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LAND TENURE CENTER

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COVER

A STUDY OF INDIVIDUAL TENURE FARMERS IN SWAZI OWNERSHIP

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Film

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This study of Swazi freeholders made in June-September 1988, is part of a broader survey of changes in land tenure and land use in Swaziland, being undertaken jointly by the Ministry of Agriculture and Cooperatives in Swaziland, and the Land Tenure Centre of the University of Wisconsin. The terms of reference for this part of that study are contained in Appendix 1.

The research proceeded simultaneously on two fronts:

(a) an examination of the records of the Land Deeds registers, and

(b) informal, usually tape-recorded interviews with owners, managers, tenants and 'squatters' on a random sample of 30 freeholdings, stratified by size and ecological zone.

The two techniques are complementary. The registers provide the sampling frame and give us excellent data on a few parameters (name of owner, from which we can deduce status, whether corporate or individual, private or national, etc; size of holding; 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 holdings, taken as representative of the landholding sector as a whole, enables us to make reasonable inferences about other less accessible facets of Swazi landowners and landowning.

(a) EVIDENCE FROM THE DEEDS REGISTER

1. <u>The land registration system</u>

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.

i) Proclaimed townships, viz. the urban areas of Hlatikulu, Lavumisa, Mankayane, Manzini, Matsapha, Mbabane, Nhlangano, Piggs Peak, and Siteki. Urban holdings exceed all others in number, but account for only 5% 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.

ii) 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 1p), and at least one on 11/7/1887 was granted by 'Tandile, queen of the Swazis'(Land Concession 21p).

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 transformed into 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% 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 holdings	Area(ha)	Percent
Swazi Nation Land	12	32 572.4	45.8
Registered Companies	22	15 819.3	22.3
Private individuals	130	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	186	71 088.3	100.0

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

iii)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 1268 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' signalled

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 mav be very large or no bigger then 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 1268 but 4017 separately registered 'farm' holdings. There is no neccessary correspondence between the status of a holding, 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 holdings 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 holdings 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, in his private capacity, (5) or as 'Ngwenyama on behalf of the Nation' 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 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'.

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

Table 2: Showing distribution of farm holdings, January 1986

Registered owner	Number of holdings	Area(ha)	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).

2. Swazi freeholdings

This provides the background against which we consider a particular category of freeholders, namely black ethnic Swazi (hereafter, for simplicity, "Swazi") as distinct from white or coloured Swazi citizens. This frankly racial and ethnic criterion is dictated by the overall purpose of the Project, which is concerned, inter alia, with the relationship between tenure and land use. By limiting ourselves to Swazi freeholders we hold ethnic group constant. In this way Swazi freeholders can be compared with Swazi leaseholders and with Swazi holding land on traditional tenure under chiefs.

We (crudely) determined which freeholders were Swazi by scanning names, and including only those with Swazi tibongo (literally clan praise names, but serving as surnames.) Our figures thus inadvertently include as Swazi some Zulu and other Nguni names, and exclude those Swazi who through distant foreign paternal descent bear non-Swazi surnames.

We also exclude those Swazi who hold land as directors of companies. The more sophisticated commercial farmers are likely to operate as small companies, 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 landholding (or any other)registered 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 but which do not hold land in their own right, being granted the use of Nation Land for various development projects.(7) This neglect is to be regretted.The stress in recent analyses on the role of foreign capital in Swazi economy tends to obscure the possible existence of indigenous capitalists, a group of practical as well as theoretical importance.But such evidence as we have suggets that they are few and small. Kamalkhani, in 1985, identifying a random sample of Swazi-owned businesses employing less than 30 people, had to screen 109 enterprises listed with the National Provident Fund in order to find a sample of 12, suggesting a ratio of foreign to local entrepreneurs of 9 to 1.(8)

Table 4 shows how many freeholdings of title deed land are registered in the names of individual Swazi, and what share of the private landmarket (as opposed to that 63% of land in the name of the King or parastatals) they control.

Table 4: Showing individual Swazi share of private freehold and concession land*

	Holdings		Area		Percent of ALL**
	Number	Percent	Hectares	Percent	land
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.

Although there are over a thousand Swazi landowners ,with almost a third (30.5%) of all privately owned rural holdings in Swazi hands, the average size of these holdings is much smaller than those held by non-Swazi.

Table 5: showing average size of landholdings of different holders of private title deed land

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

In consequence of the smaller size of their holdings, Swazi individuals own only 11.6% of private land. It is on this small percentage that this study is focussed. It should be born in mind that we have thereby excluded 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.

3 Comparison between Swazi and other freeholders

Tables 6 and 7, providing more detailed information on the comparative sizes of holdings 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. Theses two tables contain the same material but in the second it is expressed in percentage form.

Table 6: Showing frequency distribution of holdings of different sizes*

Landholder	Hectares Less than 5	5 - 20	20 - 100	100 - 500	500 - 1000	1000+	ALL
Individual							
Swazi	637	95	104	125	15	14	990
Other indiv.	639	101	194	190	40	32	1196
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	4001

* Tables 6 and 7 exclude Concessions, some 4% of landholdings

Table 7: Frequency distribution of holdings of different sizes

Landholder	Hectares Less than 5	5 - 20	20 - 100	100 - 500	500 - 1000	1000+	ALL
Individual	33.6	24.2	17.2	19.4	8.2	5.0	
Swazi	64.4	9.6	10.5	12.6	1.5	1.4	100
Other	33.7	25.7	32.1	29.6	21.9	11.4	
individuals	53.4	8.5	16.2	15.9	3.3	2.7	100
Companies	19.1	21.9	29.5	29.1	33.3	29.2	
	37.9	9.0	18.6	19.6	6.3	8.6	100
Nation Land	5.4	15.8	13.7	18.2	35.0	49.1	
Crown & gov.	18.2	10.9	14.6	20.6	11.3	24.4	100
Other	8.2	12.4	7.5	3.7	1.6	5.3	
	53.5	16.8	15.4	8.2	1.0	5.1	100
Total	100	100	100	100	100	100	

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

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

Companies also hold a good share (29.2%) of these very large

holdings (Table 7 Row 3, column 6).

Only 1.4% of individual Swazi have holdings of this size (Table 7 Row 1, column 6).Almost half of all holdings are less than 5 hectares in area. Almost two-thirds of all individual Swazi holdings are of this size (Table 7 row 1, column 1). Swazis account for a third of all these small holdings (Table 7 row 1, column 1). Less than 3% of Swazi landowners have farms bigger than 500 hectares(Table 7,row 1, columns 5 and 6).

Non-Swazi' freeholders tend to have bigger holdings than Swazis. Although most of them (53.4%), like the Swazi, hold land of less than 5 hectares (Table 7, row 2, column 1), a third of them have farms bigger than 500 hectares (Table 7, row 2, columns 5 and 6).

4. 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 analysed (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 a self-proclaimed 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 page 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.

The idea of a register of approved a claims was not new. In September 1890 the Organic Proclamation, recognised 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 revenues (9) 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 precondition for concession validation. Later concessions 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 important spoils lay not in the land, but in 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 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 did the British ensure their imperial power by 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 labour or rental agreement with the landowner or to move away. Proclamation 24 of 1913 spelled out the procedures for eviction, including an alarming 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 Prolcamation 24 of 1913)

Sinister parallels with the infamous 1913 Land Act in the neighbouring 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 capitation 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 recognising the need of the Swazi for more land, did not want them to acquire it, individually or nationally' (Kuper 1978)

Black concessionaires

Yet it is important to realise that there had from the early twentieth century been some black concessionaires, and that there were from the start (as in the neighbouring 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,(11) 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). In 1880 concession 215L was granted to J.S.Ledonga Tshabalala. In 1919 the eight sons of S.Mabulisa inherited 647 morgen, being a small portion of Concession 30p in favour 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.

Land Settlement Schemes

The British recognised 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. 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 pp155,168). By 1960 124950 hectares had been set aside for settlement.(Jooste 1964 page 102)

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)

Whita 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 recieve part of the proceeds, but part would be regarded as a levy for the fund.(Kuper 1978 p 154 -155) By 1960 so called Lifa Land totalled 108 800 hectares.(Jooste 1964 page 102)

The turbulent sixties which brought formal Independence to Swaziland in 1968 also saw 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 Farmdwellers 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.

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 House of Assembly in December 1971 under a "certificate of urgency" and was rushed through two readings in both houses in nin days of emotive debate. In an emotive speech to Senate Sobhuza defended the bill saying that no reponsible government could continue to allow its "enire land" to be " swallowed by foreigners". The delicate and 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 p313,314), 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% 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 licenced 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 p333) 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.

This briefly is the background against which the information on the present distribution of land in Swaziland (Tables 4,5,6 and 7) must be understood. Swazis themselves are the most recent entrants, in number, onto 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 transfer shows that 82% of all present Swazi landowners have acquired their property since 1972 - the lifting of racial restrictions in property transactions - compared to 58% of properties transferred since this date for the register as a whole.

This acceleration in Swazi acquisition since 1973 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 an emergent Swazi elite 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. Circumstantial evidence and the slight evidence from our small sample of rural landholders suggests an emerging salaried bourgeisie with a penchant for urban housing both for their own use and as an avenue to further accumulation through rent and speculation.

5. Holders and holdings

Thus far we have considered the Land Register only in terms of holdings. We have compared the size and number of individual Swazi holdings 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 holdings are concentrated or dispersed into many or few hands.

Table 8 shows the extent of multiple-ownership amongst Swazi individuals with rural freeholdings greater than 1 hectare in area.

Table 8: Incidence of multiple ownership, Swazis, 1ha+

(1) Number of holdings	(2) Number of holders	(3) Number of holdings (1)x(2)	(4) Total area held	(5) Mean area held (4)/(2)	(6) Mean size holding (4)/(3)
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	1028	205.6
6	2 (0.5%)	12	1 882	941	156.8
10	1 (0.1%)	10	1 215	1215	121.5
ALL	411 (100%)	559	75 692	184.2	135.4

Of some thousand pieces of land held on freehold by Swazis(Table 6 page 6, row 1,column 7)just more than half (511,Table 8 row 8 column 3)are greater than a hectare in extent.These larger holdings belong to some 400 individuals, whose average aggregate holding is 184.2 hectares (Table 8,row 8,column 5). Amongst these are 86 individuals who have more than one of these larger holdings.The average area held by this landowning elite is 530 hectare

6.SEX OF LANDOWNERS

14.3% (141) of all Swazi holdings are registered as belonging to women. These holdings are on average smaller than those owned by men, although a woman is amongst the ten biggest landowners in the country.

Table 9: Size of landownings by sex of owner

	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 10hectares in extent).

Table 10: Location of holdings by sex, Swazi owners, non-urban.

	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%

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, how do these Swazifreeholders perceive and conduct themselves vis-a-vis the traditional authority structure of chiefs on communal land?

(b) EVIDENCE FROM A SAMPLE SURVEY

The sample is used to provide the kind of evidence not available in the register, the kind that can only come from looking at land use [buildings, eqipment, fences, dams, boreholes, irrigation systems], and from talking to the people found on the holding, especially the landholder himself. The main thrust of our survey has been to provide qualitative rather than quantitative data, though we have expressed our statistics in percentage form (despite a sample size of only 30) in order to allow inference to landholders in general.

1. SELECTING THE SAMPLE

We decided to work with only those holdings 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 tested and confirmed this assumption by visiting a random sample of 10 holdings less than 1 hectare. See Appendix 11.

We also decided to stratify the sample by a) size of holding, and
b) ecological zone.

Size of holding 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 11: Frequency distribution of Swazi freeholdings 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 (14) should be as follows:

Table 12: Original sample based on figures in Table 11

	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 holdings on the Vuvelane farms in the lowveld. This 6% loss in one category of the stratified sample

called for adjustments in several categories, as follows:

Table 13: 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 startling 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 holdings which seem to straddle zones.

A further problem with the sample arises from an inadequate consideration of the implications of sampling <u>holdings</u> rather than holders. One wealthy holder may have several holdings. The names of these wealthy 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 14: Incidence of multiple-ownership

Number of holdings	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% of our sample owned more than 1 rural holding, whereas for Swazi freeholders in general only 18% have more than one holding. 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 mutple holdings, in relation to the sampling frame.

Finally, although we sampled <u>holdings</u>, our intention was to reach <u>holders</u>; holdings were merely the route to holders. This further undermined the logic of stratifying our sample by characteristics of <u>holdings</u> (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% multiple holders, holdings were bigger, and classification of zone, for the farming enterprise in general, was arbitrary, since a man sometimes had his operations spread into all zones

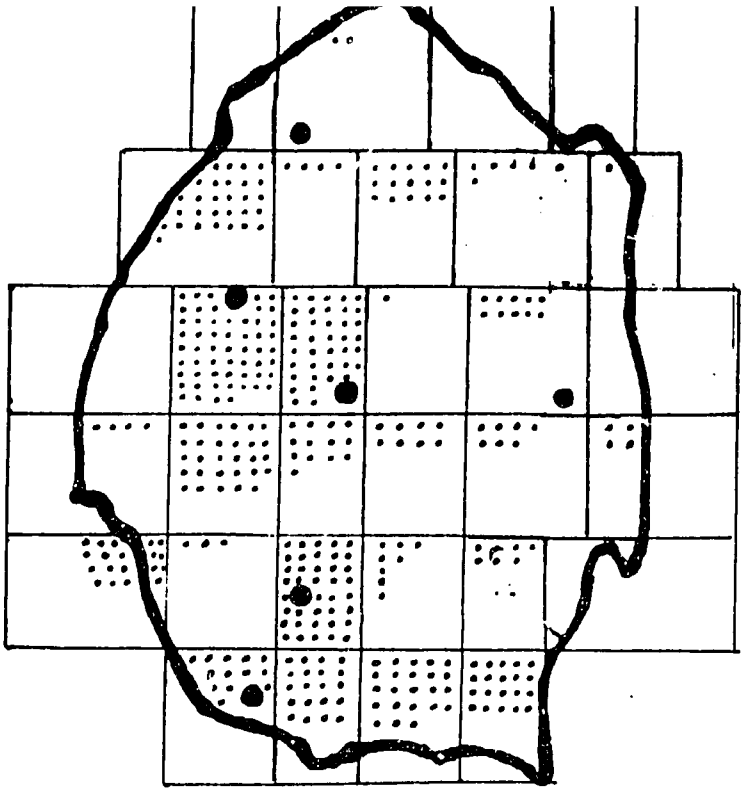

Figure 1: Outline of Swaziland with main towns, overlaid with 31 maps showing incidence of Swazi freeholders with more than 1 hectare non-township land.

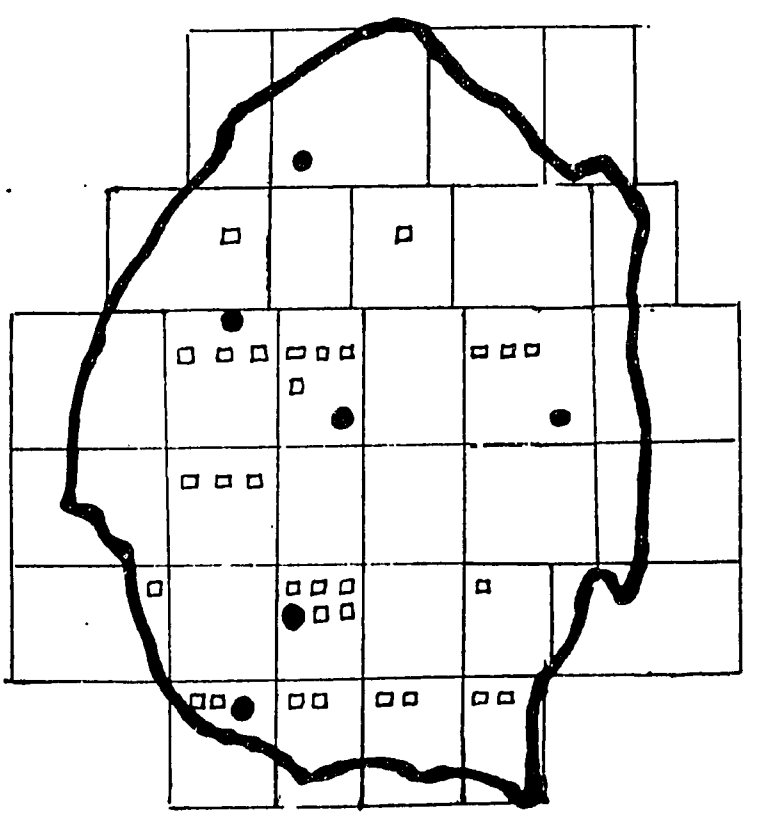

Figure 2: Outline of Swaziland overlaid with maps as

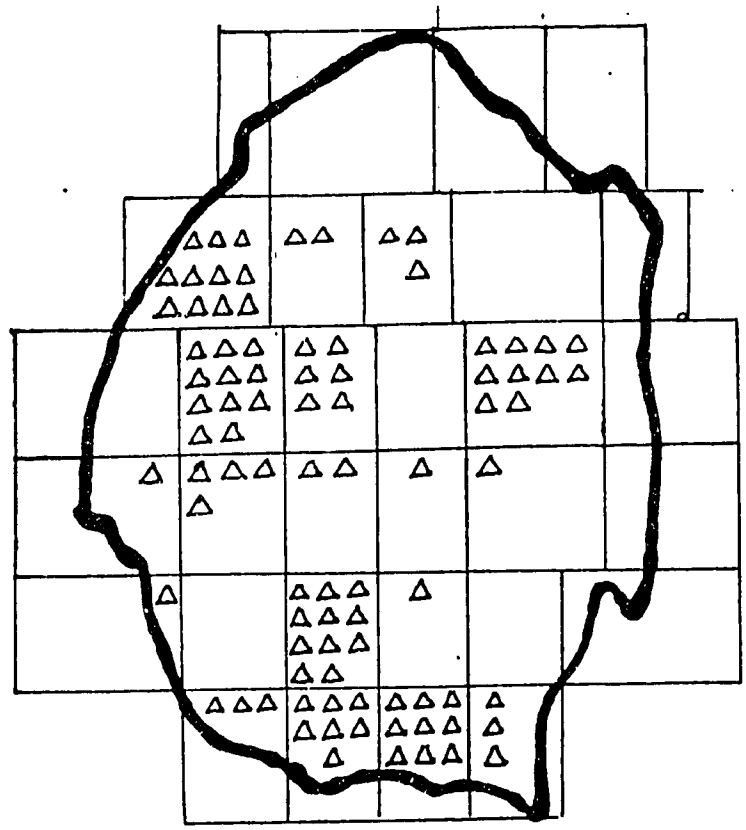

Figure 3: Outline of Swaziland overlaid with 31 maps showing incidence and location of all rural holdings of the random stratified sample.

In Table 15 we compare the average size of the sampled holdings with the average size of land held by the holders sampled

Table 15: 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 holdings, and also their Nation Land holdings

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

Table 16 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. 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 smallholdings in the highveld and middleveld. 2 of these 4 replacements also led us to unoccupied virgin bush sites, reducing interviews with our holders to 26, though our holdings 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 holdings,and being checked for all holdings in the Register, are distributed as follows:

Table 17. 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% of all Swazi rural holdings of more than 1 ha to be in the highveld, only 12 % in the lowveld. It still overrepresents the large landholders, who comprise only a third

of the sampling frame, but 40% of the sample.

Table 18: 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%

Not all interviews were with the registered landowner. Some had died, in which case we interviwed 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 holding. 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 "farmdwellers" in this way but only two with employees housed on their owners' premises, and two with rent-paying tenants.

2. WHO ARE THE LANDOWNERS?

We characterise 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. We start therefore with some preliminary (and rather inconclusive) statements about land price.

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. 74% of the owners sampled had bought their [sampled] property within the last 15 years, that is, since 1972. But when we take <u>all</u> rural properties of the sampled landowners into account, not just the sampled holding, then we see that 40% 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 Immoveable 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.(15) 74% of the sample purchased their property from whites, most of them absentees or emigres returning to South Africa or England. 13% bought from Coloureds, 4% from Indians, and 9% from other blacks (presumably Swazi in most cases).

Table 19: 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%
Coloured	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 dont 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'"

"I first occupied the farm in 1962. I was buying it from Sarel du Plessis, on instalments. 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. Its 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 20: 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.We calculate for the sample the following average prices (unadjusted) per hectare, decade by

decade.

Table 21: Unadjusted land prices per hectare, paid by Swazi

Decade	Price
Fifties	38 pounds sterling
Sixties	160 South African rand
Seventies	373 South African rand
Eighties	537 South African rand(17)

These figures should be treated with great caution, being a small sample covering land areas varying in size from a couple to a couple of thousand hectares, and hence not strictly comparable. The Deeds Registry, properly sampled for this purpose would provide more accurate figures.

Paying for the land

Table 22 shows how many purchasers were able to make outright payment for the land, how many had to borrow.

Table 22: Showing how land was acquired

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

N=24

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% in effect borrowed from the seller himself, paying the price in instalments directly to the seller himself. Only 1 (4%) 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% 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 i'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 23 below.

Table 23: Showing occupation at time of purchase

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%
n=24	100%

The diversity in employment is striking, from migrant roadworker in Durban to ambassador. Yet, predictably, salaried and professional workers, commanding higher rates of pay outnumber manual workers by 3 to 1 - a complete 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% 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% who successfully initiated accumulation on the meagre basis of manual wage-labour and a Nation Land holding are of particular interest since both manual wage-labour 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 privilage amongst the ruling clans (Breytenbach 1978) the status order has (in Max Weber's words) not yet crystallised. Rags-to-riches stories, relegated to propoganda 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 is a little bit better, more money. They 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 in Joburg. Then we just collect it, selling it, selling it. I was working for my boss and then again in the evenings, selling with my bicycle.In 1971 my contract finished. I didn't so much like Joburg. Its not your place. They can chase you any time..... Now I'm at home, I'm free. I buy this farm. A coloured fellow was staying here before. He was

owing the bank.Then the bank they 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 cant start a business with a bicycle.' Well, you can. You can. But its 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 neighbours 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 herdboy 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 in 1951 when I left school. Ever since I've been with the company. I've saved a lot of money. and in 1971 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 emalangeni each; now they are one hundred and thirty thousand. Now its only for the big bods."

Although these accounts emphasise achievement rather than ascription, ascriptive factors also come into play. 13% of the landowners sampled are members of the royal family: 97% are men.

Sex

Roman Dutch law, the common law of Swazi land, discriminates

against the ownership of property by women (Armstrong 1985) With one exception the sampled landholders are all men, though two widows, recently bereaved, have to all practical purposes succeeded to title.

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

The rules for the inheritance of freehold by Swazi have not yet been put to the test. They are not understood by the freeholders, and seem as yet of little interest to them.

Education

The variety amongst landowners, seen in their occupations at the time they bought their property is reflected also in educational attainment. 64% had been to secondary school (above the national average of 48%, and considerably above the average for their age group), 8% 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. 28% had children in Universities, several of them abroad.

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.

Marriage

There was a very high incidence of polygamy - almost 60% Most polygynous men had two wives, but some had three and one had four. The one woman in the sample too was a widow in a polygamous marriage. Polygamy is generally recognised 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.This was often the freehold farm; the first wife was placed with a man's parents on Nation Land, in fulfilment 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% to 14% 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 realise a bigger profit this year."

Housing

With so varied a background in education and employment, the farmers 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 delapidated colonial brick house with grass growing in its rusting gutters. Conversely there are suprisingly delapidated 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 austerely 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 to the expensively hand-carved pieces of considerable value, pianos and stereophonic music centres.

3.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

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 neccesarily 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.

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 privatisation 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.

a.The limitations of Nation Land

Several answers dealth with the limitation of Nation Land, limitations both of it's 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 I was plenty boys at home. So all these big one they take. So I got no space there. So I had to work, work, work till I get this place"

" I was born and brought up in Matsapha. We had run out of plough land. Its a sort of location(18) 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 alloted 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% 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.

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 there. I built a substantial house, with electricity and a borehole. I installed sprinklers and employed a fulltime 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]. Its 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 then important themes amongst reasons for buying land. Those committed to the idea of commercial farming, needed land in excess of the traditional allocation, and needed 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 inthe 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 my 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 neccesarily 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 labour. 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 fulfilment 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 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 that land after several years of waged or salaried work, there to keep chickens, goats, a few cattle and to "plough a few mealies" and, if one is smart enough,

conduct a small "business" - the renting out of a truck or tractor, a small shop, etc.

e. Other reasons

Three people put 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 since when I came back from the war. He bought this farm. So when he wants to leave after 7 years he makes this farm in plots to sell off for everyone who wants a farm. The price wasnt big much. Mr Brown said 'You are a friend'"

Only 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.

4. 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, summarised in Table 24

Table 24: 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% landowners have paid jobs (lines 3,4 and 5)
67% landowners have non-farming enterprises (Lines 2,4 and 6)
83% landowners are farming (lines 1,2,3 and 4)

The land then is only one element in the landholders' economic profile. Others are employment, and other enterprises, unconnected with the land. 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. 20% 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 Nation Land neighbours with arable fields inadequate to their labour 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.

"Its 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 as grazing for their cattle may lease out the arable areas to their neighbours. One such landowner, an absentee, put his arable fields at the temporary disposal of the local chief, for the use of his followers. Here the return was not in cash but in goodwill, which may in some instances need to be '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.

"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 emalangeni a month to thousands. There seems little point in generalizing except to note that the impediments to the foreign acquisition of freehold work in favour of these rentiers, as they were meant to; 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 centres of employment. 20% of the sample were self-styled "property developers" who have deliberately chosen sites close enough to urban areas tp 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 "people like you" (i.e. professional foreign workers). She planned "more than forty", and meanwhile used her site for commercial maize production.

A 39-year-old tycoon with two substantial periurban houses, a small block of flats, and three rented-out commercial properties, has formed his own construction company, and plans a 50-room hotel, subject to the satisfactory negotiation of a bank loan. The land upon which all this development has taken place was bought entirely out of salary as a modestly qualified, but highly successful accountant,saved over twelve years.

"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 other Swazi commercial farmers, and with a 3 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...Its still flat land, its 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, the 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'"

58% 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, to foreigners, ranged from E200 to over E750 a month.

A quarter of our 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 was presumably designed to encourage: 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 income is not from the poor (who through their access to kin and to 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 somebody else.

Table 25: Enterprises established on rural holdings

	General Dealer	Butchery	Bottle Store	Specialised 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. They included, beside those listed above, a filling station, a restaurant, a clothes shop and a handicrafts stall. Most of these enterprises were run by the landowners themselves, using hired and family workers. They ranged in sophistication, and probably also in 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 comes from data collected by Kamalkhani. Making an intensive study of a random sample of 20 urban Swazi businessman registered with the National Provident Fund in 1985 she found only 5 with no freehold land. Six owned rural holdings which ranged ion size from 5 to 1103 hectares. Twelve were owners of urban plots, with a mean for these of 2.4 plots. When business premises were included the mean urban holding rose to 3, (since most rented rather than owned their valuable business

premises)(19)

Income from farming thus forms a variable portion of each landowners' 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 26 shows the role of farming as a source of cash income to landowners.

Table 26: Farming as a source of cash income** to landowners

	Percentage of owners
Minor source of income(less than 50%)	59%
[None]	[14%]
Major source of income (more than 50%)	41%
[All]***	[10%]

**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 26 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% of our landowners are 'farmers' in the sense that this is their main economic support. It is the exclusive support of only 10% 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 <u>absolute</u> 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.

<u>Estimating incomes</u>

The percentages in Table 26 are based on <u>estimates</u> 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 independant, 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.

Income from arable land

We based our estimate of income from farming produce on 4 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 a share in as a company. It naturally excludes urban land.

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% of gross income, because this seemed consistently the mean of estimates, which ranged between 40% and 60% (though for the smaller producer they are likely to be lower, especially because family labour is not perceived as a cost) See Appendix IV for the net incomes per hectare per rpoduct 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 used 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 beyondthe competence of a sociologist.

The most crucial judgement 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 27 below summarises our several estimates of the proportion of land put to grazing.

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. 16 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 4 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% 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. 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.

Table 27 shows for the sample as a whole our estimate of the proportion of land set aside for grazing and crops.

Table 27: Assumed pattern of land use for sample

Land use	Hectares	Percent
Land to crops, including timber	2 163.2	17.2
Land to grazing/fallow	10 401.8	82.8
All	12 565	100.

Since our grazing figure includes all of the land of one of the country's biggest landowners,this table distorts the bias towards grazing in each of our estimates. When we exclude this grazier

the proportion of land to grazing drops to 70%, the proportion to crops rises to 30%

If this is an overestimate of grazing, farmers' incomes are bigger than we suggest; if this is an underestimate of grazing, farmers' incomes are smaller than we suggest.

Non-farming incomes

These like farming incomes were estimated. For paid employment this was based on job description guided by published sources, on rates of pay (20). Since landowners in employment tended to remain there because remuneration was high, our estimates are high: 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 income from renting of houses (E2000 to E9 000 per house, based on information from random sample of 5 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 E1000 per month: at 15% profit this suggested a very modest income of some E2000 per annum.

It follows that the figures in the section below must be treated with the greatest caution for what they are: guesses, but 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 I have resisted the temptation to elaborate on their distribution.

Farmers' incomes

The mean net income from farming for those who have and use farms is E 30 300 per annum.
The mean income from all sources for this group is E 63 680 per annum.
Farming thus contributes 47.6% to their annual cash income. The range is considerable, from 0.4% (a professional man with 1 hectare of maize and beans, and a depleted battery of laying hens) to 100% (a retired [South African] policeman with 164 hectares to cotton, maize and cattle).
The other major sources of income are wages and non-farming enterprises (see Table 24 on page 27)

Those who derive most income from farming tend to be significantly richer than others, but this may be an effect of our caution in attributing large profits to non-farming antrepreneurship.

Table 28: A comparison of those to whom farming is a major source of income with those to whom it is a minor source

	Farming a minor source of income	Farming a major source of income
Mean income from all sources	42 537.7	76 357
Mean income from farming	3 720	57 861
Farm income as a percentage of all income	8.7%	75.8%
Average area held	415.57*	424.86
Mean herd size	67	113
Median herd size	40	100

* Once again the figure exaggerates the mean due to the presence of the biggest landowner who only ranches. Excluding him, the average area held by this category is 128.06 hectares.

This table confirms what many of our informants said; that farming requires capital.

" Capital is the problem. Now we are failing. In the last 17 years this is the first time we haven't had something to sell. We could live off the land but without a tractor of your own - it rains and the land is ready but you sit and sit waiting for the tractor to come"

" Sulisan is the only efficient farmer around here. He's got money"

" The Swazis could farm properly but the trouble is we have no money"

The range of estimated incomes amongst the sample is from E7 850 to E201 500. The poorest quarter of the sample, with 5.7% of all the income, have a 2.1% share of the combined land; The richest quarter with 55.2% of the combined incomes have 33.8% 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%) have 14.8% of the income; the quarter with the most land (84.9%) have 46.1% of the income.

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.

4. FREEHOLDERS AS FARMERS

a. Commercial cropping

Table 29 shows what the freehold farmers produce on their land. This is an unweighted list showing the simple frequency with which the different products occur on the farms.

Table 29: 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. Neverthless some broad conclusions can be drawn. Maize, vegetables and cattle are the most common products. 34% 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% do not keep cattle, but these are as likely to be off the freehold land as on it. They cannot be divorced from the farming enterprise; they are integral to it as a repository of wealth.

Table 30 shows the degree of specialization that has developed amongst the freeholders:

Table 30: Showing degree of specialization amongst freehold farmers

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

N = 25

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

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

This spread lack of specialisation can be the outcome of very 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 produces 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 kilometres 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. Farming labour: farmers as employers

Labour for farming is recruited in several different forms - family, casual daily-paid (still called "togt" from the early Dutch pattern of employing by the day), "squatters" (the perjorative is deliberate, of which more below, especially pages 47 - 54), neighbours (the traditional "lilma") - in a startling variety of arrangements, summarized below:

Table 30: Showing kinds of labour used for farming

One source	Family labour only	9.5%
	Squatters only	4.8%
	Full-time employees only	14.3%
	Tribute labour 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%

bi) Full-time employees

57% 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 labour 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 fulltime 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.

bii) Squatter labour

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 labour. 29% of farmers use squatter labour; 5% use only squatter labour. The relationship between owners and their squatters or farmdwellers is described in full in the next section. A third of those using squatters pay them cash for their labour; the others expect them to work for the right to land for residence, ploughing and grazing.

biii) Family labour

29% use family labour. Under prevailing norms family labour 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 labour for the production of commercial crops in less well legitimated, unless the level of commercial production is so low as to ensure only emough 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. Its your child. You give them more. Its 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 dont give them money very much. I tell tha 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 labour.

biv) Casual labour

Since the demand for labour on farms fluctuates dramatically with the seasons,52% use casual labour. 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, neighbours.I use the old ladies who live around my forest" But several fetch labourers from the nearest population concentration. " I collect labour from Hluti and bring it[sic] back at the end of the day with a truck. A working day is from 5 a.m. to 11 a.m., half a day really."

Schoolchildren are a popular form of labour. Although they are paid the same daily rate as adults, they are "easier to control".This was a form of labour particularly favoured by those who were or had been teachers, who presumably used this 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 (4cents to 6 cents a kilo).Maize is payed 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 labour 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 lbour 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" She continues," At the maximum when we are weeding maize we havwe 20 or 30 people here for a few weeks. Then you say they must go."

Some farmers find the rate of even casual labour 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."

bv) Lilima

Use of this traditional reciprocal form of labour 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 lilma 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"

bvi) Tribute labour

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 her royal village. They are not paid.

bvii) Contract labour

One man contracted the planting, ploughing and care of his entire crop to a neighbour.

" When I first grew maize I asked Mr Schmidt, a neighbour 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, labour. 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"

c. 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, sweetpotatoes, 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 extremely 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."

Another man, producing fruit says he sells it to vendors who pick it 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 Nhlangano 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 labour. 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 vey expensive. But people don't mind our high price because they are hungry. Well, they DO mind, but what can they do?"

d. Cattle

Nearly all the landowners (91%) 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 evrybody'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% keep some cattle on Nation Land, sometimes sisad out in the traditional fashion(21), to trusted friends or kinsmen(13%), sometimes with 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. 13% 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 4 [of 40]. They don't die; they vanish. But the grazing is good, and if your herd is small its still cheaper than a herdboy. Now the rate has gone up to E2 per head per month. When I had 10, and the rate was E1, well, you cant pay a man E10 a month to look after your cattle. Now I must decide. But you've got peace. You dont have to go and hunt for them, or buy dip for them. You pay that amount for the year. With a herdboy 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 buying cattle. If you have a surplus you must bank it. You must have money in the bank."

e. Dairying

A very sharp distinction is drawn between dairy cattle, kept by 17%, 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 6 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 which they temporarily lifted in July 1986) 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 recieve 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 7 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 occassionally spray them for ticks". These cows are hand fed for the three winter months. At the moment the owner is buying in this feed at E2.50 a day, but he plans to grow their winter feed himself next season. From their milk, sold as amasi[a kind of local yoghurt] 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 7 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 neighbours, but "when my supply increases I'll have to try at the Dairy Board once more."

f. 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 favourably with the labourers he is to supervise, is an invitation to petty corruptions of one kind and another. 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 for retirement and fulltime devotion of their energies to better management.

" You must be there. You know how they farm! They just leave it 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 there's nothing doing."

6.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 nonracial citizenship. Recent gains by citizens over aliens in these figures are widely attributed to gains by white and coloured citizens. More than one generally well-informed expatriate assured me that I would find black Swazi ownership to 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 acquiured 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 jokes that we were coming to ask about land so that the government could take it away, suggesting an underlying unease.

Some people claimed that their land still "belonged" 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."

Landowners see themselves at the forefront of a conflict between two systems. Some, like those above, try to deny the conflict. Others explicitly defend private property.

"I believe anybody who owns anything will always be disposed to developing it as much as possible, whereas if anyhting 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....Its 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. Its only then that you can put your money in and expect to get a return."

He links the lack of private property with the 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 its a very bad thing".

He sees access to free communally held land as a potentially valuable route to accumulation which is unfortunately thwarted by chiefs." With 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."

CHIEFS

All landowners reported active links either with the nearest chief, or with the chief under whose jurisdiction they had been born (or to whom they had khonta'd) or both. They rendered tribute only to the latter.

Table 31 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.

The relationship between freeholder and chiefs is percieved as a delicate one. A freeholder says, "If you think that because you have got a farm you are a chief yourself, the chief won't like you." Since chiefs , through their control of land and their juridicial rights hold real power, most landowners regulate carefully their relations with chiefs both in their place of origin where they usually retain ties through their kinsmen, and locally where the chief is likely to hold sway over their workers, squatters, tenants and neighbours. "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 neccessary (or at least expedient) to acknowledge chiefs' power by ensuring that all their farmdwellers swear allegiance to the local chief.

A squatter says, "We looked for land in the Usutu valley and were given a small farm there, so we abandoned that land 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 at Ncabeni. The farmowner - I think he was called Vim - himself khonta'd to the chief. He made us go so that the chief would be aware of us."

Despite their independence of the chief for land, 94% of farmowners claim to render tribute to a chief. Since this obligation is familial rather than individual, the figure exaggerates the extent to which freehold farmers would themselves be found, sickle or hoe in hand, working on the chief's fields. Usuaully 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 labour, 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 labour 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."

Only one farmowner, a traditional healer, deliberately by-passed

the chief. "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 on Nation Land in 1956. The chief of this place is [someone else].All the freehold farmers go to the inkundla rather than the chief. I don't think the chiefs like it. When we have a problem, if there are disputes on the farm, we go to the DC - but we must see the indvuna first."

57% of landowners have a house on Nation Land, in the homestead that used to be their fathers'. Almost half of these (26%) are themselves now head of this homestead, and live there all or much of the time. 9% are polygamous and have established their wives in separate households on Nation and freehold land. These are people who tend to have bought land close to their allocation on communal land, sometimes to increase their arable holding, sometimes to increase their grazing. They may voluntarily abandon ploughing rights on Nation Land, but go on living there, treating their freehold as an allotment, or a cattle post, rather than as a family seat.

"It's home. It would be hard to leave it."

" I still live on Nation Land but I have built a rondavel on my farm. I will move to the farm gradually. There are too many kraals (literally cattle byres, but in this context 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 nationalised. They may take these farms from us. That is why I am thinking very carefully about retaining my Nation Land rights"

48% of freeholders cultivate Nation Land, some as dutiful sons, some as homestead heads. Half of these rely heavily on Nation Land still for income, typically 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 commercial cotton on Nation Land has become common. Freehold farmers use their Nation Land holdings for this cash crop. For 10% of owners, commercial cropping of cotton has been a major avenue through which they have been able to accumulate sufficient money to purchase farms. Asked if it is not seen as illegitimate to make so much money from Nation Land one of these laughs 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 there are dark stories of magic, muti and even murder told of those who are conspicuously successful.

The legitimacy of freehold is challenged in a particularly stark

form by the presence on freehold farms of "squatters".

Squatters

The term "squatters", as used in southern Africa to refer to people living on others' 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 right 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% of the Swazi population living on conceded lands were thus deprived of rights to the lands they occupied. Crush's careful research on this period finds no evidence of major movement of population following this legislation, suggesting that most people affected by the new laws complied with the new obligation to provide labour 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 King himself went to London where he unsuccesfully 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 (see Kuper 1978 for great detail).

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 since the partition became effective, says,

> " 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 labour by a cash payment; sometimes labour 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 labour is often nominal; it may be a jacket for the herdboy, 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 acquuire 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

Farmdwellers Act 21 of 1967, which decisively reversed longstanding discrimination against those who had hitherto been known as 'squatters'.

The mood of the parliamentary debate which preceded the legislation is heady with anticipation of Independence (see Armstrong 1985). Ironically the elite who framed this legislation, in a sprirt of triumphant revenge of the long dominant settlers, now find themselves the land-owning victims of its liberal protection of the rights of squatters.

Under the Act, which was reintroduced with minor modifications (22)in 1982 as the Farmdwellers Control Act 12 of 1982, a farmowner os 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 farmdwellers are liable for labour on the farm, the periods for which labour is to be provided, the payment for such labour, the rations to which the farmdweller is entitled, the number and type of livestock which the farmdweller may keep on the farm. The landowner is obliged to provide dipping facilites for the farmdwellers' 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 farmdweller 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 ownre's expense. He must also pay compensation for the disturbance suffered by the farmdweller, and in any case is prohibited from evicting between 1st September and 31st 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 investors.

Table 32 shows the extent to which contemporary Swazi landowners have a problem with squatters.

Table 32: 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 a few 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.

"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 lanowner takes over."

Although only a third of 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. It is for this reason that we devote disproportionate space to it.

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 labour.

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 (3%) 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 by the combination

of employment with land onto the farm, and who cling tenaciously to those landrights even when that 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"

Although there is a ready acknowledgement that " in those days owners chased tenants as they willed", the colonial period is seen in retrospect as a time of greater employment opportunities and therefore as a time when access to farms as squatters was easier. The Farmdwellers 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 labour from time to time. Tribute labour 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 labour is not in princple 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. Resentment against Swazi as opposed to white landowners is frequently focussed on their unwillingness to allow people to work for them, thereby denying them the right to legitimate their access to their 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 Farmdwellers, 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."

Even the exploitive isitupha system by which white farmers throughout Natal through much of the twentieth century obtained an almost free labour supply in exchange for usufrucuary land rights, is seen with hindsight as benign.

"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."

A woman describes in greater detail the working of the isitupha system on a sheep grazing farm. " 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 labour was the critical item demanded in exchange for land use rights, squatters judiciously shared out the 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."

Some black landowners are careful to point out that they do not perpetuate the infamous isitupha system. They comply with the spirit if not the letter of the Farmdwellers Act, ansd are satisfied with the pool of ready cheap labour that they provide.

"I inherited six farmdweller families when I purchased the farm. I haven't thought to chase them away because I use their labour. The previous owners made agreements with them. I keep those

agreements but I didn't register them. If you didn'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 didn't make his work for six months for nothing, and six months he get pay. I pay him money the whole time. I did't do like other people do and make him work for nothing for six months. I didn't do that. If I got work, he work. If I got no work he live at home. When he finish cotton, is no more work. If I am started to plough he come again. But if he's got a problem he come to me to lend him some money, I give 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 farmdwellers. They have 20 each. That is their limit."

But not all new landowners succesfully negotiate agreements with their farmdwellers, especially when this involves giving up arable land or moving house or enetring into a new obligation to work.

"There were farmdwellers 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 farmdweller 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 one informant 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 tenants 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 selfmade 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 dont 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 farmdweller 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 experience greater relative deprivation than Swazi on whites' land.

Those who buy vacant land naturally avoid the resentments faced by those who "buy" squatters. A man who bought twenty hectares of <u>vacant</u> land <u>near his chief</u> 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."

Disputes can escalate until it is not simply squatters'rights to occupy which are being defend'ed, 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 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 more 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 Ligogo(teh Swazi National 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 labour as I am asked. I do a lot of work, like hitching up my oxen to collect poles and logs from the forest. Its 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 organise tribute labour, ummemo, 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 neighbours, or his workers, if not his tenants.

Endnotes:

(1) Swazi settler farmers on Land Settlement Schemes initiated by the [British] government in the forties were given permanent leasehold, title to which was registered. In 1960 these areas covered 147 000 morgen (124 950 hectares) See Kuper 1978 pp 152ff and Jooste 1964 p 102.

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

(3) The most extreme example is farm 188 which circles the north eastern perimetre of Mbabane. The 452 subdivisions range from 161 hectares to 0.04 hectares, with an average per subdivision of 5.8 hectares. A third of all subdivisions of 188 are less than 1 hectare in extent.

(4) The distinction between "native" ethnic Swazi and those who have merely acquired citizenship of Swaziland remains politically salient. Like tribalism in other African states it remains a division to be exploited opportunistically from time to time. On the subtleties of citizenship in Swaziland see Kuper 1978 pp320.

(5) The late King Sobhuza in his personal capacity held ten freehold properties, totalling 1243 hectares in extent, as well as urban properties. All this freehold property had been acquired since 1966. On his ambivalent attitude to freehold see Kuper 1978 pp204.

(6) The sum of all registered individual portions of land is more than it should be. The "given" land area in Swaziland is 6 700 square miles or 1734000 hectares. Some consistent distortion upward is to be expected from the measurement of small portions of undulating ground. Errors in transcription cannot be ruled out, but they are likely to be random and hence to cancel each other out.

(7) Some 30 Nation Land holdings are presently administered by Tibiyo. They include lands grazing the National herds as well as land set aside for development projects. They also include a few small urban holdings. For a critical account of Tibiyo see Daniel (1983).

(8) S.Kamalkhani 1986, personal communication. Kamalkhani is preparing a doctoral dissertation for the University of Natal.

(9) In 1889 the South African Republic, having already obtained concessions to levy customs, issue licences, build telegraphs and railways and to control postal and survey services, secured the Private Revenue Concession, giving the holder the right to collect all private reveues due to the Swazi King. For this the Swazi monarchy received twelve thousand pounds sterling per annum concession of over nine thousand pounds sterling. See Buell 1926 p 197.

(10) Whereas land concessions could be obtained for " one riding horse every seven years or the value of one horse not exceeding fifteen pounds sterling" (Concession 28p, 1142 hectares to Theodorus Cornelius Rademeyer on 15th June 1880), the price demanded by the Swazi King for mineral and revenue concessions

was much higher. Mineral Concession 1m to Leopold Albu and Frederick Chelmsford Davis on 9th February 1887 (cancelled in 1908) was for an annual payment of two hundred pounds and a bonus of three thousand pounds should machginery be erected. Nevertheless prices 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 dealings prior to 1890 see Bonner (1982).

(11) Concession 9p (3851 morgen and 482 roods) was granted on the 28th May 1887 by Umbandine to Tmothy Gule, John Gama, Levi Velakazie, Obadiah Sevi, Philip Masuku, Absolom Duba, Peter Nxumalo, Benjamin Nkosi, Michael Kunene, Joseph Hlatjwako, Enoch Msimang , Abraham Matebulo, Ephraim Hlatjwako and Bukheni Kuneni.

(12) See Kuper 1978 pp 134 ff for a fascinating account of the incisive perceptions of the Swazi monarchy at this quite subtle attack on its power.

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

(14) With so small a sample the weighting of certain strata to achieve representativeness would be irksome and of uncertain validity.

(15)

Year	Population	Of which whites	Whites as %
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 a propotion between 1956 and 1966. In the next decade they declained absolutely.

(16) Although all names of people and places have been altered to protect the anonymiyu of informants, region and ethnic group have been retained for accuracy.

(17) Despite official independence of Swazi from South African currency as of July 1986, and despite the existence of the Swazi <u>emalangeni</u> for a decade earlier, colloquially the <u>rand</u> is as likely to be used, when speaking English, as the <u>lilangeni</u>.

(18) Location: in the colloquial South African usage, an urban concentration of houses of [black] labour.

(19) See note (8)

(20) Published sources on wages include the annual publication of the Department of Labour <u>Wages and Employment</u> , and the Establishment Register showing remuneration for all posts in the Public Sector.

(21) <u>kusisa</u>, to place your cattle in the possessive care of another. In Swaziland such a recipient will have the use of such cattle - milk, fertilizer,draught - in exchange for his care of them.

(22) Importantly jurisdiction in the case of disputes between owners and squatters can no longer be taken to the courts. Owners

feel that their rights have thereby been infringed.

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APPENDIX ONE

Terms of Reference

Study of Land Use on Individual Tenure Farms

The Study of Land Use on Individual Tenure Farms is part of the research activity entitiled: "Changes in Agricultural Land" being undertaken by the Ministry of Agriculture and Cooperatives with the assistance of the Land Tenure Center, University of Wisconsin. The purpose of this study is to focus upon changes land use and management, and problems faced by Swazi commercial producers who have acquired land under individual tenure through the purchase or leasing of individual tenure holdings.

Issues to be examined by the study will include:

1. Land holding: size, number and type (owner, leasehold tenants, labour tenants, employees of absentee owners, etc.) of users.

2. Acquisition of land: how and when land was acquired; cost of acquisition (owner); terms of use, rights, and obligations (non-owner).

3. Investment: captial (fencing, buildings, equipment, etc.); recurrent (fertilizers, insecticides, seed, etc.).

4. Access to credit: type (loan, lease); use of credit (capital recurrent expenditures); terms (collateral, repayment schedule, penalties, etc.).

5. Agricultural production: crops grown, marketed; livestock held, marketed.

6. Income sources: agriculture (crops, livestock); outside employment (type): businesses (eg. beer brewing, handicrafts as well as shops, buses, etc.).

7. Other Land holdings: extent of other land holdings (other individual tenure land, Swazi nation land holdings, etc.); acquisition, investment, access to credit, agricultural production and agricultural income. If there are SNL holdings, what is the pattern of useage in comparison to ITF land, extent of abandonment, etc.)

8. Institutional linkages: access to and provision of government services, marketing outlets, transportation.

9. Security: assessment of farm s' perception of their securit of tenure.

10. Land owner characteristics: socio/economic characteristics (income groups, age, education, etc.); reasons for land purchase, extent of absenteeism.

11. Land tenure: changes in land use from previous owner, reasons for changes, existence and extent of subdivision of ITF holding (who are the land users, arrangements, etc.): expectations for inheritance of SNL and ITF holdings by children (law of inheritance for both tenure categories).

Best Available Document

APPENDIX 11 page

Although Swaziland is under British administration, income tax is the same as in the Union.

The road from Johannesburg via Springs and Ermelo is under 300 miles. Half the distance is by tarred road and the balance is a good gravel road through beautiful country.

Although the area of plots varies from 5 to 12 acres the price is fixed at £200 per plot. (Terms available £25 down and £3. 7. 0. per month per plot.)

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Lourenco Marques can be reached by car in 1½ hours, and is approached through a beautiful avenue of flowering trees and shrubs. ~~The continental way of life here is fascinating~~ many motor to the Coast to enjoy a day's excursion, or a h weekend.

Stegi enjoys the benefit of cool breezes from the sea, whic only 40 miles distant, and due to the altitude the climat bracing.

The rainfall (35" to 50" per annum) ensures an adequate w supply.

The white community at Stegi is small and consists ma of English people, Americans and South African nationals. residents of Stegi have recently built a Club House, where s and entertainment are catered for. It is fully licensed is a happy meeting ground for people in the district and it doubtedly enriches the social life of Stegi. There prev an atmosphere of the welcome and friendliness so characteri of the people of these parts.

Best Available Document

The attached 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 a consequence of the working of the Land Speculation Control Act of 1972, which requires all non-Swazi owners to seek registration 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 are, upon seeking to sell the land, faced with the necessity to pay fines of the order of E30 000. They seek to pass this liability on to the new owner by increasing the asking price of the land by the amount owing. Since this price far exceeds the market value of the land, the land remains in a kind of limbo.

The Sheriff of Siteki is urging that the land - for which there is demand amongst Swazi buyers - be returned to use by waiving the fines and replacing them with a nominal penalty of E500 per plot.

APPENDIX III

e visited and inspected visually where appropriate a random ample of 10 Swazi-owned properties of less than 1 hectare. These re intensely concentrated on the outskirts of Mbabane, and to a esser extent in Manzini, Ezulwini and other town fringes.

ne property was owned by a woman, one by a prince.

ive properties were the suburban residences of their owners, all f recent construction, set in modest cultivated gardens, ncluding a vegetable garder, always prominent: land for use ather than for display, as amongst expatriate flower gardeners.

ne property was vacant virgin bush.

ne remaining four were developed to earn rent for their. wners. Two comprised commercial blocks of retail premises, both et out to others and used by the owner himself. In both cases ne commercial block conatined a bottle store. The other two were esidential properties let to foreigners through agencies, eturning monthly rentals of E750 and E475 respectively.
ba

APPENDIX IV

stimating incomes

ne following figures of net annual income (emalangeni) per ectare were used to estimate income from crops:

rop	Low	High
yland maize	250	720
een maize	2 500	4 000
rigated vegetables	1 500	2 400
ans	300	700
eet potatoes	400	750
neapples	500	625
tton	150	500
ligna Eucalyptus(poles)	80	160