shares in several major enterprises. Neither Tibiyo nor Tisuka hold land in their own right, but are granted the use of Nation Land for various development projects.⁷

Table 4 shows how many freehold parcels of title deed land are registered in the names of individual Swazi, and what share of privately owned land they control.

Table 4
Showing Individual Swazi Share of Freehold Farms and Concession Land*

	Parcels		Area		Percent of ALL** Land
	Number	Percent	Hectares	Percent	
Individual Swazi	1,065	30.5	77,582	11.6	4.3%
Other individual	1,247	35.7	172,214.9	25.7	9.4%
Companies	978	28	365,679.8	54.6	20.0%
Churches etc.	201	5.8	54,323.6	8.1	3.0%
Total	3,491	100	669,800.3	100	36.7%

* Excludes Crown, Government, parastatal and Swazi Nation land.

** Includes Crown, Government, parastatal and Swazi Nation land.

Table 5
Showing Average Size of Freehold Parcels of Different Types of Holder

Holder	Average Holding (hectares)
Swazi	73
Other individuals	138
Companies	370
Churches etc.	270

Although there are over a thousand rural Swazi landowners, with almost a third (30.5 percent) of all privately owned rural parcels in Swazi hands, the average size of these parcels is much smaller than those held by non-Swazi individuals, and both are dwarfed by corporate owners.

In consequence of the smaller size of their holdings, Swazi individuals own only 11.6 percent of private land as compared to 25.7 percent owned by non-Swazi individuals and 54.6 percent corporately owned. It is on this small percentage of freehold land that this study is focussed. It should be born in mind that we have thereby excluded the holdings of an unknown number of other Swazi who operate and own land as companies rather than in their own name. Although their number is likely to be small, they are likely to be amongst the more sophisticated of the wealthier, investing sector of the population.

a. Comparison Between Swazi and Other Freeholders

Tables 6, 7 and 8, providing more detailed information on the comparative sizes of parcels of different kinds of holders (including the King as Crown and as Ngwenyama), puts the Swazi freeholders into the broader perspective of landholders in general. These three tables contain the same material but in the second two it is expressed in percentage form.

Table 6
Showing Distribution of Parcels of Different Sizes

Landholder	Hectares						ALL
	Less than 5	5-20	20-100	100-500	500- 1000	1000+	
Individual Swazi	637	95	104	125	15	14	990*
Other Individual	639	101	194	19	40	32	1,196*
Companies	362	86	178	187	61	82	956
Nation Land Crown & Gov	103	62	83	117	64	138	567
Other	156	49	45	24	3	15	292
ALL	1,897	393	604	643	183	281	4,001

* Tables 6, 7 and 8 exclude Concessions, some 4 percent of landholdings, and 126 concessionnaires included in Table 4.

Table 7
Frequency Distribution of Parcels of Different Sizes

Landholder	Hectares						ALL
	Less than 5	5-20	20-100	100-500	500- 1000	1000+	
Individual Swazi	33.6	24.2	17.2	19.4	8.2	5.0	24.7
Other Individuals	33.7	25.7	32.1	29.6	21.9	11.4	29.9
Companies	19.1	21.9	29.5	29.1	33.3	29.2	3.9
Nation Land Crown & Gov	5.4	15.8	13.7	18.2	35.0	49.1	14.2
Other	8.2	12.4	7.5	3.7	1.6	5.3	7.3
Total	100	100	100	100	100	100	100

Table 8
Showing Distribution of Parcels of Different Size by Type of Owner

Owner	Hectares						ALL
	Less than 5	5-20	20-100	100-500	500- 1000	1000+	
Individual Swazi	64.4	9.6	10.5	12.6	1.5	1.4	100
Other Individual	53.4	8.5	16.2	15.9	3.3	2.7	100
Companies	37.9	9.0	18.6	19.6	6.3	8.6	100
Nation Land Crown & Gov	18.2	10.9	14.6	20.6	11.3	24.4	100
Other	55.5	16.8	15.4	8.2	1.0	5.1	100
ALL	47.4	9.8	15.1	16.1	4.6	7.0	100

There are predictable differences in the profile of holdings of different kinds of owners.

Swazi Nation Land tends to consist of a few very large parcels: a quarter of all Nation Land parcels are over 1000 hectares (Table 8, row 4, column 6), and Nation Land accounts for half of all parcels of this size (Table 7, row 4, column 6).

Companies also hold a good share (29.2 percent) of these very large parcels (Table 7, row 3, column 6), though most company parcels are less than 5 hectares in extent (Table 8, row 3, column 1).

Only 1.4 percent of individual Swazi freeholders have parcels over 1000 hectares in extent (Table 8, row 1, column 6). Almost half of all parcels are less than 5 hectares in area (Table 8, row 6, column 1), yet almost two-thirds of all individual Swazi parcels are of this size (Table 8 row 1, column 1). Swazis account for a third of all these small parcels (Table 7 row 1, column 1). Less than 3 percent of Swazi landowners have farms bigger than 500 hectares (Table 8, row 1, columns 5 and 6).

Non-Swazi freeholders tend to have bigger holdings than Swazis. Although most of them (53.4 percent), like the Swazi, hold land of less than 5 hectares (Table 8, row 2, column 1), six percent of them have farms bigger than 500 hectares (Table 8, row 2, columns 5 and 6).

3. Brief History of the Struggle For Land

This pattern is the historical product of a protracted struggle between different groups for control over the land. Competition between rival white powers and factions in the 19th century for alliances with and control over the Swazi state have been incisively analyzed (Bonner 1982). In 1903 the British assumed responsibility for the government and administration of Swaziland, thus bringing to an end 25 years of increasingly intense rivalry for supposed mineral wealth and a valued route from the south African hinterland to the sea. In an explicit attempt to "put an end to all uncertainty and confusion" over ownership of land, mineral, trade and revenue concessions, the British passed the first of some 50 Proclamations, Proclamation 3 of 1904, which decisively shifted control over and access to land from the Swazi themselves to settler and other foreign interests including those of the British Crown.

Proclamation 3 of 1904 suspended (at a cost of forty thousand pounds sterling to the British authorities; see Buell 1926, p. 198) all concessions save those to land and mineral rights and established a three-man Commission to adjudicate rival concession claims. Henceforth registration of such approved claims in the Deeds Office in Pretoria (newly-won British administrative headquarters for southern Africa) would confer absolute legality on concession claims.⁸

The idea of a register of approved a claims was not new. In September 1890 the Organic Proclamation, recognized jointly by Boers, British and the Swazi monarchy, had established a three-man concessions administration court,

known as the Chief Court (i.e., the High Court) on which British and (South African Republic) Boer interests were equally represented. This Chief Court (not to be confused with chief's court, instrument of traditional African rule) was an instrument for the government of aliens and had the blessing of the Swazi monarchy, whose now sizable cash revenues⁹ increasingly rested on the orderly administration of the concessions they had granted. The Boer War 1899-1902 brought the Chief Court to an end, but the new British Administration, in dealing with concessions, took the prior decisions of the Chief Court as its baseline: Proclamation 3 of 1904 made recognition by the Chief Court a necessary but insufficient pre-condition for concession validation. Later, concessions which had been registered before 11 October 1899 but not confirmed by the Chief Court, were also reconsidered. No concessions were confirmed after 20th April 1909, the British High Commissioner's ultimate deadline for the local land scramble.

The most important and far-reaching element in Proclamation 3 of 1904 was the creation, for the first time in Swaziland, of freehold land rights. Conditions for entitlement to freehold were spelled out over the next decade in a series of proclamations, suggesting a continuing rivalry, but not, as before between rival powers; rather between rival individuals. We should however remember that the really lucrative concessions were not the land, but the mineral and revenue concessions.¹⁰

Proclamation 28 of 1907 allowed concession revenues to be treated as quit-rent, conferring outright ownership after a fixed, if protracted, period. Proclamation 45 of 1912 restricted freehold to those who, in the opinion of the commissioners, had concessions which indicated outright ownership or which were for leases of at least 99 years. It also demanded production of receipts showing full payment of all concession revenues before freehold registration could be effected.

Within three years of commencing their work of validating concessions in 1904, it became clear to the commissioners that the whole of Swaziland had been conceded. Proclamation 28 of 1907 obliged each concessionaire to set aside one third of his conceded land as "native area." Some 300 pieces of land were thus set aside in the name of the British High Commissioner, on whom new powers of expropriation were conferred in 1912 to enable him to consolidate, by exchange, these native areas.

It was not until 1916 that Proclamation 41 defined Swazi Areas, although Proclamation 39 of 1910 had in principle set aside "native areas" in which no person other than a native could cut grass, or graze cattle or hunt. Proclamation 10 of 1917 described the 35 native areas thus set apart. This proclamation also set out the "conditions and restrictions subject to which natives of Swaziland are entitled to the sole and exclusive use and occupation of such areas," which included their exclusion from any rights to "precious or base metals, stones or minerals or mineral products in respect of any land included in the native area" (Para. 2 (ii)). Furthermore, "natives have no right or power to alienate, lease, dispose of or bind in any way whatsoever any land included in the native area" (Para. 2 (v)), thus excluding rival boer and Portuguese with whom the Swazi were wont to negotiate. Finally, "natives of Swaziland shall, in use and occupation of the native areas, remain subject in all respects to such conditions and regulations as the High Commissioner may . . . determine" (Para. 4).

The setting aside of "native areas" from which non-natives were expressly excluded was the corollary of earlier legislation which had excluded "natives" from concession and freehold land. Under the Concessions Partition Proclamation 28 of 1907 each group, "natives" and concessionaires, had its rights to one another's territory "extinguished." In a nice phrase Paragraph 4 of the proclamation "freed" the concessionaires' two-thirds share of the land "from any right possessed by Swazis to use and occupation thereof." It was this "freedom" that was to be unsuccessfully challenged by Sobhuza in the British courts in the twenties. The same challenge underlies the legislation in the sixties protecting the rights of Swazi living on freehold farms, and forms the focus of present discontent between some Swazi freeholders and this same group, variously known as "squatters" (the settler-colonial term with strong implications of illegality and impermanence), "farm-dwellers" (the term of liberal reformists, adopted in the sixties) or "settlers" (a most ambiguous term, given Swazi history, adopted for the Agricultural Census in 1985). For an account of present discontent see pp. 47-53 following.

Swazis on concessionaires' land were given until June 1914 either to enter into a labor or rental agreement with the landowner or to move away. Proclamation 24 of 1913 spelled out the procedures for eviction, including the appropriation of chiefs' rights by "every Assistant Commissioner," who were now empowered to grant land in "native areas" to people moving from concession lands (Para. 7 of Proclamation 24 of 1913).

Marked parallels with the infamous 1913 Land Act in the neighboring Union of South Africa were to be seen. The Queen Regent Labotsibeni shrewdly assessed the situation and decided that the only solution was for the Swazi people themselves to buy back their land. A national fund was launched, and young men were urged into the mines in South Africa as a form of national service, to earn cash for this purpose. She herself earned per capita fees from the mine recruiters for this service. The British authorities responded with Proclamation 2 of 1915 which boldly declared it "expedient" to control the purchase of land by natives, making all future deals by Swazi subject to approval by the British High Commissioner (Para. 2 (ii) of Proclamation 2 of 1915).

This steady erosion of Swazi land rights, coupled with the continuing debate on Swaziland's eventual transfer to the Union of South Africa, where black rights were even more contemptuously flouted, did nothing to diminish amongst the Swazis, "a general feeling that the Government, while recognizing the need of the Swazi for more land, did not want them to acquire it, individually or nationally" (Kuper 1978).

a. Black Concessionaires

Yet it is important to realize that there had from the early twentieth century been some black concessionaires, and that there were from the start (as in the neighboring Union) some blacks amongst the freeholders. On 28 May "Umbandine, king of the Swazi nation" granted "ownership rights" over 3,815 morgen and 482 Cape square roods to 15 Swazi, a concession confirmed in 1890 by the Chief Court (and hence surviving as a record in the present Deeds Registry in Mbabane; there may well have been others not so confirmed).¹¹ In 1880 concession 215L was granted to J.S. Le'onga Tshabalala. In 1919 the

eight sons of S. Mabulisa inherited 647 morgen, being a small portion of Concession 30p in favor of their father. They are important to us here as evidence that the history of black Swazi freehold land is at least as long as the history of freehold itself, though for the great majority the experience of the first half of the twentieth century was of continual contraction of available land, particularly as population increased.

b. Land Settlement Schemes

The British recognized the inadequacy of the "native areas" to the population, yet they were reluctant to extend the powers of the traditional authorities whom they perceived as "exceedingly conservative:" in 1942 the Resident Commissioner described the Swazi National Council as "the most suspicious and unprogressive body it has ever been my lot to encounter" (Kuper 1978, p. 146). Their solution was the notion of Land Settlement Schemes, under governmental rather than Swazi National Council control, part of a broader package of agricultural and administrative "reform," including the curtailment of the independence of the traditional chieftaincies.¹²

In 1940 the Colonial Development and Welfare Fund allocated 190,000 pounds sterling for an extensive land settlement scheme on which 4,000 progressive Swazi families were to be settled, to develop into a prosperous agricultural sector under British guidance. Land for the scheme was purchased in 1942, and registered in the name of the British High Commissioner. The Land Settlement Scheme was formally instituted in 1944. It met with but limited success since the Swazis resented and rejected the emphasis on achievement which lay at the heart of the scheme. For them the cultivation of land was every man's right, not a privilege to be bestowed on those who proved themselves by performance. By 1948 British post-war austerity curtailed the original scheme considerably; no more land was purchased (Kuper 1978, pp. 155, 168). By 1960, 124,950 hectares had been set aside for settlement (Jooste 1964, p. 102).

c. Lifa Land

It was in the 1940s that the Swazis, independently of the British, collectively embarked on a more assertive policy of regaining possession and use of the land on their own terms. Reviving the policies of his grandmother the Queen Regent Labotsibeni, Sobhuza established a National Fund to be collected in the form of cattle, for the purchase of more national land. Over 800 cattle were collected, but the transaction was protracted and difficult. In November 1944 the High Commissioner "after some hesitation" gave permission for the purchase of a farm belonging to Carl Todd, but it was not till 1948 that the land was registered as freehold in the name of the Ngwenyama in Trust for the Swazi Nation (Kuper 1978, p. 154).

Settler response to this move was to raise the purchase price of the land and to evict long-settled families. The land market suddenly revived, and the Swazis feared that because of this interest, the opportunity for acquiring more land for the Swazi Nation would be lost forever if not taken soon. In 1946 Sobhuza launched the Lifa Fund, an ingenious scheme to simultaneously attack the problem of overstocking and raise money, on a continuing basis for land purchase. Every owner of more than 10 head was required to contribute

one animal to be auctioned. He would receive part of the proceeds, but part would be regarded as a levy for the fund (Kuper 1978, pp. 154-155). By 1960 so called Lifa Land totalled 108,800 hectares (Jooste 1964, p. 102).

The sixties brought formal Independence to Swaziland in 1968 and the turning of the long tide of erosion of Swazi land rights. The British renewed their active support for the policy of buying back alienated land for Swazi settlement; spokesmen for the new (and temporary) political structures designed to bridge the transition from colonialism to independence, deeply embroiled in the struggle for new power, passed laws revoking some of the more discriminatory aspects of colonial land law. The Immovable Property (race discrimination) Act 46 of 1963 prohibited all restrictions in all property dealings on the grounds of race alone. The Farm-dwellers Act 21 of 1967 limited the rights of landowners to evict Swazis living as "squatters" on their land. Independence in 1968 consolidated the increasing power of Swazis, though the carefully non-racial constitution protected the rights of those settlers who opted for citizenship. The repeal of this constitution in 1973 and its replacement by modified "indigenous" Swazi political structures was to shift power further towards the Swazi though the economic weight of non-Swazis is still formidable.

d. Limitation on Foreigners' Access to Freehold

The most decisive land reform was the Land Speculation Control Act 8 of 1972 which makes the purchase of land by non-citizens difficult. It was intended to accelerate the pace and enlarge the share of Swazi control over land by excluding competition from outsiders.

It was presented to the Assembly in December 1971 under a "certificate of urgency" and was passed by both houses in nine days of emotive debate. Sobhuza himself defended the bill before Senate, saying that no responsible government could continue to allow its "entire land" to be "swallowed by foreigners." The ultimately more fundamental issue of freehold versus communal tenure was swept aside in the more emotive issue of nationals versus foreigners; both the "nation" and its incipient national bourgeoisie stood to gain from their exclusion. The bill produced "panic among many whites" (Kuper 1978, pp. 313, 314), but it was a way of defusing what Prince Makhosini had described as a time bomb; Swazis were growing increasingly impatient at their continued de facto exclusion from some 36 percent of the country; radicals were urging outright confiscation of white farms.

In legislation neatly mirroring restrictions placed by British Colonial authorities against the acquisition of freehold by Swazis in 1915, the 1972 Act established a Land Control Board under the Minister of Agriculture whose consent is essential in each instance of proposed "sale, transfer, lease, mortgage, exchange or other disposal of land to a person who is not (i) a citizen of Swaziland; (ii) a private company or cooperative society all of whose members are citizens of Swaziland" (Part 1, 2 (a)). The Board is required to consent to such transactions only "if it is satisfied that such transaction is, or is likely to be, sufficiently beneficial to Swaziland to warrant such consent" (Part 4, 11 (a)). However the existing rights of non-citizen landowners were specifically protected, including the right of testamentary transmission, and inheritance from parents. The Act also granted

immediate exemption to industrial areas, to licensed hotels and to three commercial banks.¹³ Within the next five years more exemptions were declared including the Sugar and Insurance Corporations (see Exemptions under section 20 of the Land Act 8 of 1972 (2)).

In retrospect it seemed "a storm in a teacup" (Kuper 1978, p. 333). The intention of the Act was clear, and made more so by the parliamentary debate which preceded it (Armstrong 1985): to give greater opportunity to Swazis to acquire both freehold and communal property rights without promoting a stampede of valued white and foreign capital from the country.

e. Characteristics of Swazi Owners: Evidence From the Register

This briefly is the background against which the information on the present distribution of land in Swaziland as reflected in Tables 4-8, must be understood. Swazis themselves, with very few exceptions, are the most recent entrants into the freehold land market, of which they yet control a minor through expanding share.

Although the Land Register offers a complete historical account of the pace and pattern of Swazi freehold acquisition, our transcription from the Register of only the most recently registered landowner, does not allow insight into this historical process. Date of the last transfer of each property shows that 82 percent of all present Swazi landowners have acquired their property since 1972 when racial restrictions in property transactions were lifted, as compared to 58 percent of properties transferred since this date for the register as a whole.

This acceleration in Swazi acquisition since 1972 must reflect in large part the effectiveness of 1972 legislation inhibiting sales to aliens; but it also reflects the improvement in the economic standing of a sector of Swazi society now able not only in law but in hard financial fact, to buy property. Unfortunately our analysis has excluded the more volatile urban property market. The evidence from our small sample of rural landholders suggests an emerging salaried bourgeoisie with a penchant for urban housing both for their own use and as an avenue to further accumulation through rent and speculation.

Thus far we have considered the Land Register only in terms of parcels. We have compared the size and number of parcels owned by individual Swazi with those of other kinds of owners. But we can go further than this, for the register also allows us to see the extent to which these parcels are concentrated or dispersed into many or few hands. Due to the limitation of the transcribed data, Table 9 is restricted not only to holdings in the "farms" register, but to parcels greater than one hectare in extent. It thus provides only partial insight into the concentration of landholding.

Of some thousand rural land parcels held on freehold by Swazis (Table 6, row 1, column 7) only some 60 percent are greater than a hectare in extent. Table 9 shows that these larger parcels belong to 411 individuals, whose average aggregate holding is 184.2 hectares (Table 9, row 8, column 5). Amongst these are 86 individuals who have more than one of these larger parcels. The average holding of this rural landowning elite is 530 hectares.

Table 9
Showing Concentration of Parcels Amongst Swazi Owners

Number of Parcels	Number of Holders	Number of Parcels	Total Area Held	Mean Area Held	Mean Size Holding
1	325 (79.1%)	325	30,099	92.6	92.6
2	55 (13.4%)	110	18,889	343.4	171.7
3	16 (3.9%)	48	13,671	854.4	284.8
4	6 (1.5%)	24	3,769	628.2	157.0
5	6 (1.5%)	30	6,167	1,028	205.6
6	2 (0.5%)	12	1,882	941	156.8
10	1 (0.1%)	10	1,215	1,215	121.5
ALL	411 (100%)	559	75,692	184.2	135.4

There are 14.3 percent (141) of all Swazi rural freehold parcels registered as belonging to women. Women's parcels are on average smaller than those of men, although one woman is amongst the ten biggest rural freehold landowners in the country.

	Average size of Holding (ha)
Male owners	83.83
Female owners	33.08

Women buyers tend to concentrate their purchases in the peri-urban rather than the rural areas. Three-quarters of all female-owned non-urban property is peri-urban (defined as abutting townships but less than 10 hectares in extent).

Table 10
Location of Rural Freehold Parcels By Sex, Swazi Owners

	Rural		Peri-Urban		All	
	Number	Percent	Number	Percent	Number	Percent
Males	402	47.6%	443	52.4%	845	100%
Females	35	24.8%	106	75.2%	141	100%
ALL	437	44.3%	549	55.7%	986*	100%

* Excludes 4 for whom data uncertain.

The second part of our study is a survey, through informal interviews with a sample of these Swazi freeholders. Who are they? Why and how and when did they seek land in the freehold sector? What kind of land have they acquired, from whom? What use do they make of the land?

And, given the history of the struggle of the Swazi people against settler alienation of their land, what is the relationship between freeholders and the traditional authority structure of chiefs on communal land?

PART TWO

EVIDENCE FROM A SAMPLE SURVEY

The Sample

The sample provided the kind of evidence not available in the register, the kind that comes from looking at land use, buildings, equipment, fences, dams, boreholes, irrigation systems, and from talking to the people found on the holding, especially the landholder himself. The main thrust of the survey was to provide qualitative rather than quantitative data, though the statistics have been presented in percentage form (despite a sample size of only 30) in order to allow inference to landholders in general.

The sampling method is presented as an appendix. We sampled parcels, stratified by ecological zone, and by size. The Deeds Register suggested the following sampling frame.

Table 11
Sampling Frame: Distribution of Land Parcels

	Small	Size of Parcels Medium	Large	ALL
Highveld	19%	18%	13%	50%
Middleveld	7%	18%	13%	38%
Lowveld & Lubombo	1%	4%	7%	12%
ALL	27%	40%	33%	100%

Each parcel led us to a holder, as well as to tenants, managers, resident employees and "squatters." Some holders had parcels of land elsewhere, upsetting the anticipated distribution of "small," "medium" and "large" landowners. Table 12 shows the distribution of the final sample.

This sample reflects proportionately the distribution of Swazi freeholdings in the three ecological zones, but overrepresents the larger landholders, who constitute a third of the sampling frame but 40 percent of the sample.

Table 12
Distribution of Sample By Zone and Size of Holding

	Size of Holding			ALL
	Small 1-10 ha	Medium 11-100 ha	Large 100 ha +	
Highveld	6	5	4	15
Middleveld	2	5	3	10
Lowveld & Lubombo	2	1	2	5
ALL	10	11	9	30

Not all interviews were with the registered landowner. Some had died, in which case we interviewed widows and heirs. Some had sold their property, and we interviewed the new owner provided he was a Swazi individual. Sometimes the owner was not available and we interviewed wives, sons and daughters, but only as a last resort. Data from these interviews was invariably incomplete and accounts for the shifting numbers in our various tables.

Where possible we also interviewed other people living on the holdings. Our strategy of sampling holdings rather than holders had been in part dictated by our perception of the need to grasp the use being made of freeholdings in their entirety, and not just as owners' lands. Access to non-owners was simple where holders did not live on the property but was more difficult to negotiate in other circumstances. We completed ten interviews with "squatters" in this way but only two with employees housed on their owners' premises, and two with rent-paying tenants.

1. Who Are the Landowners?

We characterize the landowners as the successors to the colonial settlers and speculative absentee landlords, whom they are steadily supplanting. We ask from which ranks of the population they are drawn. What is their social background? By what means have they accumulated sufficient wealth to convert it into landed property? This in turn begs the question of the prices demanded for private property.

The prices paid for the land varied with the size of the property, its improvements, its desirability (both agricultural and other) its fertility, and of course the year of purchase which affected the state of the market. Seventy-four percent of the owners sampled had bought their [sampled] property within the last 15 years, that is, since 1972. But when we take all rural properties of the sampled landowners into account, not just the sampled holding, then we see that 40 percent owned some property in 1972. The average length of ownership, based in each case on that holding which, amongst those

presently held, has been held for the longest, is 13.4 years, with a range from 2 to 32 years.

It seems reasonable to posit a rise in land values when the racial restrictions against the free acquisition of land by Swazis were lifted by Act 46 of 1963 (The Immovable Property (Race Discrimination) Act) and a slip in land values after the exclusion of aliens from the free market in 1972. There must have been something of a property glut with the exodus of whites at Independence in 1968.¹⁴ Seventy-four percent of the sample purchased their property from whites, most of them absentees or emigres returning to South Africa or England. Thirteen percent bought from Coloreds, 4 percent from Indians, and 9 percent from other blacks (presumably Swazi in most cases).

Table 13
Showing Race of Previous Owner of Land Bought By Swazi

	Number	Percent of Those Known
White (absentee)	7	
White (emigre)	4	
White (other)	6	
ALL WHITE	17	74
Colored	3	13
Indian	1	4
Black	2	9
Unknown*	7	n.a.
ALL	30	100

* Could be established from Registry.

"There are no whites left now. They moved when the Swazis got independence. All our [white] friends moved. We don't know why. Nobody knows why they moved. Like Mr. White, (16) he used to be manager of this farm. So when I ask him, 'Why are you moving?' he says, 'No, I want to go back to England now; thinking of my children.'**"

** This report quotes frequently and at length from tape recorded interviews in order to share, illustratively, the quality of the data on which it is based. Most owners generously agreed to speak my first and their second language, English. The lack of standard English proficiency by several (by no means all) owners is itself an interesting datum, affirming that acquisition of land is not the monopoly of the educated. Names of people and places have been changed to preserve anonymity.

"I first occupied the farm in 1962. I was buying it from Sarel du Plessis, on installments. Lots of Swazis were buying farms then . . . The boers were leaving because of the threat of Independence. Du Plessis returned to his stand at Amsterdam. It's a place for old Dutch (i.e., Afrikaner) people."

As to improvements, a quarter of those sampled bought "pure bush" [half of these holdings are still pure bush], a third bought land which had previously been used productively and which had some facilities, either fencing, or water, or outbuildings or standing trees for fruit or woodpulp. The rest bought developed properties--with buildings, some fences and some kind of water supply, and cleared arable fields.

Table 14
Showing Whether Land at Time of Swazi Purchase Was Developed or Undeveloped

Undeveloped ("pure bush")	7	(23%)
Undeveloped (not virgin, but few facilities)	9	(30%)
Developed (basic facilities: water, fencing, buildings)	14	(47%)

It follows that different purchasers were faced with raising very different amounts of money, depending on where and when and from whom they were buying the land. Prices paid ranged from a few pounds per hectare for land in the lowveld purchased in the fifties, to several thousand emalangeni per hectare for peri-urban land in the highveld and middleveld in the eighties. The Deeds Registry, properly sampled for this purpose would provide more accurate figures, though there is a suggestion that registered price is not necessarily actual price paid, which may be informally negotiated between buyer and seller.

a. Paying for the Land

Table 15 shows how many purchasers were able to make outright payment for the land, how many had to borrow.

Table 15
Showing Incidence of Borrowing For Purchase (n=24)

Borrowed all or most from a bank	17%
Borrowed less than half from a bank	25%
Paid outright cash	50%
Private arrangement of installments to seller	8%

Half the sample borrowed money to buy land. A quarter borrowed most of the purchase price; a quarter needed only partial loans. Nearly all used the Swazi Savings and Development Bank, but 11 percent in effect borrowed from the seller himself, paying the price in installments directly to the seller himself. Only one (4 percent) was still in debt over the purchase of land in June-August 1986.

The borrowers tell tales of determined effort to rid themselves of the burden of debt as rapidly as possible in order to minimize the resented interest charged (which in fact, from the Swazi Bank is very modest; see Mercy 1983).

Half the owners paid outright cash for their property.

The most common source of cash was through the dogged saving of earnings, either in a savings account or in cattle, or both. Although 91 percent of landowners had cattle, the risks of cattle as an investment were seen to be high, especially if the owner himself was not able to exercise personal supervision of them.

"I was working. I didn't use my money. I was saving in the bank. I was afraid to buy cattle because I was not staying here, I was in Jo'burg. You see if you give somebody the cattle you are buying, you must go every week and see them. If I buy some cattle and give them to that man, he'll say when I come, 'Oh Mr. Simelane, Oh! Wo! Wo! Two is dead! What! What! Three is missing!' You know all that make you mad sometime. Well you can rather keep the money. You can still look in the bank and see you've got it."

In only a quarter of cases did paid employment NOT feature as a significant factor in accumulation. The kinds of occupations people had at the time of purchase are summarized in Table 16.

Table 16
Showing Occupation at Time of Purchase (n=24)

Salaried employment	54%
[Civil service: 33%]	
[Private sector: 21%]	
Wage employment	21%
[migrant workers: 13%]	
Self-employed	17%
[medical practice: 12%]	
Royal family affairs	8%
Total	100%

The diversity in employment is striking, from migrant roadworker in Durban to diplomatic service. Yet, predictably, salaried and professional workers, commanding higher rates of pay outnumber manual workers by 3 to 1, a reversal of their distribution in the population at large. Many of these were merely teachers, but others, particularly in the private sector, were in commanding managerial posts.

Salary in itself was not sufficient, in most cases, to allow purchase. 20 percent of the salaried were able to buy property only because they had through retirement access to a lump sum gratuity. For the rest earnings had not merely to be saved but invested, in cattle or cotton production on Nation Land, in shops, buses, butcheries and bottlestores. Others farmed commercially as squatters or on rented farmland.

The 22 percent who successfully initiated accumulation on the meager basis of manual wage-labor and a Nation Land holding are of particular interest since both manual wage-labor and Nation Land are within reach of most Swazis. This group demonstrate the present fluidity of the Swazi social formation. The salaried themselves are still to a considerable extent recruited from the same families as the manual workers; despite some perceptible concentration of privilege amongst the ruling clans (Breytenbach 1978) the status order has (in Max Weber's words) not yet crystallized. Rags-to-riches stories, relegated to propaganda and fiction in mature Western capitalism, have a ring of authenticity for contemporary Swazis. Several of our informants tell them.

"I started to work in 1948. I start in a kitchen as a small boy, washing the dishes, make tea for the Europeans, tidying up, till I work in a garage. There it is a little bit better, more money. There I used to work at night, selling the petrol. When I'm selling at night I got my chance to work my own business in the day time. I started in Joburg selling offal with a pushbike. You see they just used to get rid of it (offal) in Joburg. Then we just collect it, selling it, selling it. I was working for my boss in the evenings, and then again, selling with my bicycle. In 1971 my contract finished. I didn't so much like Joburg. It's not your place. They can chase you any time . . . Now I'm at home, I'm free. I buy this farm. A colored fellow was staying here before. He was owing the bank. Then the bank want to sell it and I bought it from the bank, it was Swazibank, and I keep pay, pay, pay."

"There are some people they just playing with their money. They go for drinks and what what, you know. And some people they want to make a living for the next generation. Some people today if I can tell them like that they don't believe. They say, 'Ai! that shit! Don't tell! You can't start a business with a bicycle.' Well, you can. You can. But it's hard to make it. You must have a brave heart and strong."

Another owner who through education found himself at a different starting point tells a similar story.

"I was teaching near Lavumisa and living on Nation Land. I started on cotton unwillingly. My wife was interested in growing maize but maize was a poor crop in that area. So our neighbors advised us if we try a bit of cotton

it would somewhat help us. So we went into cotton and it worked out very well, We didn't even use the bank to boost us: we used our salary. Then we opened a little shop to help those people who are close by and they would buy there and help us financially . . ."

"I asked Mr. Geldenhuis who was employed at the ginnery in Pongola if he could find me a small farm among his friends, and he told me about Nel's farm. On coming here to find out, a boer at the co-op told me there was no land, but I got back to Nel--Geldenhuis advised me to talk to him personally-- and I found he was willing to sell. So we discussed the bargain and reached an agreement. I learned that a certain Mr. Kunene had tried to buy it but was failed by the Credit and Savings Bank, so I was lucky. I paid eighteen thousand rand. I was told it was very cheap. I was able to pay cash. I had been accumulating cotton and cattle and my savings as a teacher along with my wife. When I did get financial benefit after selling, I'd take the money into a savings account."

A third man--one of the country's more substantial black freeholders-- says, "I was a herdbooy when I was small. I used to herd my father's cattle. After school I changed and went and looked after my father's cattle. That's when I got a love for cattle. I learned how to castrate them; my father taught me. I did it for people, and in return they gave me a calf. This is how I got my cattle." As to his money, "Actually I worked very hard. I've been working for this company for 35 years. Now I am in charge of a section, I have 80 men working under me, but I worked my way up to this. I came here when I left school. Ever since I've been with the company. I've saved a lot of money. Then I started part time with buses. To start with they were a very good business for a small man like myself. But now it's getting out of hand. When I first bought, they were fifteen thousand emalangenani each; now they are one hundred and thirty thousand. Now its only for the big bods."

Although these accounts emphasize achievement rather than ascription, ascriptive factors also come into play. Thirteen percent of the landowners sampled were members of the royal family: 97 percent were men.

b. Sex

Only one registered female landowner occurred in the sample though two widows, recently bereaved, have to all practical purposes succeeded to title, in much the same way that on Nation Land a vigorous widow becomes homestead head.

"When my husband was alive he was always busy with the King's affairs, so I ran the farm. Now with my sons I know how to carry on."

But the rules for the inheritance of Swazi freehold are those of Roman Dutch law, the common (as opposed to the traditional) law of Swaziland. Whereas the traditional law gives the inheritance of the homestead to one main male heir, Roman Dutch Law divides the estate equally amongst surviving children, including daughters. This practice is unfamiliar to most of the freeholders interviewed, and seem as yet of little interest to them. There is no collective experience amongst them of the inheritance of freehold. They assume that an amicable compromise between traditional expectations and common law will be achieved after their death.

c. Education

The variety amongst landowners, seen in their occupations at the time they bought their property is reflected also in educational attainment. Sixty-four percent had been to secondary school (above the national average of 48 percent, and considerably above the average for their age group), 8 percent had been to University. At the other extreme, a quarter had spent at the most three years in formal education. The consolidated advantages of land ownership are already being passed on to the next generation. Twenty-eight percent had children in Universities, several of them abroad.

d. Age

The age range, (as recorded in the title deeds, but not therefore infallible), is from 33 to 84 with a mean of 60.7. Only three were under 50 years of age. Half are between 55 and 63 years. On average they have owned their property for 13 years (though the range is very big, from 2 to 32 years), making the average age at purchase 47 years. Half the sample bought land when they were between the ages of 43 and 54 years.

e. Marriage

There was a very high incidence of polygamy--almost 60 percent. Most polygynous men had two wives, but some had three and one had four. The one woman in the sample was a widow in a polygamous marriage. Polygamy is generally recognized as the rich man's prerogative; a man must be able to offer his second and subsequent wife a place to live and to plough. Amongst our sample this was often the freehold farm; the first wife was placed with a man's parents on Nation Land, in fulfillment of their expectations.

In a peasant society and in one where, as in Swaziland, women are widely employed, (if not by others then on their own account in a number of cash-raising ventures), extra wives not only reflect but enhance a man's economic standing. Several men made reference to the contribution of their wives' salaries to the repayment of loans and as investment capital.

"We borrowed E2,750 to buy dairy cattle. My wife helped me, with her salary as a teacher, to clear it."

"We borrowed E1,600 each year from the Savings Bank to plant maize, but the interest is from 11 percent to 14 percent and this interest takes all our profit. So this year we decided not to borrow; we just took our salaries and invested them. We hope this way to realize a bigger profit this year."

f. Housing

With so varied a background in education and employment, the owners bring a variety of standards and styles of living to their holdings. Houses range from the immaculate traditional mud house with smeared dung floor to dilapidated colonial brick house with grass growing in its rusting gutters. Conversely there are surprisingly dilapidated traditional houses, with sagging patched thatch and perilously termite-eaten posts, as well as brash, modern expensive houses in the south African suburban mode.

Interiors vary from austere mudded walls, grass mats, and an iron bedstead, to the mass-market plastic, vinyl and chrome suites, which hundreds of agents, working on commission, urge on every homestead in "their" area, on "easy" terms, through several competing South African furniture retailers. There are also the expensively hand-carved pieces of considerable value, pianos and stereophonic music centers.

2. Why Did They Buy Land?

With the exception of two recently bereaved widows, all the landholders had themselves bought the land they held; they are first generation landholders rather than a privileged inheriting class, although by their action they have unwittingly, and possibly irrevocably laid the foundation for the emergence, in the next generation, of such a class. All of these were also self-made men who had patiently, purposefully and sometimes painfully over the years postponed immediate gratifications for the longer term rewards of land ownership--which is not to suggest that they all started with the same disadvantages, for some started as princes, some as roadmenders.

Although these are first generation landowners amongst the Swazi, and to that extent innovators, it is important to remember that they have simply inherited from the previous colonial settler political order the opportunity to become property owners. They have not themselves alienated the land but merely succeeded through purchase to land already set aside as a marketable commodity. Their attitude to the whole notion of private property is often exceedingly ambivalent, emotive and defensive, as we should expect, given the critical role of the privatization of land in the colonial conquest of the Swaziland. Yet only one man answered the question politically, in terms of regaining for the Magagulas that which had been alienated from them by settler colonialism.¹⁵

What motivated them to acquire freehold title? We put this question to them, but to classify the given answers into a neat table would be to impose a spurious sense of completeness and order onto what must at best be a very partial set of reasons. Motives are complex, and not necessarily understood by the people possessing them. We have teased from the superficial answers given in the course of a relatively short interview some recurring themes.

a. The Limitations of Nation Land

Several answers dealt with the limitation of Nation Land, limitations both of its extent, and limitations on the freedom of the holder to use it as he chose.

i. Inadequacy of arable land. Individual holdings of arable land allotted to the homestead were considered too small for the kind of cultivation they wanted to undertake ("You know how small a piece they give you") either because the chieftaincy was crowded, ("The chief, he can't give you the land, he's got no more. He just give you a piece to make out on"), or because the family they come from is a large one, with several contending sons.

"You see you get land from, like, my chief where I was born. So they give you land. But we were plenty boys at home. So all these big ones, they

take. So I got no space there. So I had to work, work, work till I get this place."

Pressures on land also arise in certain areas close to work. "I was born and brought up in Matsapha. We had run out of plough land. It's a sort of location* there now. I've got a family. I've got brothers. Brothers also have got family. We're running out of land to grow mealies . . . I want my children to have plough land like my father had. That's why I started to buy land.

"In Matsapha everybody is forcing his way in, to get close to industry, to find employment. In other areas the land is plentiful but people are leaving those areas to relocate close to work."

ii. Inadequacy of grazing land. Not only are allotted fields considered inadequate, so also in the Nation Land grazing.

"I had cattle: that is the thing that made us look for a farm. We kept them at home under the chief and they died."

"The chief tell me I can still graze my cattle there [on Nation Land]. I can graze my cattle everywhere because I belong to him. But it's not very good grass . . . If you see my cattle and you see their cattle you'll find a difference."

Another man who complained that many cattle on his farm had died since "hunters" came in and burned his grass, was asked why he had not moved them onto communal grazing to save their lives. He replied, "Swazi Nation Land is just like a burned farm. There's no grass there, nothing."

"There's no grass at home. There's too many cattle. There's nothing you can keep there. For years my father had lots of cattle because he was on a farm, [a white settler farm]. But sicintsi! [Nation Land] There's so many cattle. The people are close [together]. You got cattle, I got cattle. Now they eat that grass finish, finish, finish! There's nothing there. It [grass] dies and they [cattle] die too."

"There are places on Nation Land where the cattle aren't crowded but they are very far away from everywhere, far from work."

Despite the perception that Nation Land is overstocked and overgrazed 58 percent of freeholders continue to use communal grazing rights as an adjunct to their privately held land, particularly if their holding is small, or exceptionally fertile and hence too good for grazing.

iii. Stifling of initiative. Equally strongly made were arguments that Nation Land, with its hierarchy of control from king through chief to homestead head, stifled initiative and independence. A fifty year old man says, "My father had about six acres at Matsapha. I intended to settle

* Colloquial South African usage, black workers' urban housing.

there. I built a substantial house, with electricity and a borehole. I installed sprinklers and employed a full-time gardener. I intended to grow vegetables for the market. But when the crops were ready my father said, 'Oh this is very nice. We give this portion to so and so, we give such and such to such and such.' The plot actually belonged to my father . . . I decided to go where I can do as I please. My father may allow me to do something this time and next time he says no."

"I've got a home on tribal land at Mhlosheni. I've noticed problems arising. Perhaps it is because the land is not much. The little bit of land that was allowed my father has now been cut and reduced. Other people have been given [it]. It's not pleasant to use land that is not yours, because the owner will decide otherwise at any time. My brothers can't raise an objection. The land is not theirs. The chief has the right."

"We sold a good lot of cotton from Nation Land. Our King, our chief, had given us the land but we had invested a lot of money to clearing the thorn trees there so that we were able to put a lot of money into growing cotton. But there was a lot of problem about our using nation land to get a lot of money, as if we were cheating. I don't know whom we were cheating or how we were cheating, because it meant work."

"On Nation Land the chief has the right to do anything with his land. It is his land, not his subjects'. If he tells you to move your house across the river, then you must, regardless of the cost to you of relocating. Your security on Nation Land and your rights on the land are a matter of the relationship between yourself and the chief and his counsellors. In Matsapha my mothers' land was big at the beginning but now it is getting smaller and smaller, it is being given to this one and that one, whoever the chief nominates . . . I wanted a piece of ground to call my own, where I could be permanent, where everything I do is an investment in the future."

b. Investment and Accumulation

Investment and accumulation were important themes amongst reasons for buying land. Those committed to the idea of commercial farming, felt a need for land in excess of the traditional allocation, and also the freedom to make decisions on what was to be done with that land, untrammelled by obligation to kin or king (though they do not escape either of these obligation entirely). Economic ambitions are not always continuous or sustained. Several farmers with accounts of heroic but goal-directed effort in past years claimed to be agriculturally dormant in the 1985-86 season.

"This is the first year we have nothing growing in the soil."

"In fact I did not plough last year. We used to sell maize, but this year nothing."

Some of this may have been a neat evasion of our attempt to pin down most recent production figures. But the frequency of this kind of reply and its demonstrable truth in at least one instance is evidence of a broader cultural trait. The drive "to make money" is, for some of our landowners at least, intermittent. The land, with it's potential in any season, through investment

and effort, to create wealth, is a valued resource which, once acquired, is not necessarily continuously exploited.

A farmer whose present production is, in his own words, "just like a Nation Land farmer," repaid over E10,000 in one year. He planted cotton. Asked why he doesn't repeat this effort he says he is "discouraged by labor. They don't want to work. They only want to drink beer." He argues that he succeeded with a big harvest in 1978 "because there was starvation that year. But in a good year Swazis prefer not to go out and work for others." Challenged that this is only because the pay he offers is too low he says, "I attempted to increase my wages above all other people but the workers discouraged me. They worked for only one or two days and then they came and claimed their money."

Another modest producer says he stopped commercial crops (maize and beans, the latter railed to a Pietermaritzburg wholesaler) once he had cleared his debt. This was partly because his three sons grew up then and left the farm ("They don't like to work the soil"), and partly in fulfillment of his own ambitions. "I farm for a living, that's all. My work is as a herbalist. This farm was just bought for the family."

c. Property Development and Speculation

Some saw their freehold as a quick route to accumulation through "property development"--the speculative investment in buildings and other infrastructure with a view to leasing or reselling.

"I see this less as a farm, more as a future residential area."

This is a course requiring considerable capital. Perhaps significantly two of the three who answered thus were members of the royal family, with greater chance of access to capital than commoners (Kuper 1947, Daniel 1986).

d. Retirement

Several of the smallholders were retired teachers and civil servants who had spent their working life living in government housing provided with their jobs. They seemed to replicate in their retirement the kind of residential facilities to which they had become accustomed. In this way they combined the style and standard of living of the bureaucrat with the more traditional Swazi expectation of retirement to the land after several years of waged or salaried work, there to keep chickens, goats, a few cattle, to "plough a few mealies" and, if one is smart enough, to conduct a small "business"--the renting out of a truck or tractor, a small shop, etc.

e. Other Reasons

Three people attributed the initiative for buying land onto others.

"Joubert came to me and said his children didn't want to farm. He invited me to buy it. He liked me because I was ploughing with mules. He himself was ploughing with oxen, red ones, Afrikanders. I said I had no money. He said, 'All right, we will talk like Swazis' . . . I paid him over

ten years, anything that I could afford until I had paid three and a half thousand pounds. It was expensive at the time because a shilling was something at that time."

Several saw the purchase as an act of responsibility to family, both the older generation and the younger generation. "Having a farm was my father's wish, but he died before I got the place. He died when I was in Standard Three."

For some land seemed to confer a kind of immortality, a monument.

"I was in Johannesburg for fifteen years, and I went to the war for six years. And when I came back from the war I worked for Mr. Brown for another seven years, and I get tired. And I said, No, I must get my own ground and work for myself . . . I got this idea from working for so long. I discovered I'll be nothing at last when I stop working. I was Mr. Brown's cook. I was his houseboy. I was working for him s'nce when I came back from the war. He bought this farm. So when he wants to leave after seven years he makes this farm in plots to sell off for everyone who wants a farm. The price wasn't big much. Mr. Brown said 'You are a friend'."

One person claimed to have bought to escape bewitchment on Nation Land, a widow. She said they wanted to "be alone." Bewitchment is a common cause for moving house in Swaziland, usually within the chieftaincy or between chieftaincies.

3. An Economic Profile of Landowners

There are three main sources of income to the landowners: farming, employment, and non-farming enterprise. They may use any or all three sources simultaneously. In fact we found six patterns, summarized in Table 17.

Table 17
Sources of Income to Landowners

Source	Percentage
1. Farming only	7
2. Farming with non-farming enterprises	42
3. Farming, with employment	10
4. Farming, with employment and non-farming enterprises	24
5. Employment only	14
6. Non-farming enterprises only	3
TOTAL	100

From this table we see that:

- 34 percent landowners have full-time off-farm paid jobs (lines 3, 4 and 5).
- 67 percent landowners engage in non-farming enterprises (Lines 2, 4 and 6).
- 83 percent landowners are farming (lines 1, 2, 3 and 4).

The land is only one element in the landholders' economic profile. Employment and non-farm enterprises are also important. The land itself presents the owner with several alternatives, of which farming is but one. Alternatives are:

- | | |
|--|-----|
| a. Renting out of the land, as farmland, to others | 20% |
| b. Renting out of buildings on the holding, both domestic and commercial | 47% |
| c. The use of the holding as the base from which the holder himself conducts some other, non-agricultural business | 40% |

a. Renting out of Farmland

A landowner may rent out all or part of his holding. Twenty percent of landowners used at least some of their land in this way. Their motives varied from the apparently altruistic, (as in the instance of a man charging E40 per annum for a couple of acres rented to neighbors whose arable Nation Land fields were inadequate to their labor and capital resources), to calculated economic gain; for example, a man negotiating the lease of several hundred hectares (amongst his several thousand) to a forestry company.

"It's a hilly place, no good for agriculture except sheep or goat farming or perhaps forests. [A large local] Company is interested in it. They are making negotiations at the moment."

Those who acquire farms primarily as grazing for their cattle may lease out the arable areas to their neighbors. One such landowner, an absentee, put his arable fields at the temporary disposal of the local chief, for the use of the local community. Here the return was not in cash but in goodwill, which in this instance, was bought to allay jealousy.

"We notified the chief well in advance of our intention to return. His people used it for planting only. We continued to keep our cattle here."

In a similar way owners with grazing in excess of their needs may lease it out, for E1 per head per month in 1986.

"I have 34 cattle. They are grazing next door on Mr. Gama's farm. There's not enough ground here for my cattle. Cattle can't feed very well in a small place, they want to travel. That's why I hired from Mr. Gama, to let them go just where they want to go because Mr. Gama's farm is big. He charges one rand a head a month, or if you want to pay with a beast, he says its up to you."

Income from such land leases is highly variable, from token payments of a few emalangení a month to thousands. There seems little point in generalizing except to note that the impediments to the foreign acquisition of freehold work in favor of these rentiers; highest incomes are earned from the leasing of land to foreigners.

b. Renting out of Houses and Buildings

The same may be said, but with greater force, about the renting out of houses, especially for those owning land close to the centers of employment. Twenty percent of the sample are self-styled "property developers" who have deliberately chosen sites close enough to urban areas to assure themselves of a good market for houses and other buildings, either built or planned. "Houses are a more certain form of income than farming" said a woman who had already erected five houses, all let to professional foreign workers. She planned "more than forty," and meanwhile used her site for commercial maize production.

A 40 year old accountant with considerable income from renting out houses, flats and commercial property, has formed his own construction company to facilitate the expansion of his real estate venture, which was launched entirely out of his salary as a modestly qualified manager in a large company.

"I wanted a piece of ground to call my own where everything I do is an investment in the future . . . I never intended to farm it. I intended to develop it . . . I know that even if I plant a tree the valuator will take that into account when he comes to value my land."

He now makes frequent use of the Swazi Development and Savings Bank, which allows a more generous and flexible schedule for debt repayments than commercial banks. "But with Barclays - Ai! - they want four thousand each month for twenty-four months. It kills you!"

A businessman with two farms, both rented out to commercial farmers, and with a three-hectare urban holding spurned the idea of using it to build houses.

"For real money you build flats, not houses, but that takes a lot of capital. I'm working on it."

Not all landowners fulfill their rentier ambitions. Mere ownership of freehold land does not in itself assure the holder of access to a capital loan to develop his property.

"I was trying to make some money, to build some houses, then I can rent it, but no cash. I bought it when I still had money. I was just buying, you see, to build it and make money . . . It's still flat land, it's not yet a house. I'm going to build it up, I've got to build it up, to make the country up, for my child. When he grows up he'll find things very expensive. Before, this place was cheaper, but these days, a piece of land, you pay a lot of money. When you come to the bank they want to know how much you've got. You say, 'I've got a farm.' They say, 'You've got a farm only?' They say, 'No man, you haven't got cash, I can't help you'."

Fifty-eight percent of our landowners had, in addition to their rural landholdings, urban property. A third of these lived on their urban plots. Some plots were as yet undeveloped, but most were let as houses for rentals which, in 1986, ranged from E200 to over E750 a month.

A quarter of the landowners had within the last 5 years sold urban property, suggesting a fairly high level of speculative land dealing--which the Land Speculation Control Act does little to control: the Act specifically inhibits speculation by foreigners rather than speculation per se. The effect of the partial exclusion of foreigners from the property market has been to hold land prices down while pushing house rents up. There is some evidence of the emergence of a thriving Swazi rentier sector, of men and women in professional and managerial positions with access to loans, whose rentier income is not from the poor (who, when necessary, through kinship and khonta** establish themselves in rudimentary urban housing on the peri-urban fringe) but from wealthy foreign workers.

c. Non-Agricultural Enterprises on Rural Holdings

Several landowners had bought property with commercial buildings already on them, or had taken advantage of freehold rights to establish premises for some additional enterprise on their rural land, which they either operate themselves or rent out to others.

Table 18
Enterprises Established on Rural Holdings

	General Dealer	Butchery	Bottle Store	Specialized Wholesaler	Other	Total	None
Own Enterprise	5	2	0	2	3	12	
Premises Rented Out	3	1	2	0	2	8	
TOTAL	8	3	2	2	5	20	11

Over half the landowners had premises for some kind of non-agricultural enterprise on their rural land. Beside those listed above, there was a filling station, a restaurant, a clothes shop and a handicrafts stall. Most

** To khonta: to declare allegiance to a chief. In return for tribute, a homestead is granted land for residence and cultivation, and a share in communal grazing, and other resources.

of these enterprises were run by the landowners themselves, using hired and family workers. They ranged in sophistication and financial return from a small farm shop operating from a typical mud and grass Swazi house, to premises rented out to a branch of a South African chain store.

The entrepreneurship of the landowners extends beyond this listing of premises on their rural holdings. Several operate businesses from rented urban premises. Two have bus companies, one has a bottle store, one a butchery. At least three are directors of companies. Another has a market stall. Only a quarter of landowners have no enterprises, and of these, two are in lucrative medical practice, one "traditional," one "western."

Corroborative evidence of the close tie between freehold land and entrepreneurship has recently been collected by Kamalkhani.¹⁶

Income from farming thus forms a variable portion of each landowner's profile and should be distinguished from the broader category, "income from ownership of the land," which includes both rents and the non-farming use made by the owner himself of the land. Table 19 shows the role of farming as a source of cash income to landowners.

Table 19
Farming as a Source of Cash Income** to Landowners

	Percentage of Owners
Minor source of income (less than 50%)	59
[None]	[17]
Major source of income (more than 50%)	41
[All]***	[7]

** Every farm that is used at all contributes also directly to subsistence through family food. We made no attempt to measure this contribution, slight for some, substantial for others.

*** The customary responsibility of kinsmen to support one another, especially the obligation of children to support parents, means that most adults in Swaziland receive sporadic donations of cash from the earnings of others (Russell 1985). In this sense it is highly unlikely that the farm itself is ever the only source of cash. In this table we artificially restrict the landholders' incomes to that which they actually generate themselves. It thus represents their earnings but not their spendings.

The force of Table 19 is to draw attention to the lack of an exclusive commitment to farming amongst a group who, through their considerable investment in land, might be presumed to be more highly committed to it. Only

41 percent of our landowners are 'farmers' in the sense that this is their main economic support. It is the exclusive support of only 7 percent. Most land owners have other more dominant professional and business interests. In this, their income profile resembles, on a grand scale, the typical Nation Land homestead, where income from earnings and enterprises outweighs income from the land (Russell and Ntshingila 1984; de Vletter 1983).

Since each landowner has been classified in terms of his own particular income profile, there is no necessary correlation between the absolute size of income from farming and our classification into "major" or "minor" sources of income. For a wealthy successful cotton farmer who also has a bus company or butchery or trading store, farming may be a substantial source of income but nevertheless "minor." In contrast, a much smaller income from farming could nonetheless be a "major" source of income to a retired schoolteacher.

4. Freeholders' Incomes

Table 19 is based on estimates of landowners' incomes. It would be naive to expect commercial farmers or any other entrepreneurs to reveal in a casual interview information of this kind, which is considered both private and potentially damaging. It is very much easier to get information about paid work, since this is in principle always already known to others. The paid employee is a dependant of the employer; his limited power to control extends to his inability to prevent access to knowledge about his income, however private he may consider such information. The entrepreneur is by contrast independent, and is likely both to wish, and to be able, to safeguard the privacy of knowledge of his income.

In Swaziland such information as he does choose to disclose will be heavily biased towards underestimation; jealousies are easily aroused and extremely disruptive, often entailing accusations of witchcraft. People are at pains to hide their financial success; consumption is inconspicuous. This cultural predisposition is reinforced by the additional and newer consideration of income tax; any person from one Ministry may well have official connection with another. We do not flatter ourselves that we were able to overcome these inhibitions.

a. Estimating Income from Arable Land

We based our estimate of income from farming produce on four pieces of information:

1. The amount of land owned. This we obtained from analysis of the Deeds Register. Our figure excludes any additional land an owner may have through company shares. It also excludes urban land holdings, and of course, Nation Land holdings.
2. Land use, in particular the proportion of land put to different uses. We invited farmers to help us in this estimate, but modified their estimates in the light of our own observation. Unfortunately June-August is not a good season for this kind of observation.

Combining (1) and (2) above, we arrived at estimates of area put to different crops, or left fallow, or (which is often the same thing) put to grazing.

3. From a variety of sources, including farmers who were not part of the sample, we attempted to establish for the range of crops we encountered on the farms, a range of probable yields, high and low, per hectare. From commercial buyers of farm products (cotton, timber, maize) we ascertained prevailing prices. In this way we arrived at a set of gross incomes per hectare from each product, high and low.
4. Net incomes we assessed in each case as 50 percent of gross income, because this seemed consistently the mean of estimates, which ranged between 40 percent and 60 percent (though for the smaller producer they are likely to be lower, especially because family labor is not perceived as a cost). See Appendix IV for the net incomes per hectare per product upon which our estimates are based.
5. Finally we made a subjective estimate on the technical efficiency of the farmer, based on his equipment, his resources including his intellectual resources, his accounting system and his visible wealth. This, in exceptional circumstances, allowed us to place a particular farmer at the low or high end of the spectrum, rather than in the middle. Since farming is beset with uncertainties arising from weather and infestation by unexpected pests and viruses, farming income is likely to fluctuate from year to year. We therefore tended to use mean yield figures, on the assumption that over the years the mean would indeed be most men's experience.

It follows from our method of arriving at incomes that our data cannot be used to judge the efficiency of freeholders as farmers, since our estimate makes assumptions about that efficiency. A study of freeholder farmer efficiency would need to adopt a very different strategy and to employ skills beyond the competence of a sociologist.

The most crucial judgment made in this method of estimating incomes was the second one, the area under different land use. Returns per hectare differ widely between different crops (see Appendix IV), but this difference is even more extreme as between arable and pastoral land use, very much higher on the former than the latter. Table 20 below summarizes our several estimates of the proportion of land put to grazing.

b. Estimating Income from Cattle

All the strictures on revealing income apply to revealing herd size: the greater the cattle wealth, the greater the tendency to conceal true herd size. Sixteen farmers gave us an approximate figure, ("You never know how many you have unless you go there yourself and count them") and a 17th volunteered that he had "more than 200;" since he had pledged sufficient cattle as collateral to purchase 800 hectares within the last four years, we presumed herd size to be 250. These figures give us an average herd size of 79 and a range from 13 to 250.

We used this range to guess the herd size of the other farmers, guided by size of farm, proportions of farm used for pasture, etc. Since some of those who did not give a figure ("I cannot say." "More than 100?" "I cannot say.") included some of the bigger cattle ranchers, the average herd size for the sample, including these unknowns, rises to 98, with a range from 10 to 250.

We attributed each owner with a 10 percent offtake rate, and set the average price of an animal at a low E300. Estimated income from cattle therefore ranged from E300 to E7,500 per annum in 1986. Calculated as a return per hectare this is very low compared to arable land use; but the land use is not irrational since cattle are wealth as well as income; nor is all such land that is put to grazing potentially arable.

Table 20
Assumed Pattern of Land Use for Sample

Land use	Percent
Land to crops, including timber	30
Land to grazing/fallow	70**
All	100

** These figures exclude one of the country's biggest Swazi landowners. When he is included the proportion of land to grazing rises to 83 percent.

If we have overestimated the extent of grazing, farmers' incomes are bigger than we suggest, since returns from arable land are much higher per hectare than to grazing.

c. Estimating Non-Farming Incomes

These, like farming incomes, were estimated. For paid employment estimates were based on job description guided by published sources on rates of pay.¹⁷ Since landowners in employment tended to remain there because remuneration was high, our estimated income from this source is above average: with a range from E8,000 per annum (for a teacher) to E30,000 per annum (for a senior executive in the private sector).

Net incomes from non-farming enterprises were more difficult to estimate with the exception of rent from urban houses (E2,000 to E9,000 per house, based on a sample of tenants on outskirts of Mbabane, see Appendix III). We set an upper limit of E50,000 per annum on all enterprises (including liquor retailer and wholesalers, bus owners, hoteliers, and butchers) not because we did not think that higher incomes were not being earned--in some instances

they most certainly are--but because we had no objective grounds for discriminating degrees of success amongst our various entrepreneurs. At the other end of the scale were small general traders, whose stock indicated a turnover of no more than E1,000 per month; at 15 percent profit this suggested a very modest income of some E2,000 per annum.

d. Consolidating Estimates

The figures in the section below must be treated with the greatest caution for what they are: guesses informed by having looked at premises, stock, etc. Such guesses are essential if we are to be able to put into perspective the place of land ownership in the economic profiles of this sample. Having made them, it is tempting to regard them as firm data which they are not. It is for this reason that the temptation to elaborate on their distribution must be resisted.

Eighty-three percent of landowners in the sample derive some cash income from farming their land. The estimated mean cash income from ALL sources for this group is E63,680 per annum, of which on average E30,300, or 47.6 percent, is from farming.

But there is very wide variation in the importance of farming to this group, which includes, at the one extreme, a professional man with 1 hectare of maize and a depleted battery of laying hens, who derives only 0.4 percent of his income from farming. At the other extreme is a man with almost 200 hectares, whose income comes exclusively from farming maize, cotton and cattle.

In Table 21 the comparison between those 59 percent of landowners to whom farming is a minor source of income, and the 41 percent to whom it is a major source of income (Table 19) is extended.

From Table 21 we see that those who derive most of their income from farming tend to be richer than others, with a mean annual income almost double that of the others: E76,357 a year as compared to E42,538. (This may be in part an effect of our caution in attributing large profits to non-farm enterprise.) Although most of this high income is from farming (75.8 percent for this group as a whole) the non-farm income of this group is also considerable. It is nevertheless only half that of the group to whom farming is a minor source of income.

As expected, the average land holdings of the former are very much bigger, at 425 hectares, than the latter at 128 hectares. Their herds likewise are more than double the latter's.

These averages mask considerable variations in wealth and income amongst landowners in each category. The poorest landowner earned E7,850 per annum in 1986: the richest earned E201,500.

The poorest quarter of the sample, with 5.7 percent of all the income, have a 2.1 percent share of the combined land; the richest quarter with 55.2 percent of the combined incomes have 33.8 percent of the land.

If we rank the sample in terms of the land owned rather than income, then the quarter with the least land (less than 1 percent of the land) have 14.8 percent of the income; the quarter with the most land (84.9 percent of the land) have 46.1 percent of the income.

Table 21
A Comparison of Those to Whom Farming is a Major Source of Income
With Those to Whom it is a Minor Source

	Income From Farming Less Than Half of All Income	Income From Farming More Than Half of All Income
Mean annual income from all sources	E 42,538	E 76,357
Mean annual income from farming	E 3,720	E 57,861
Farm income as a percentage of all income	8.7%	75.8%
Mean annual non-farm income	E 38,818	E 18,496
Average area held	128.06ha*	424.86ha
Mean herd size	67	113
Median herd size	40	100

* This figure excludes one owner of an extensive but unused farm-holding, whose income is derived from non farm sources. When he is included the average holding for this group rises to 416ha.

These statistics reflect the diversity of sources of income to the group, and yet at the same time show the tendency for the rich men to become the biggest landowners and for the land to make men rich. It would be gratifying to be able to attribute a causal effect to landownership per se, but the data offer no firm evidence on this: only those who have already amassed wealth are able to buy land, and not all landowners use the land acquired to generate significant income. Some regard it simply as a place to live: the impact of their actions will be on subsequent generations who, through inheritance of land will be born advantaged.

5. Freeholders as Farmers

a. Commercial Cropping

Table 22 gives some indication of what the freehold farmers produce as farmers. This is an unweighted list showing the simple frequency with which the different crops occur on the farms.

Table 22
A List of What Freehold Farmers Produce

Maize	66%	Cattle	91%
Vegetables*	35%	Milk	22%
Cotton	28%	Poultry	9%
Beans	17%	Eggs	9%
Sweet Potatoes	17%	Pigs	9%
Animal feeds	17%	Sheep	4%
Wood trees**	14%	Fruit trees	10%
Other***	10%		

* "European" vegetables, mostly highly perishable, tomatoes, cabbages, lettuce, as well as roots like carrots, beetroot. Also onions.

** *Saligna eucalyptus*, used mainly for mine props.

*** Tobacco, sunflowers grown as chicken feed, and sugar cane.

This crude listing, unweighted, gives no indication of the extent of each crop. Nevertheless some broad conclusions can be drawn. Maize, vegetables and cattle are the most common products. Thirty-four percent do not grow maize commercially, (though they are likely to grow maize for subsistence, either on the farm or on their Nation Land holding). Only 9 percent do not keep cattle, but these are as likely to be off the freehold land as on it. Wherever held, they cannot be divorced from the farming enterprise; they are integral to it as a repository of wealth.

Table 23 shows the degree of specialization that has developed amongst the freeholders as farmers.

There is a slight tendency for the smallholder to be less specialized, more spread, than the bigger landowner. However this may be the spurious effect of smaller producers tending to list everything they do, while large producers list only their major products, even though the absolute level of production of their unmentioned minor products may outstrip that of the smaller producers.

Table 23
Crop Specialization Amongst Freehold Farmers (n=25)

One product**	20%
Two products	28%
Three products	8%
Four products	12%
Five products	16%
Six products	8%
Seven products	4%
Eight products	4%

** Definition of "product" is a little arbitrary. We distinguish dairy from cattle generally, but do not distinguish eggs from poultry. All European vegetables are considered one product.

This spread can be the outcome of careful planning. A farmer with less than 10 hectares who produces dairy products and poultry to supply a stall he has rented in the local market, also grows vegetables.

"Because we were producing vegetables we wanted something to eat the vegetable waste. Our maize waste goes to the cows, so for the vegetable waste we decided on pigs. We also take the dirty water, after we have washed the pots, to the pigs."

The same man is a member of a cooperative irrigation scheme on Nation Land several kilometers from his house. Here his wife grows cotton and plans to grow irrigated yellow maize for the dairy cows and the chickens, to offset costs of imported South African feed.

b. Cattle

Nearly all the landowners (91 percent) kept cattle somewhere, not necessarily on their freehold land.

"Somehow a Swazi has great need of cattle. If you don't have them and you suddenly need them and you have to run around trying to buy, you get exploited. You're everybody's fool. Anyway cattle are a better investment than money. If you have no cash at all you can raise E3,500 overnight. They are instant cash, better than having to go hat in hand, or on all fours, to the bank manager."

Despite the broad consensus of the poor quality of communal grazing land, 58 percent keep some cattle on Nation Land, sometimes sis'd out in the traditional fashion¹⁸, to trusted friends or kinsmen, sometimes to wives and sons who are living on Nation Land.

"I have about 150 cattle. About 110 are on this farm, some are on the fattening ranch at Lavumisa. The rest are put with outside people. At my home [on Nation Land] there's drought and they've got little place, so I sisa them to other Nation Land. You can't sisa many cattle to one place. You can sisa ten or fifteen, but twenty, it's too much, he can't manage them too well. I sisa them to my relations."

Others elaborate on the disadvantages of this practice: the lack of control which the owner has over the herd, his inability to verify the stories of death and accidental loss which inevitably occur. Thirteen percent opt rather for the more expensive but safer alternative of using the government sisa ranches.

"There is a possibility of great losses at the sisa ranches. I have lost four [of 40]. They don't die; they vanish. But the grazing is good, and if your herd is small it's still cheaper than a herdboys. Now the rate has gone up to E2 per head per month. When I had 10, and the rate was E1, well, you can't pay a man E10 a month to look after your cattle. Now I must decide. But you've got peace. You don't have to go and hunt for them, or buy dip for them. You pay that amount for the year. With a herdboys you're never sure. After two, three months he's gone. And the Shangane are the worst of all. They never say goodbye. You find them gone by night."

The bigger cattlekeepers sell them systematically. The owner of a large herd of Siementhaler and Brahmin crossbreeds says, "I do sell them at this time. There are some now on the holding ground. I send them to the holding ground and when they are fat, they sell them for me. I sell between 20 and 30, and with this I pay my loans. I also keep money in the bank. You can't keep buying cattle. If you have a surplus you must bank it. You must have money in the bank."

c. Dairying

A very sharp distinction is drawn between dairy cattle, kept by 17 percent, and the rest. Dairy cattle are seen as more delicate, requiring special feeding, more attention. They are always kept separate from other cattle, usually on an entirely separate piece of land.

"The grazing on this farm is far too valuable for Nguni cattle," says a farmer with twenty of them ("progeny of a cow given me as a child by my late mother"). On the other hand the grazing at his father's Nation Land home is too poor, so he sisas them to "a trusted kinsman in the bushveld [lowveld]." The six Jersey cattle he keeps on his six-hectare farm where he grows their feed in four "camps." He had tried earlier to breed Jerseys on Nation Land. His failure (three times they died) was partly responsible for his decision to acquire freehold.

"My own sons were the herdboys but they didn't take care. They'd hurry them to the cattle dip before school. They'd make them run. But a Jersey has too big an udder to run."

He sells the milk from his door (illegal at the time: the Dairy Board had a monopoly) for "a few cents less than the Dairy Board. I don't want to

appear a bloodsucker." A few cents less than the Dairy Board's retail price is however still double the price he would receive from the Dairy Board. When his cows produce a bull calf he exchanges it for an Nguni calf, and sends it down to the bushveld.

The Dairy Board monopoly* is resented by another small dairyman who finds his seven Friesians, "less work than the ordinary cattle. The Nguni on Nation Land pick up ticks, and you have to employ a herder to take them to the dip. But the Friesians are kept in my fields. I occasionally spray them for ticks."

These cows are hand fed for the three winter months. At the time of interview the owner was buying in this feed at E2.50 a day, but he planned to grow their winter feed himself in the next season. From their milk, sold soured as amasi he gets E12 a day. Through a recently created dairy cooperative he hopes to get access to government land where the cooperative members could grow their own cattle feeds--"not to rely on commercial people."

One farmer, keen to become a dairy farmer borrowed extensively, from both Barclays and the Swazi Bank, to buy seven dairy cows. He grows their feed (rye grass, lucerne) but is not happy with his results.

"I'm trying to get advice from [the agricultural officer in the dairy section] to come and point out where to fence in for the dairy stock feeding." His milk production has also been dogged by misfortune . . . "I used to take some to the Dairy Board but perhaps my way of keeping the containers wasn't good. On being tested at the Dairy Board they find it is somewhat polluted, sour. I had even got into expenses. I had bought a fridge to cool it."

He presently sells to neighbors, but "when my supply increases I'll have a try at the Dairy Board once more."

d. Farming Labor: Farmers as Employers

Labor for farming is recruited in several different forms:

- family;
- full-time paid;
- casual daily-paid (still called "togt" from the early Dutch pattern of employing by the day);
- "squatters" (of which more below);
- neighbors through the traditional work party, "lilma;"
- tribute (royal family only).

The combinations of sources of labor are shown in the next table.

* Dairy Board Monopoly dissolved in 1987.

Table 24
Showing Kinds of Labor Used For Farming

One source	Family labor only	9.5%
	Squatters only	4.8%
	Full-time employees only	14.3%
	Tribute labor only	4.8%
Two sources	Full-time employees + lilima	4.8%
	Full-time employees + casual	23.8%
	Full-time employees + squatter	4.8%
	Casual + squatters	9.5%
	Casual + family	14.3%
	Family + squatter	4.8%
Three sources	Full-time employees + casual + family	4.8%
	Full-time employees + casual + squatter	4.8%

i. Full-time employees. Fifty-seven percent use full-time workers, but these are not necessarily permanent, which would imply a commitment and responsibility which is sometimes lacking: "These operate as full-time labor only they are not permanent. They are daily paid people. They leave me anytime. Then I have to beg for others to come and help me."

In other cases the relationship is more intimate. "I have two workers, an elderly man and a young boy. I pay them fifty rand a month and they live with the family. They eat with us . . . they are not our relations."

The average number of full-time employees is 2.9, but the range is 2-16. Pay tends to be close to the legal minimum; E45, E50, E60. One absentee owner pays E200 to a qualified (Dip. Ag) manager to whom also a house and land for cultivation is given. This was exceptional.

ii. Squatter labor. Briefly, the term "squatter" refers to a family who have their houses and arable lands and cattle on private land which does not belong to them and for which they do not pay more than token rent, sometimes in cash but more often in labor. Twenty-nine percent of farmers use squatter labor; 5 percent use only squatter labor. The relationship between owners and their squatters or farm-dwellers is described in full in the next section. A third of those using squatters pay them cash for their labor; the others expect them to work for the right to land for residence, ploughing and grazing.

iii. Family labor. Twenty-nine percent use family labor. Under prevailing norms family labor is expected to be given freely for the production of family food. It is seen as an exchange for a share in consumption. The use of family labor for the production of commercial crops

in less well legitimated, unless the level of commercial production is so low as to ensure only enough cash to buy food (for example in the dry lowveld where cotton produces cash to buy maize).

"My daughters are still working for me. And I pay them money. I give them money. You must. You must give them money. Food is not enough now, in this time. You know, if you don't pay them money they run away. Then nobody will help you. You try to find other people outside. They refuse. So you say [to your daughters]. 'Do this and I'll pay you.' They understand. I don't pay them the same as other people. It's your child. You give them more. It's up to your child to say, 'Oh father, you paid me a lot of money!'"

This man solves the problem of cash shortage by paying his daughters in part in kind, by allowing them to take a share of his produce to the market and selling it on their own account.

"I don't give them money very much. I tell them to cut cane and sell it. And take vegetables and sell. It's better."

Two sons also live at home, and work for father. As permanent members of the homestead (unlike the daughters) they are given fields of their own, to work with their wives. They are never paid by their father, and find the idea risible. Like their father they employ their sisters (his daughters) as casual paid labor.

iv. Casual labor. Since the demand for labor on farms fluctuates dramatically with the seasons, 52 percent use casual labor. Much of this is local.

"The people from nearby come. They just come. They are employed on a daily basis."

"We use the people around us, neighbors. I use the old ladies who live around my forest."

But several fetch laborers from the nearest population concentration. "I collect labor from Hluti and bring it [sic] back at the end of the day with a truck. A working day is from 5 am to 11 am, half a day really."

Schoolchildren are a popular form of labor. Although they are paid the same daily rate as adults, they are "easier to control." This was a form of labor particularly favored by teachers, who presumably used their extra authority to good effect.

"When the saligna trees are young we've got to tame them by way of removing those other branches. There have to be two [shoots] left growing. Schoolchildren come up by the weekends to do the job. We pay them R1.50 and then we provide them with some food to eat."

Most casual workers are paid by the job. Cotton is paid by the kilo picked (4 cents to 6 cents a kilo). Maize is paid by the number of rows hoed, forestry work by the number of rows thinned.

"The pay depends on how much they work. We count some rows of maize and tell them if they finish this how much they will get. A good worker gets one rand a day. A poor worker gets fifty cents. The labor is only women; men are looking after cattle."

"I pay E1.30 for a six hour day, the same for children as for adults. At the height of the cotton-picking season I may use 50 people a day for two weeks at a stretch, until the work is finished. I use a lot of labor from April to June."

"We pay them by the job. We give them a little piece of work. When they finish it we give them the money or they can say they are going to take it after they have finished. We pay E1.50 if the person is not eating our food but if the person is eating our food we pay E1.20 . . . The ones with E1.50 are the ones that live around here. They just come for the job, they finish, they go home and eat. The ones that are paid E1.20 are the ones that come for a few weeks and they stay with us. The third group are the ones that always stay here. We just pay them 45 rand a month. They are permanent . . . At the maximum when we are weeding maize we have 20 or 30 people here for a few weeks. Then you say they must go."

Some farmers find the rate of even casual labor expensive. "When I started in 1962 I used to pay them one shilling, one and six, two shillings a day. But now they want money."

v. Lilima. Use of this traditional reciprocal form of labor on freehold land was a surprise, but it is used in circumstances which apart from freehold, closely resemble those traditionally prevailing on Nation Land.

"We use lilima at weeding time. We brew beer. Everybody comes. And when they call we go. There is no need for lilima any other time because it's only at weeding you must hurry up. Harvesting--well, you can do it very slowly with two people, no problem."

vi. Tribute labor. Once more a surprising occurrence on freehold land, and, in this instance, for commercial production--by a member of the royal family who "calls" people from the royal village. They are not paid.

One man had once, interestingly, contracted the planting, ploughing and care of his entire crop to a white neighbor.

"When I first grew maize I asked Mr. Schmidt, a neighbor this end. He passed away last year. I asked him to plough for me because I was employed as a teacher. I gave him about 750 rand for all that, manure, fertilizer, seed, labor. I was happy even though I didn't reap much. I didn't get much but I didn't mind. I felt I could not have anything any other way. I got sixty bags and sold it to Swazi Milling in Manzini. I got very little profit, around 400 rand, and also maize for the family."

d. Marketing

A third of the sample had no commercial produce to sell. The remaining two thirds sold standing timber, cotton, maize, vegetables, fruit, and smaller

crops like beans, sweet potatoes, and other products like eggs and chickens as meat. Marketing was not considered a problem; for timber and cotton there are established processing industries, ready to buy whatever is produced. Cotton growers can choose to market in Swaziland or across the border in the longer established ginnery at Pongola. Both ginneries will make advances against the crop, and farmers in debt at one ginnery can get credit at the other.

"I sell to both Transnatal in Pongola and also to Matsapha. The conditions are easier in Transnatal, though the price is the same. In Natal the examination of cotton is by machine, but in Matsapha by hand and they are more strict."

For other crops, and even for timber, marketing is often passive, i.e., buyers come to the farmer. A vegetable producer in an inaccessible valley says, "I just sit and wait for people to come. I just sell it to the people because I have no truck. People around me they buy it for themselves to go and sell for themselves. I give them more than in the market. But I get money! And when my friends come with a truck I ask them to take some and sell it . . . I don't charge them much because they're still going to travel to sell."

Two fruit producers sells to vendors who pick the crop themselves.

"Some are fruit traders, others are market women who club together and hire a bakkie."

"Different people come here and we sell the fruit to them. Sometimes they come with bakkies. In fact this year was good. They came from Nhlanganano and we got more than three thousand."

The new owner of a farm which includes a large stand of eucalyptus says, "We are not interested in the trees. You can't eat trees. And they are too much labor. I sold the timber last year to a Mr. Brown, a South African, who came and asked for it. We got about two thousand rand for it, and he did all the work."

In those farms close to the lowveld where uncertain rainfall makes maize a valued crop, maize also is sold passively.

"Sometimes we have a lot of vegetables. The tomatoes all get ripe. I don't have any kind of transport. Sometimes we get them rotten. We throw them away. But we don't have any problem with maize because people around here don't have rain. Their crops are spoiled but we are irrigated so they are just buying. They come to the farm and take it. We are selling for twenty-eight rand but the milling company sell for twenty-six rand and something. Ours are more expensive because we are using this diesel to bring the water up, and diesel is very expensive. But people don't mind our high price because they are hungry. Well, they DO mind, but what can they do?"

e. Farming Problems

Two problems recurr; one is lack of capital, to which reference has already been made. Farmers are aware of, and make use of, credit facilities--

the Swazi Bank is very much the most popular of the banks. But they resent the interest charges, and many of them have resolutely stopped borrowing because "The interest eats up your profit."

The second is the problem of efficient management. As entrepreneurs of all kinds and also, often as employees, farmers were not always able to exercise the kind of supervision of the farm that they saw as absolutely essential. Only one had invested in a trained manager. The usual solution, the delegation of authority to an indvuna* whose remuneration compares only slightly favorably with the laborers he is to supervise, is an invitation to petty corruptions of one kind and another. Daily employment records are falsified, the owners resources are hired out, part of the crop is sold for cash which the indvua pockets. Several landowners thus felt that their whole farming operation was slightly out of control; several were on the point of introducing more effective accounting systems. Several of the employed had firm plans to retire in order to manafe their farms directly themselves.

"You must be there. You know how they farm! They just leave off where I can see it when I'm coming in at night. They know you can't see much when you come in at night. You ask them, 'Have you done it?' They say 'Oh father, father, its allright.' But they've done nothing."

Several farmers also complained that they are neglected by the Ministry extension officers who, they say, devote all their time to those farming on Nation Land. They compare their lot unfavorably with the Afrikaner farmers on freehold in South Africa who receive excessive attention from their government. Not all make this complaint; some see extension officers as inexperienced academic agriculturalists with little of value to pass on.

* Indvuna, headman or foreman.

PART THREE

FREEHOLDERS, FREEHOLD AND THE TRADITIONAL ORDER

The extent of black Swazi freehold ownership is not widely known since official figures are very, properly, presented in terms of non-racial citizenship. Recent gains by citizens over aliens in these figures are widely attributed to gains by white and colored citizens. More than one generally well-informed foreign expert predicted that black Swazi ownership would be nominal--black fronts for white operators.

Against this scepticism of outsiders, Swazi landowners themselves take their position very much for granted. None see themselves as pioneers. All can cite others who acquired land before them. Nobody can remember the first Swazi landowner. "There have always been people (abantu) owning the land." The Deeds Register confirms the correctness of this view. Nor should we lose sight of the time-scale for recollection by our informants; there have been no impediments to black freehold per se in Swaziland for a quarter of a century.

But almost a century of struggle to regain Swazi independence--a struggle focussed on the land question and challenging very strongly the legitimation of alienation through freehold--leaves some Swazi landowners ambivalent towards their own private property. There was a striking frequency during the course of the survey of uneasy jocularity that we were coming to ask about land so that the government could take it away, suggesting an underlying insecurity.

Landowners are at the forefront of a conflict between two tenure systems. Some try to deny the conflict by claiming that their land still "belongs" to the chief.

"I'm still under the chief you know. The place belongs to the chief. My farm is on the chief's place, so I am belong to the chief."

"I feel that the land here also belongs to the nation but that I've got the ownership or open use of the land. I feel proud. I need to put whatever exertions, financially or otherwise, to improve it."

A similar ideology of commitment to the national good is reflected by the man who said, "I was thinking I must make up my country, never mind its a poor country, in the future there will be more people, more cattle, I've got to think and build it up to make the country up next time, for my child."

Others explicitly defended private property as providing an essential stimulus to productive effort.

"I believe anybody who owns anything will always be disposed to developing it as much as possible, whereas if anything is loaned to me, I may not be very careful how to use it.

"I openly recommend private property, not because I have money but because I feel that ownership is a sort of encouragement to anybody. We take pride in what we own. People on Nation Land believe that even though they live on those fields they belong to the Nation . . . It's not quite pleasant to use land that is not yours because the owner will decide otherwise at any time."

"I say that if Swaziland is to grow in line with other Western countries surely we should have title. It's only then that you can put your money in and expect to get a return."

The lack of private property was linked to a too willing slide into dependence on wages.

"Most of my people are not prepared to put money in land. They believe in working for somebody and earning money and just go home and spend it. I think it's a very bad thing."

Access to free land, communally held, was seen by some as a potentially valuable alternative route to wealth which is unfortunately thwarted by chiefs.

"The free land that one has got, one should fully utilize it. Maybe there's no capital to put into it, but once you have got land you can make money. From nowhere, just given land, you can plough and make a living. But the chiefs are not happy with it."

1. Relations with Chiefs

It has been widely argued that the power of chiefs rests ultimately on their power to allocate and dispossess people of rights to communal land. The emasculation of chiefs in South Africa, for example, has been strongly linked to the dispossession of land, particularly after the 1913 Land Act. It might thus be expected that freeholders, with their own legal individual tenure of land beyond the chief's jurisdiction, would feel free to cut onerous ties with chiefs, particularly the obligation to render tribute. But this is far from true. Almost all freeholders render tribute to the chief where their fathers lived, though only half keep a house on Nation Land, and only 17 percent live exclusively there.

Most owners also acknowledge the authority of a second chief whose jurisdiction abuts or encompasses their freehold. Such a chief is likely to hold sway over workers, tenants, neighbors and squatters. Only one freeholder, a traditional healer, deliberately snubbed the local chief, but even he acknowledged the essential role of that chief's subordinate, the local headman.

"Of course we must have a chief. When you pay taxes who is your chief? My chief is still the one from where I lived in 1956 on Nation Land. The chief of this place is [someone else]. All the freehold farmers here go to the inkundla [the regional administrative center] rather than to the chief. I don't think the chief likes it. When we have a problem, if there are disputes on the farm, we go to the DC (District Commissioner)--but we have to see the indvuna [headman] first."

Table 25
Showing Landowners Ties with Nation Land and Chiefs

	Percentage	No. in Sample*
Live exclusively on Nation Land	17	23
Maintain a house in a Nation Land homestead	57	19
Head a homestead on Nation Land	26	23
Cultivate Nation Land	48	23
Keep cattle on Nation Land	58	19
Render tribute to chief	94	17

* Not all landowners contacted personally; not all questions put to all landowners. See note on method.

Local political organization makes it difficult and inadvisable to evade the local chief. Most owners perceive their relationship with the local chief as a delicate one. The owner, like the chief, has land which he can bestow. Like the chief he can legitimately ask of people living on his land, labor. A freeholder says, "if you think that because you have got a farm you are a chief yourself, the chief won't like you."

"If you are a good man to the chief, the chief won't trouble you."

Several landowners report the ways in which they are "a good man to the chief." One landowner working and living in South Africa lent the chief the use of his arable fields, to distribute to his followers for several seasons, keeping only the grazing lands for his own cattle. Even white landowners found it necessary (or at least expedient) to acknowledge chiefs' power by ensuring that all their farm-dwellers swear allegiance to the local chief.

A squatter reported how, "We looked for land in the Usutu valley and were given a small farm there, so we abandoned it and bade farewell to that chief. We decided to move onto this farm. We approached the indvuna who looked after the farm. That way we got six morgen (two hectares) and a place for sixteen cows on this white man's farm. We khonta'd to the chief here. The farmowner--I think he was called Thys--himself khonta'd to the chief. He made us go to chief. He made us go so that the chief would be aware of us."

Tribute may be rendered to the local chief by the various people who settle permanently on the farm. The Swazi owners themselves pay tribute to their chief at place of origin. Since the obligation to render tribute is familial rather than individual, the figure of 94 percent exaggerates the extent to which freehold farmers would themselves be found, sickle or hoe in hand, working on the chief's fields. Usually some junior member of the homestead or an employee is sent to labour in their name.

"Even me, I don't work for him, I send my children to work for him. I am an old man. They don't want us. When we got children they say, 'No, you are too old, you must send your children.'"

"My family do tribute labor, we never commute [into money, customarily E40]. Normally once a year during the ploughing season the chief calls us to do the ploughing of the royal fields, or any labor he wants from us he gets." In contrast to this familial obligation, the landowner himself ploughs the family's Nation Land, "because I've got a tractor; that's part of what I pay them for bringing me up."

A minor member of the royal family says, "When he [chief] calls we must go; everybody must go. I send one of my workers, and sometimes I send my sons also. It is good for them."

Another landowner says, "I always respond to the chief. He calls us about four times a year. If I am personally occupied I send out somebody else, one of the workers. You depend on the chief for many things. If you have problems with squatters or thieves or cattle invading your fields, you address them to the chief and he weighs your case against your fellow citizens."

Fifty-seven percent of landowners have a house on Nation Land, in the homestead that is or was their fathers'. Almost half of these (26 percent) are themselves now head of this homestead, and live there all or much of the time. It is also common for one wife in a polygamous marriage to live on Nation Land, the other on freehold land. The family seat remains the Nation Land homestead.

One freeholder explained his position: "I still live on Nation Land but I have built a rondavel (a round thatched house) on my farm. I will move to the farm gradually. There are too many kraals [cattle byres or homesteads] on Nation Land. You've got to see that other people have a space. I do no ploughing on Nation Land. The land I have there is very rocky."

At least one farmer feels too insecure with the alien and disputed notion of freehold title to give up his Nation Land holding. "The government is changing [its policy]. All private land may soon be nationalized. They may take these farms from us. That is why I am thinking very carefully about retaining my Nation Land rights."

Forty-eight percent of freeholders cultivate Nation Land, some as dutiful sons, some as homestead heads. Half of these rely on Nation Land to produce the family's maize supply.

"I use Nation Land to grow mealies. We are always self-sufficient in mealies, and usually sell a small surplus to the people near us who are less fortunate. The maize on the farm I grow to sell through Swazi Milling."

In the lowveld where low rainfall makes maize yields uncertain, it has become common for people on Nation Land to grow cotton instead; the frequent stricture against making money on Nation Land is not seen to apply here, on the assumption that the cash from the crop will in turn be used to buy maize.

Freehold farmers use their Nation Land holdings in the lowveld for this cash crop. For 10 percent of owners, commercial cropping of cotton was a major avenue through which they had been able to accumulate sufficient money to purchase farms. Asked if it was not seen as illegitimate to make so much money from Nation Land, one of these laughed scornfully.

"Look at the cars! Look at the cattle! Look at the education the children are getting! Everybody makes money from Nation Land."

But, of course, everybody does not make money from Nation Land and dark stories of magic, bewitchment and even murder are told of those who are conspicuously successful.

2. Relations With 'Squatters' or Farm Dwellers

The legitimacy of freehold is challenged in a particularly stark form by the presence on freehold farms of "squatters."

The term "squatters," as used in southern Africa to refer to people living on others' freehold farmlands, with its connotations of impermanence and illegality, was coined, as it was created, by white settlers who alienated, appropriated and commoditized the land. Any prior rights to the land, conferred by any earlier system of land allocation, were considered extinguished by the newer settler/colonial legal order. Those who had previously exercised those rights became "squatters."

In Swaziland several dozen proclamations between 1904 and 1916 spelled out in detail the new rules under which some 40 percent of the Swazi population living on conceded lands were thus to be deprived of rights to the lands they occupied. Crush's careful research on this period (Crush 1985) finds no evidence of major movement of population following this legislation, suggesting that initially most people affected by the new laws complied with the new obligation to provide labor for the new landowners as a way of maintaining usufructory right to land.

Collectively the Swazi resisted this assault on their communal land rights. In 1923 the new King himself went to London where he unsuccessfully challenged this loss of land rights in the Privy Council. Undeterred, the Swazi traditional authorities continued to raise the issue in successive petitions to the British authorities (Kuper 1978).

The struggle to regain rights was two-pronged: on the one hand a concerted policy to buy back the land and to ensure that land so acquired reverted to Swazi rather than [British] governmental control, and on the other, a struggle to increase the rights of Swazis living on those lands that remained alienated. It is with the latter struggle and its consequences that we are here concerned. Kuper, reporting from the late thirties, some quarter of a century after the partition had become effective, writes:

"The majority of the squatters or their parents were on the land at the time of the partition and have remained because of the difficulty of obtaining good land elsewhere. Conditions vary from farm to farm;

usually in return for land on which to build a homestead, cultivate gardens and graze a limited number of cattle, the landowner receives, for whatever purpose he requires, the services of the tenant and his family. Here again there is extensive variation in the conditions from farm to farm--sometimes the tenant buys exemption from labor by a cash payment; sometimes labor is supplied for six months by each adult in turn, or sometimes more than one member serves for periods ranging from three months to a year. Payment for labor is often nominal; it may be a jacket for the herdboys, the tax for the headman, a portion of the crop, or a few shillings a month. Natives accept these conditions, more like a serf than a freeman, because of the hunger for land; they receive no right to acquire that land no matter how hard they work or how long they stay. At the whim of the farmer the tenant and his family can be removed" (Kuper 1947, pp. 21-22).

The "whims" of the farmer were eventually curtailed in the Farm-Dwellers Act 21 of 1967, which decisively reversed longstanding discrimination against those who had hitherto been known as "squatters."

Under the Act, which was reintroduced with minor modifications in 1982 as the Farm-Dwellers Control Act 12,¹⁹ a farmowner is obliged to reach agreement with the head of each homestead on his farm. This agreement must be expressed "so as to confer a right on the umnumzana (head of homestead) and his dependents to reside on the farm for a definite period" (Section 4 (c)). The agreement has to be approved by a specially constituted Farm Dwellers Tribunal, and has to specify by name which farm-dwellers are liable for labor on the farm, the periods for which labor is to be provided, the payment for such labor, the rations to which the farm-dweller is entitled, the number and type of livestock which the farm-dweller may keep on the farm. The landowner is obliged to provide dipping facilities for the farm-dwellers' cattle, and is expressly forbidden to "remove, drive, or cause to be removed or driven from his farm any such stock" (Section 12).

Although a farm-dweller can be ejected from a farm for breach of the Agreement or for any act which, in the opinion of the Tribunal, makes his continued residence on the farm undesirable, the onus is on the landowner to make sure that there is "reasonable alternative accommodation" available, removal to which is at the owner's expense. He must also pay compensation for the disturbance suffered by the farm-dweller, and in any case is prohibited from evicting between 1 September and 31 May in any year (the cropping season) (Section 10, 1).

This legislation does however protect the rights of the large investor. Section 10(c) allows the owner to evict (providing always that he ensure alternative accommodation, and pays for the removal and disturbance costs) for "intensive development," a clause very much in line with Swaziland's commitment to capitalist development through the encouragement of foreign investors.

The mood of the parliamentary debate which preceded the legislation was heady with anticipation of Independence (see Armstrong 1985). Ironically some of those who framed this legislation, are now themselves the landowners, charged with the protection of the rights of squatters.

Although only a third of Swazi landowners have squatters on their land, and although only a minority of these see themselves as having a squatter problem, the issue of so-called "squatting" raises fundamental land tenure questions.

Only the bigger landowners confront the issue of squatting since squatters tend to be those who have rejected the land offered them by the chiefs on Nation Lands as too small for their needs. Only the owners of bigger tracts have the kind of space the squatters want and think they can legitimately claim, through the offer of labor.

Those who buy vacant land naturally avoid the resentments faced by those who "buy" squatters. A man who bought twenty hectares of vacant land near his chief said, "The chief doesn't mind. In fact he's happy that the land is coming back to the indigenous people it belongs to. This is Magagula land."

Table 26
Showing the Extent of the Squatter Problem Amongst Swazi Landowners

	Landowners	Total number of squatters	Mean number of squatters
No squatters	20 (67%)	0	0
Squatters are not seen as a problem	6 (20%)	10	1.7
Squatters are a problem	4 (13%)	38	9.5
TOTAL	30 (100%)	48	1.6

Besides squatters, there are tenants. The line between tenant and squatter is not as firm as the terms imply. A tenant is one whose agreement with the owner includes an element of rent, but rent alone is not necessarily a sufficient form of payment, nor does it secure the tenancy. A tenant said, "Now that Sithole has died I fear his sons will chase me. I've heard from his daughter that her father did not want me on his farm even when he was alive. A lot of people in this district have experienced eviction when a new landowner takes over."

Although squatters are usually inherited by the new landowner, the idea that they are people who from generations back have lived on the same land is probably a myth. Only one squatter interviewed made such a claim, and a rather weak one at that.

"The ancestors of this homestead were born here. My husband spent his life on this farm but on the other side. The farm is very big. It stretches beyond the mountain. It falls on two chiefs areas. In 1965 when the farmer chased us we moved to Nation Land at Ntondozi. We khonta'd but we did not get enough land. A school was built near our homestead and that decreased the size of our land. I had many sons and a co-wife. So when a new farmer came to the farm we returned to work for him. We did not say goodbye to the chief. It is still under our name. We left a co-wife there. When Fakudze [new owner] started to chase us my youngest son returned to Ntondozi. He had only to say, I've returned home, and they accepted him. He has built a new homestead under the mountains."

Typically squatters are people who are drawn onto the farm by the combined lure of employment with land. They cling tenaciously to their landrights even when their employment ceases, usually because of a change of ownership. Some squatters seem to slip unproblematically from one owner to the next.

"We were the relatives of Mr. Khumalo. He was married to my husband's sister. Mr. Khumalo brought us from Durban to look after the farm. But as soon as we arrived my husband died. I stayed, looking after the farm, growing maize and selling it, and Khumalo came twice or five times a month. When Khumalo sold the farm I think he spoke to the buyers about us because they did not do anything to us. The new owner was also a Zulu from Durban, and he also paid us, as Khumalo had done.

"Now Kunene has bought the farm. He doesn't grow anything. As a result we are unemployed. We hear that he is renting it out to Dlamini, but we are still waiting for him to start working the farm. We don't know if we will work for him or not."

Some stoically bear the changing circumstances that changing landowners bring, in order to ensure continuity of residence.

"We came to this farm from Sicunusa in 1967. I did not say goodbye to my chief there. I took it that I had come to work. Pretorius was staying in that farmhouse then; it was his home. Under Pretorius I got land to stay till I die. He gave me nine acres for ploughing. It was very fine for me. I liked it. I grew crops. I had enough to eat and my kids had education. I was selling maize to Swazi Milling. They used to collect it here with big lorries, my maize; Pretorius used to transport his maize himself. Then he rented out the whole farm to Fakudze including my nine acres. I never worked for Fakudze. I was just staying. Then some new owner took over and rented it to Swart. After Swart came Johnson who sold to Mkhwanazi. "When Johnson came he asked me how many acres did I have. I told him nine and he said he would give me six. I worked for Swart and for Johnson. Johnson was staying in Joburg. He paid me because I was looking after the farm. I was in charge of those hired to cut the trees. Then Mkhwanazi bought the farm and took everything. [A gross exaggeration; he has about 2 hectares] I work for Mkhwanazi for the right to stay on. I send some one from my homestead to do his weeding and his harvesting."

The Farm-Dwellers Act incorporates a basic premise of Swazi law and custom: that those who own the land have the right to ask of those who occupy

it some labor from time to time. Tribute labor is an active feature of Swazi life and is rendered both to the King as owner of the country and to the chief through whom specific holdings are allocated. While sometimes resented, tribute labor is not in principle challenged any more than taxation is.

The converse of this premise is the proposition that those who are willing to work for the landowner have the right to occupy the land. The idea that land rights could be exchanged for labor became highly institutionalized amongst white settler farmers and displaced Zulus in Natal in the late nineteenth and early twentieth centuries. In what came to be known as the "isitupha [six] system," the threatened or landless black family offered the landowner six months of almost free labor in exchange for the right to live on the farm and there be allowed both grazing and arable fields sufficient to meet subsistence needs. The details of the contract varied from farm to farm, and from time to time, as demand for labor rose and fell. In its essentials the same system seems to have prevailed in colonial Swaziland.

A woman describes such an arrangement on a sheep grazing farm in the highveld before Independence.

"We worked for the white farmer looking after the sheep. We had to work for him for six months. The first six months you work on your land and the second six months you work for the white farmer. We were not working for money. We were looking after sheep from the Transvaal. When the sheep went back to the Transvaal that's when you are able to cultivate your fields. During that six months you had to grow your crops. What the white man had to give you was a bag of mealie-meal."

Since labor was the critical item demanded in exchange for valued land use rights, squatters judiciously shared out the equally valued right to work.

"Different people from the homestead took turns to work, one from each homestead. When there were many homesteads it was necessary to divide up, so that this year these people work and next year other people work: from every homestead one person should work."

Another said, "The white farmers used to treat us right. Every now and then they would ask us to work for them, and they would also give us time to work on our own fields. The white farmers did not object if you asked some one to work in your stead, as long as your name has been cleared by that work. If you could not go you could arrange with some one to work for you."

Amongst the present day squatters on Swazi-owned freehold resentment against landowners is frequently focussed on their unwillingness to allow people to work for them, thereby denying them the right to legitimate their access to land.

"It is very difficult to work for Nxumalo. He doesn't want people to work for him; he doesn't want our homesteads . . . We worked for the white farmers. What we have been unable to do is to work for the black farmer."

"What surprises us is that when he came he immediately threatened us. We didn't refuse to work for him."

"He comes to destroy our fields. He does not want any one. When we ask him if he could allow us to register [under the Farm-dwellers Act] he says no. He doesn't want us to work for him."

"It seems Mr. Maseko hates us. We would understand if he had asked us to work for him and we had refused. But when he first came he told us to pack and go."

Some black landowners are careful to point out that they do not perpetuate the isitupha system. They comply with the spirit if not the letter of the Farm-Dwellers Act, and are satisfied with the pool of ready cheap labor that "farm-dwellers" provide.

"I inherited six farm-dweller families when I purchased the farm. I haven't thought to chase them away because I use their labor. The previous owners made agreements with them. I keep those agreements but I didn't register them. If you don't pay him you can get a problem, but if you pay there will be no problem. I pay him the same as I pay other people. I don't make him work for six months for nothing, and six months he get pay. I pay him money the whole time. I don't do like other people do and make him work for nothing for six months. I don't do that. If I've got work, he works. If I got no work he lives at home. When the cotton is finished, there is no more work. If I start to plough he comes again. But if he's got a problem he comes to me to lend him some money, I give him some."

"I treat them within the law. The squatters must work hand in hand with us. If they agree to help us, if they agree to our conditions, then they can stay. Otherwise I will chase them. I expect them to work for me, and I give them some land to plough and they graze their cattle. The cattle you see on my farm are not all mine, they belong to the farm-dwellers. They have 20 each. That is their limit."

But not all new landowners successfully negotiate agreements with their farm-dwellers, especially when this involves giving up arable land or moving house or entering into a new obligation to work.

"There were farm-dwellers here who were uncooperative. I tried to make agreements with them but they wouldn't allow me. In fact they thought I was merely a foreman here, acting on behalf of the owner of the place. They wouldn't listen to anything I advised them. Even getting to the DC he couldn't get the people succumbing to operate under my supervision. "They were using this land here. It meant I would have to use the worst part of the farm, for them to use the best. I tried to give them a good part there but they were suspicious. "One of them had already come into a contract with me, to work and stay with me, but the other one got him to move away. He was more influential. He felt this one was a yes-man. He felt this one should have been more obstinate."

These two farm-dweller families have now been resettled on an adjacent farm which the farmer describes as newly acquired Crown Land. From here they continue to express their dissatisfaction at being moved by what was picturesquely described as "livestock invasion." "Their goats come in every time, and their chickens come and scratch the ground."

This is a very effective form of attack between cultivators. It is also used by owners against unwanted squatters.

"His cows give us problems. We have to look after our crops all night long. He lets the cows loose."

"We fenced to protect our crops from his cows but he cuts the fences."

The disputes go beyond argument but stop just short of physical violence.

"When it's the growing season he comes and threatens us . . . He comes personally to our gate and shouts that we should go." "He carries a gun, and he shouts at us."

These disputes between owners and squatters are experienced as deeply disturbing to both parties. A retired schoolmaster with a newly acquired modest farm of about 100 hectares says, "I feel having a farm is no blessing to the individual. They seem to eye you as if you are usurping ground that would otherwise be used by them."

A widow with royal connections says, "I wish the government would do something about squatters on farms. They try to tell you this is not your place, this is their place. They think they own the place. They give me a lot of headaches. They don't want to work. You fence and they cut the fence through. They steal the fencing wire."

A self-made business man with large landholdings says, "The problem we have as black Swazi is that people tend to resent to see a black man or woman owning land. The Swazi people feel its unfair for a black to own land. In actual fact a white gets better treatment. People expect more of a black owner than they do of a white owner. Its mostly black owners who are getting into trouble. Because when you have got squatters on your farm people don't like you owning land. They say its their land and that you don't have the right to buy it in the first place. They tell me I'm supposed to buy land where I was born, not here."

Several of his points are corroborated by others. People do expect more of Swazi than of white owners. An unhappy farm-dweller says, "Since I was born I have known white farmers. This is my first experience to have a Swazi farmer. This is the question we ask among ourselves, why, when our people the Swazi take over, the treatment changes from good to bad."

Shared ethnicity raises higher hopes. Swazi on Swazi's land feel greater relative deprivation than Swazi on whites' land. Disputes can escalate until it is not simply squatters' rights to occupy which are being defended, but landowners' rights to occupy which are being challenged. This is particularly marked where the farm is far from the owner's residence and is used for grazing. Unlike arable fields which are allocated to particular homesteads, grazing lands are by tradition communal. They are also extensive, and apparently unoccupied.

"When we bought the farm there were about ten squatter families there. We understand that they are now more. They have called mre people in. They

plough and they keep cattle, plenty of cattle. We have told them not to but they go out into the rural areas and say, 'Bring us your cattle! We have plenty of place, we can keep them for you!'"

A squatter from another farm also used for the owners' cattle confirms the tendency for new squatters to "sneak in," particularly as the farm changes hands.

"I found three homesteads when I first came here. Others came after Jacobs sold. Those who sneaked in were chased by the white owners. There are now twenty families on the farm . . . [The new Swazi owner] does not cultivate here, but he did cultivate for two years. He ploughed the fields of those he ordered out of the farm, to show them that he does not want them."

Chiefs are rapidly drawn into all these disputes. When a farm comes onto the market squatters' hopes are raised that the land will be purchased by the Nation, and their claims to their holdings thereby assured. Chiefs whose allocation abuts such farms have a particular interest in extending their following, and thereby their economic interests, through such national purchase. Disputes over purchase can be seen as a historic confrontation between traditional authorities, whose power rests on the delegated right to distribute the King's land, and the new landowning class who are potentially independent of these authorities.

"I now have disputes with the community. They reckon it is their land. I was not supposed to buy the land in the first place; they should have been given a chance, though they never approached the owner when the land came up for sale. They knew it was a private farm. They were working there, looking after some white men's sheep, but they never came up with the idea of purchasing the land. Now, four years after it has been transferred to me they try to bring this up on Appeal. They are fighting me for both pieces . . . At one stage I was called to the Ministry of Natural Resources. I was told very directly from Liqoqo [Council of elders] that they wanted the title of my land . . . They wanted to take it. The price they were offering was very low."

However conciliatory their attitudes, landowners objectively threaten chiefly authority. Like chiefs they can offer land and patronage. A rent-paying farm tenant said, "Like all the other people on this farm I khonta to the owner, Sithole. I pay an annual rent of forty emalangeni and I provide labor as I am asked. I do a lot of work, like hitching up my oxen to collect poles and logs from the forest. It's quite a distance. I collect their fertilizer from Hlatikulu. I give them a lot of vegetables."

Unlike people on Nation Land landowners can shrug off the chief's ultimate sanction, expropriation and expulsion. The matter is however not so simple. Chiefs also represent the King. On his behalf they organize tribute labor, ummomo, from which no one is exempt. Penalties are swiftly imposed: forty emalangeni or one beast in 1986 from each recalcitrant homestead head. "Of course we paid the money because a cow is worth E500." Chiefs also hold court and adjudicate on minor disputes, of the kind that constantly arise between a landowner and his neighbors, or his workers, if not his tenants.

CONCLUSION

Land systems reflect political systems. The "traditional" Swazi power structure of chiefs under the king rests on communal tenure. Freehold tenure was forced on resisting Swazi society in the early twentieth century by the colonial administration as a device for consolidating alien power over the Swazi.

Resentment against the very idea of freehold tenure constituted a basic element in the Swazi struggle against the humiliations and impositions of colonialism. The Swazi plea never was to be allowed to share in the freehold system, but rather to dismantle it and restore communal land rights. The struggle against colonialism was thus took the form of a struggle for the restoration of "tradition;" traditional authorities led the assault, and the traditional national headquarters at Lobamba was the focus of much colonialist discontent. The popular effectiveness of the traditional leadership was demonstrated in their decisive electoral victory when pushed to participate in the Westminster-style poll at Independence.

Landownership figures attest to their practical effectiveness; after two decades of steady expansion, the share of the country under freehold tenure slowly eroded as the right of the people to a greater share of land under communal tenure was conceded. By Independence in 1968 the communal share of land had risen from 30 percent in 1915 to just over 50 percent. It is now just over 60 percent.

Historically, any divergence of interests between the freehold landowners as such, on the one hand, and those whose rights to land lay only in communal tenure on the other, has been obscured by the more obvious racial factor, which also distinguished each group. Whites were the owners, Swazis were the dispossessed. With Independence, the rules for access to freehold have changed; Swazis now have precedence over others. Independence has also brought enhanced economic opportunities enabling Swazis in practice to acquire freehold. Increasingly, Swazis themselves are freeholders.

In this conclusion we raise the question of what sociologists would describe as the class position of these freeholders. In what sense do Swazi freeholders share economic interests which set them apart from other groups and sectors? With whom do potential conflicts lie?

The experience of other African states at Independence leads us to expect a classical collision between the interests of the traditional authorities, whose power rests on the land they are able to bestow or withdraw, and the freeholders who alienate that land. Typically, traditional authorities are denigrated as conservative and backward by the progressive new bourgeoisie who, largely through education, also gain control of the new state.

This study suggests several factors that modify such a clash in Swaziland. Half of the freeholders retain houses and fields on communal lands. Two thirds keep cattle on communal lands. But even those whose property ties to communal land have been severed feel unable to resist the "traditional" demand for tribute; for 94 percent pay tribute to, and through, the chiefs, in cattle, cash or labor. Indeed, contrary to expectations, the indigenous political system is increasing its dominion over freeholders; even white citizens now feel compunction to offer annual tribute to the royal family.

"I send along some of my men for a few days. Last year they asked for my tractor so I lent it to them. They say we should participate" (White farmer, 1986).

In Hlatikulu district in 1986 several Swazi freeholders were swiftly fined for failing to send representatives to the annual tribute ceremonies at the Royal Kraal.

Our study also shows that entry into this incipient landed class is as yet very open. Freeholders are recruited from all levels in society, despite an expected preponderance of the more educated and salaried. Although freeholders are by definition people with access to considerable reserves of cash for purchase, they display a remarkable socio-economic range. The poorer among them are no richer than thousands of others on Nation Land. None have inherited their land; all have worked for it. As we have seen, some have worked very hard indeed. The laws of Roman Dutch inheritance will inevitably consolidate privilege to their descendants. This is a new factor in the Swazi social formation with far-reaching but unpredictable consequences.

Because the Swazi landowners have simply inherited from the colonial past, a private land sector, they are not seen as expropriators; that role is reserved historically to the settlers. The existence at Independence of a private land sector has probably insulated the communal land system from an attack which the land-hungry new bourgeoisie might otherwise have launched on it. The new freeholders are even perceived by some as heroes, displacing foreigners and restoring the land to the group to which it rightfully belongs; only the squatters are cynical of the benefits of this racial change in ownership.

Furthermore, as speculative capitalists (which some explicitly are), freeholders share with the traditional authorities an interest in containing the amount of land under freehold. Scarcity creates demand and pushes prices up.

The same interest may control the rate at which foreigners are allowed to participate in the landmarket; foreigners with their greater reserves of capital are attractive potential buyers to Swazis with land already on the market. But to aspiring new Swazi entrants to freehold, competition from foreign buyers seems an illegitimate regression to the inequities of colonialism.

The role of the sociologist--and more particularly of a foreign sociologist--in a report of this kind, is to lay bare the social facts, to

order them and to present them to those who have the power and the will to change or preserve the social contours. It is therefore necessary to stress in conclusion that the picture of Swazi freeholders here presented is restricted to owners of rural land, and that a fuller understanding of the present patterning of the distribution of valued land resources will only be possible after a complementary analysis of urban land holdings.

ENDNOTES

1. Some Swazi farmers who settled on Land Settlement Schemes initiated by the British government in the forties were given permanent leasehold, title to which was registered in the Deeds Registry. In 1960 these schemes covered 147,000 morgen (124,950 hectares). See Kuper 1978, pp. 152ff; Jooste 1964, p. 102.

2. Since Act 7 of 1957 the further subdivision of freehold has been subject to the control of the Natural Resources Board, whose permission must be sought and obtained in each instance.

3. The most extreme example is farm 188 which circles the north-eastern perimeter of Mbabane. The 452 subdivisions range in size from 161 hectares to 0.04 hectares, with an average subdivision of 5.8 hectares. A third of all subdivisions of farm 188 are smaller than one hectare.

4. The distinction between "native" ethnic Swazi and those who have merely acquired citizenship of Swaziland remains politically sensitive. Like tribal affiliation in other African states it remains a division to be exploited opportunistically from time to time. See Kuper 1978, pp. 320ff, on the subtleties of citizenship in Swaziland.

5. Between 1966 and 1982 King Sobhuza in his personal capacity acquired ten rural freehold properties totalling 1,243 hectares in extent, as well as urban properties. On his ambivalent attitude to freehold see Kuper 1978, p. 204.

6. The sum of all registered portions of land is more than the "given" land area of 173,400 hectares, since there is a consistent distortion upwards as small portions of undulating land are measured. Errors in transcription cannot be ruled out but they are likely to be random and to cancel each other out.

7. Some 30 Nation Land parcels were in 1986 administered by Tibiyo. They include lands grazing the National herd as well as land set aside for agricultural projects. They also include a few small urban parcels. For a critical account of Tibiyo see Daniel 1983.

8. In 1889 the South African Republic, having already obtained concessions to levy customs, to issue licenses, to build telegraphs and railways and to control postal and survey services, secured the Private Revenue Concession. This gave them the right to all concession revenues due to the Swazi King for an annual payment of twelve thousand pounds sterling. See Buell 1926, p. 197.

9. Whereas land concession could, for example, be obtained for "one riding horse every seven years or the value of one horse not exceeding fifteen pounds sterling" (Concession 28, pp. 1, 142 hectares to Theodorus Cornelius

Rademeyer on 15 June 1880), the price demanded by the Swazi king for mineral and revenue concessions was much higher. Mineral concession to Leopold Albu and Frederick Chelmsford Davis on 9 February 1887 (cancelled in 1908) was for an annual payment of two hundred pounds and a bonus of three thousand pounds should machinery be erected. Nevertheless the price of both land and mineral concessions negotiated by local agents were but a fraction of what entrepreneurial capitalists in the Transvaal and London were willing to pay. For an account of these dealing prior to 1890 see Bonner 1982.

10. Concession 9 pp. (3,851 morgan and 482 roods) was granted on 28 May 1887 by Umbandine to Timothy Gule, John Gama, Levi Velakazie, Obadiah Sevi, Philip Masuku, Absolom Duba, Peter Nxumalo, Benjamin Nkosi, Michael Kunene, Joseph Hlatjwako, Enoch Msimang, Abraham Matebulo, Ephrain Hlatjwako and Bukheni Kuneni.

11. For a fascinating account of the Swazi monarchy's incisive perception of this quite subtle attack on its power, see Kuper 1978, pp. 134ff.

12. An essential exemption if banks were to be able to continue to lend money against mortgaged property.

13.	<u>Year</u>	<u>Population</u>	<u>Of Which Whites</u>	<u>Whites as %</u>
	1946	185,215	3,201	1.7%
	1956	240,511	5,919	2.4%
	1966	395,138	9,157	2.3%
	1976	520,184	7,719	1.5%

Whites declined as proportion between 1956 and 1966. In the next decade they declined absolutely.

14. Despite the official independence of Swazi from South African currency as of July 1986, and despite the existence of the Swazi emalangen a decade earlier, the rand is as likely to be used when speaking colloquial English as the ilangeni.

15. Magagula is a clan name. Clan land originally concentrated under a clan chief on clan land. Land shortage, freehold and internal migration have blurred this pattern, to the advantage of the dominant Dlamini clan.

16. Sylvie Khamalkani, draft for Ph.D. thesis, registered with the University of Natal, 1987.

17. Published sources on wages include the annual publication of the Central Statistical Office, Employment and Wages, and the Establishment Register which shows remuneration for all posts in the Civil Service. The Government Gazette publishes minimum wages for each industry on a recurrent basis.

18. To sisa, to place your cattle in the possessive care of another. In Swaziland recipients have the use of such cattle in exchange for the care of them.

19. One important modification is the removal of jurisdiction in the case of disputes from the courts to a Board. Owners feel their rights have thereby been weakened.

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APPENDIX ONE

SELECTING THE SAMPLE FROM THE LAND REGISTER

We worked with only those parcels that were greater than 1 hectare in area, on the assumption that freehold areas smaller than this would not be used for agricultural purposes. We confirmed the general validity of this assumption by visiting a random sample of 10 parcels less than 1 hectare, most of which were peri-urban and devoted exclusively to residence.

We stratified the sample by (a) size of parcel, and (b) ecological zone. Although a hectare of land in one ecological zone is not of equivalent value to a hectare in another, the same may be said of different parcels within one zone, where values rise and fall with fertility, topography. Natural resources and development potential. Stratifying by size and zone was a crude attempt at attaining a more representative sample than by simple random selection.

Size of parcel was readily available in the register. Ecological zone had to be determined. This we did by the crude method of assigning each of the 31 maps, onto which Swaziland is customarily projected, to one of the ecological zones, and assuming that all farms occurring on that map fell into the allotted zone. The distribution was as follows:

Table A
Frequency Distribution of Swazi Freehold Parcels 1ha +

	Small 1-10ha	Medium 10ha+ - 100ha	Large 100ha+	All
Highveld	75 (18%)	69 (16.5%)	52 (12%)	196 (47%)
Middleveld	29 (7%)	69 (16.5%)	49 (12%)	147 (35%)
Lowveld	32 (8%)	14 (3%)	28 (7%)	74 (18%)
ALL	136 (33%)	152 (36%)	129 (31%)	417 (100%)

This suggested that a sample of 30 chosen to be proportionate to the sampling frame should be as follows:

Table B
Original Sample Based on Figures in Table A

	Small	Medium	Large	All
Highveld	6	5	4	15
Middleveld	2	5	3	10
Lowveld	2	1	2	5
ALL	10	11	9	30

We proceeded with fieldwork on such a sample, which immediately began revealing several flaws in our strategy.

In the first place, not all the names in the freehold register were of freeholders; they included at least 25 registered leaseholders of small parcels on the Vuvelane farms in the lowveld. This 6 percent loss in one category of the proposed stratified sample called for adjustments in several categories, as follows:

Table C
Showing Revised Sampling Frame and Revised Sample

	Small		Medium		Large		All	
	Frame	Sample	Frame	Sample	Frame	Sample	Frame	Sample
Highveld	19%	6	18%	5	13%	4	50%	15
Middleveld	7%	2	18%	5	13%	4	38%	11
Lowveld/ Lubombo	1%	0	4%	1	7%	2	12%	3
ALL	27%	8	40%	11	33%	10	100%	29

The revised figures suggested that we omit statistically negligible lowveld smallholders.

Further fieldwork suggested that the figures on which our revised sample was based had a specious exactitude. Our assumption that we could predict ecological zone of farm from a crude classification of maps proved false. The abrupt variation of altitude of terrain over very short distances called for a much more refined procedure, but one for which we did not have time. There are also problems in determining the ecological classification of some large parcels which seem to straddle zones.

A further problem with the sample arises from an inadequate consideration of the implications of sampling parcels rather than holders. One holder may have several parcels. The names of these wealthier holders occur more frequently than others in the register, and hence had a greater chance of occurring in our sample. The extent of this bias in our sample is known, since we do have access to all names in the register. The extent of multiple-holding in our sample, as compared with its incidence amongst all Swazi freeholders, is shown below.

Table D
Incidence of Multiple-Ownership

Number of parcels	Sample	All Swazi Freeholders	Holders of 1ha+
1	38%	81.6%	79.1%
2	17%	12.4%	13.4%
3	21%	3.6%	3.9%
4	7%	0.8%	1.5%
5	7%	0.7%	1.5%
6	7%	0.7%	0.5%
7+	4%	0.2%	0.1%

Over 60 percent of our sample owned more than 1 rural parcel, whereas for Swazi freeholders in general only 18 percent have more than one parcel. In extrapolating from the sample to the population allowance must be made for this bias. Figures 1, 2 and 3 show the sample and its multiple holdings, in relation to the sampling frame.

Finally, although we sampled parcels, our intention was to reach holders; parcels were merely the route to holders. This further undermined the logic of stratifying our sample by characteristics of parcels (viz. zone and size). Our holders, located in this way, emerged with a different pattern of both zone and size of holding. For the 62 percent multiple holders, holdings were bigger, and classification of zone for the farming enterprise in general, was arbitrary since one man sometimes had his operations spread into all zones.

In Table E we compare the average size of the sampled parcels with the average size of holding of the holders sampled.

Table E
Actual and Assumed Areas Held by the Sample*

	Landowners Classified by Size of Holding		
	"small"	"medium"	"large"
Assumed average holding	4.46	26.73	347.53
Actual average holding	160.61	152.34	1,043.87

* Figures exclude the sample's urban parcels, and also their Nation Land parcels.

Nine of the 30 sampled parcels (a third) failed to connect us to the expected registered landholder. The reasons are given below.

Table F
Reasons for Failure to Sample Registered Holder on Holding

Reason	Number
Unoccupied virgin bush	2
Registered holder is a leaseholder	2
Registered holder is dead	3
Holder has sold property	2
ALL	10

We decided to retain those falling into the first category. The number of holders with undeveloped land was an important datum not available from the Register. We replaced the two leaseholders, and, in cases where the holder was dead or had sold, we interviewed his successor provided he/she was an "individual Swazi landowner." Two were not, and had to be replaced.

We took advantage of this opportunity to bring the sample closer to the frame by choosing the replacements in categories which were underrepresented, namely small parcels in the highveld and middleveld. Two of these 4 replacements also led us to unoccupied virgin bush sites, reducing interviews with our holders to 26, though our parcels remained 30 and though for some variables we have data for all 30 holders, namely that available through the Register.

The 30 holders, reclassified after visits to the parcels, and being checked for total holdings as reflected in the Register, are distributed as follows:

Table G
Revised Stratified Sample

	Small	Medium	Large	ALL
Highveld	4	4	7	15
Middleveld	4	5	2	11
Lowveld	-	1	3	4
ALL	8	10	12	30

This bears a fairly close resemblance to the revised sampling frame, which shows 50 percent of all Swazi rural parcels of more than 1 ha to be in the highveld, only 12 percent in the lowveld. It still overrepresents the large landholders, who comprise only a third of the sampling frame, but 40 percent of the sample.

Table H
Revised Sampling Frame

	Small	Medium	Large	All
Highveld	19%	18%	13%	50%
Middleveld	7%	18%	13%	38%
Lowveld	1%	4%	7%	12%
ALL	27%	40%	33%	100%

APPENDIX TWO

A facsimile, dating from circa 1952 and preserved in the office of the Sheriff of Siteki, witnesses to the market in land around this time. Siteki Park--still for the most part virgin bush--was the earliest "township" to be declared in Swaziland.

Its present state of undevelopment is in part the consequence of the working of the Land Speculation Control Act of 1972, which requires all non-Swazi landowners to register as such, or entail a fine of E100 per month. Absentee owners in South Africa, often ignorant of this law, and their heirs and executors, having not thus registered, presently face fines of up to E30,000. This pushes the price of these plots well beyond their market value. The land remains in a kind of limbo.

The Sheriff of Siteki was in 1987 urging that the fines be waived in order to return these plots to the market, where they would be in demand by Swazi purchasers.

APPENDIX THREE

We visited, and inspected visually where appropriate, a random sample of 10 Swazi-owned properties of less than 1 hectare. These tend to be concentrated on the outskirts of urban areas, particularly Mbabane.

One property was owned by a woman, one by a prince, the rest by commoner men. Five properties were the suburban residences of their owners, all of recent construction, set in modest cultivated gardens, including prominent vegetable gardens: land is for use rather than display, as amongst expatriate flower gardeners.

One property was vacant virgin bush, the remaining four had been developed as rent-earning properties. Two comprised commercial blocks of shops, bottle store etc, part of which the owner himself operated. The other two were let through agents, as residences to foreigners, returning monthly rentals in 1986 of E475, E750 respectively.

APPENDIX FOUR

The following figures were used to estimate income from crops.

1985/1986: Estimates of Net Annual Income Per Hectare for Crops

Crop	Emalangení per Annum	
	Low	High
Dryland maize	250	720
Green maize	2,500	4,000
Irrigated vegetables	1,500	2,400
Beans	300	700
Sweet potatoes	400	750
Pineapples	500	625
Cotton	150	500
Saligna Eucalyptus	80	160
