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**A PIECE OF LAND IN A LAND OF PEACE?
LAND ACCESS AND TENURE SECURITY
FOR SMALLHOLDERS IN POST-SETTLEMENT MOZAMBIQUE**

BY

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A Piece of Land in a Land of Peace?
Land Access and Tenure Security for Smallholders
in Post-Settlement Mozambique

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If the United Nations-sponsored peace process in Mozambique has, to date, accomplished few of the goals established at the time of the Rome accord (4 October 1992) between the Frelimo government and the Renamo leadership,² it has been widely asserted that it has not yet suffered any setbacks. In the first six months after Rome, the unraveling of the peace process in Angola cast an ominous shadow over Mozambique -- while all have kept a vigilant eye on events in Angola, the case has most often been viewed as a model in the negative. The lessons for Mozambique? Disarmament and demobilization must be preceded by the deployment of a full contingent of U.N. troops to provide assurance to rival armies, and elections must not be undertaken until weapons have been collected from the combatants. While the process in Mozambique is far behind schedule, most observers remain optimistic, citing the fact that no mistakes of the kind made in Angola have yet been made in Mozambique.³

Notably absent, however, from ongoing evaluations of the Mozambican peace process have been questions related to land

access.⁴ The reasons for this omission are numerous. Above all else, the major actors in the national political scene -- including government officials, donor representatives and U.N. monitors -- have adopted the attitude that the most pressing issues must be dealt with first. These would seem to include: bringing Renamo forces in from the bush and integrating them with government troops;⁵ stimulating economic investment to provide means of earning a living to former combatants as well as returning refugees and aid-dependent populations displaced by the war;⁶ and providing support for the new political parties -- including Renamo -- as they develop platforms and seek to put down roots in Mozambican society.⁷ Questions related to land, it is thought, can be handled once these other matters have been resolved.

Beyond this, some actors on the Mozambican political scene today -- as well as most of the major donor organizations -- favor an approach that would permit market mechanisms to determine the disposition of land rights and natural resources. These forces have played a role in preventing the implementation of ambitious post-war resettlement plans by the government -- plans which would have constituted a continuing commitment to a high degree of state involvement in the agricultural sector. The same forces have, unfortunately, also created an atmosphere in which foreign investors, former colonial landholders, and some government officials have profited enormously over the past five years by the slow and spontaneous dismantling of the state agricultural sector, and by concurrent uncertainties over the nature of land rights in a nation where the state's universal and singular claims to land have been, de

facto, renounced. Those who have quietly gained access to valuable plots of land have, for their part, dampened debate about post-war land regimes to protect the trophies they have poached, while individuals who have lined their pockets in their role as facilitators to the process have done their part to keep land off the political agenda.

Perhaps the single most important contributing factor to the postponement of discussion over land access, however, is the widely held belief that Mozambique is a 'land abundant country.' The corresponding assumption that rural Mozambicans will redisperse once security is established in the countryside -- fanning out over vacant territory and relieving pressure on present zones of high population density and intense competition for resources U.N. is commonly found among government officials, donors and relief agencies. If land awaits them, and the peasants are prepared to walk to it, there would be no need to discuss a 'land problem.'

In this article, we wish to challenge this view and argue the importance of the issue of land access to the Mozambican peace process. We base our perspective upon research which we have been conducting since November 1991 on the restructuring of the state agricultural sector and issues related to resettlement, land access and land-related disputes in post-war Mozambique.⁸ Our research has taken us to 23 sites in 7 provinces, and given us cause to doubt that land is an issue which can be postponed to a later date. On the contrary, we have found that smallholders in regions throughout the country are, in the midst of the peace process, increasingly being denied access to most of the highest quality land in the country, and

are being displaced onto lands of marginal fertility or lands in poor proximity to markets, sources of credit and inputs, and vital infrastructure and transportation networks. Other smallholders are being reduced to the status of tenants or laborers on land they had previously used to their own benefit. Even larger commercial farmers are sensing an insecurity on their lands, and are hesitating to invest in improvements which would augment productivity and ecological sustainability.⁹

Indeed, we argue that it would be dangerous to believe that 'no mistakes have yet been made' in the Mozambican peace process. The chaotic free-for-all which has been permitted to take place in recent years with regard to land constitutes a profound mistake which will not easily be remedied in the near future. Nonetheless, if not soon recognized as a problem, we suggest that the land issue may give rise to widespread social conflict throughout rural Mozambique, and further serve to undermine the peace process in coming years.

We begin this article with an historical treatment of the formation and functioning of the state agricultural sector in Mozambique, and a discussion of its relation to broader post-independence policies for agriculture and administration in the rural areas. We then move to a summary of our research findings on the restructuring of the agricultural sector and divestment of state farm lands and assets. In the following sections, we discuss the implications of restructuring on land access and tenure security for landholders, and the potentially problematic relationship between restructuring as it has been occurring so far and the peace process. We then refer to present-day issues and debates over possible ways

to address the land question in conjunction with the ongoing processes of political and economic reform. We conclude with reflections on the importance of the land issue to the peace process.

The State Agricultural Sector in Post-Independence Mozambique

The state agricultural sector in Mozambique was created in the midst of the tumultuous upheaval of independence. Since the time of its formation, it carried with it the mark of its origins -- a moment in history when the Frelimo government both asserted its vision for a new nation and tried to keep pace with events that seemed to be outpacing it.

Frelimo's vision was forged in the rural zones of the country which it had liberated from Portuguese control and administered, in some cases, for almost a decade prior to independence.¹⁰ Frelimo feared that independence could be rendered a hollow concept by the emergence of a class of landed elites who would facilitate the continued subordination of the Mozambican economy to the interests of European capital. Within Frelimo itself, prior to independence, a 'revolutionary line' had had to wage an internal campaign against a 'nationalist line' seeking early settlement with the Portuguese before the structures of rural society were significantly altered and their privileged positions eliminated.¹¹ The revolutionary line countered by mobilizing the rural population and ensuring support for a long-term guerrilla war. A primary practical component to this strategy was the creation of collective *machambas* on which rural

Mozambicans in the liberated zones could cultivate food to feed themselves and the highly mobile Frelimo guerrillas.¹²

At independence, the liberated zones were used as a model of sorts for the administration of rural areas throughout the country. The experience was not merely the only one that many of the leaders of the new nation had had with agricultural policy, it was also the one which had served them well in ensuring political links with a broad base of the rural population. Collectivized agriculture had, in part, successfully provided the nascent nation with the resources it needed while preventing the emergence of a class of private interests that Frelimo feared might work at cross-purposes.

By the same token, Frelimo had little choice but to take a strong leading role in the agricultural sector upon independence. The vast majority of Portuguese settlers -- including farmers, technicians, mechanics, transportation workers, merchants and financiers -- had fled the country in the months immediately preceding or following independence.¹³ When Frelimo took power, it was confronted with an agricultural sector in nearly total collapse. Consumer goods and agricultural inputs were not reaching the rural zones, and food was in short supply in the urban centers. The most productive farmland -- situated in close proximity to transportation networks, markets, processing plants, rivers, irrigation schemes, and urban areas -- was rapidly falling into disuse as it was abandoned by the Portuguese settlers and companies who had occupied it. In the absence of a Mozambican private sector to move into the void,¹⁴ the state was forced to 'intervene' in the management of the greater part of former colonial landholdings.¹⁵

Intervention on abandoned farms began in 1976 with a concentration on agricultural enterprises which were of critical importance to the Mozambican economy. These included lands for the production of export crops such as cotton, sugar, copra and tree products, as well as those for producing food crops in demand in the urban areas such as rice, maize, dairy products and livestock. At its Third Party Congress, Frelimo declared, 'We must dedicate special attention to supplying [food to] the urban centers', and concluded that 'State owned enterprises are the quickest way of responding to the country's food needs because of the size of the areas they cover, and the immediate availability of machinery'.¹⁶ Within five years, the government had formed state-farm blocks out of more than 2000 abandoned commercial and settler farms. The state farm sector eventually claimed approximately 109 enterprises, covering somewhere between 350,000 and 500,000 hectares.¹⁷

The total area of state farm land may seem small considering that the land area of Mozambique is approximately 80 million hectares. But this figure is deceiving. Only 39 million hectares of this total are arable land, and 16 million of these are forested. While the state farm sector covered around 2% of the remaining 23 million hectares, it must be recognized that only about 4 million hectares of land had ever been under cultivation in Mozambique. Among other reasons, this is due to the fact that transportation networks are poorly developed in the country, and only a very small portion of the land is close to trade routes, markets and other elements necessary for trade-supported production.

Colonial plantations and settler farms represented the most valuable and productive lands in the country because their sites were chosen for the rich soils and proximity to water sources. They often displaced indigenous populations who themselves had identified these lands as the most suitable for agriculture. The lands became still more valuable as infrastructure was built to service them. Consequently, when the Frelimo government intervened on colonial holdings, it inherited control of what were clearly the most desirable plots in the entire country. The crucial point is that in Mozambique, though land may be abundant, land of the desirability¹⁸ found in the state farm sector -- or on colonial holdings that were never abandoned or intervened -- is rarely found elsewhere.

In the same period that the government intervened on colonial lands, however, the party stated that all land in the country belonged to the people as a whole through the state.¹⁹ The government thus presented its action not as a perpetuation of the denial to smallholders of the best land in the country, but rather as a possession of those lands on their behalf. Indeed, to be accurately understood, the government's intervention must be viewed in the context of its overall ideological approach to governance of the rural areas.²⁰ With the post-independence experiences of other nations as evidence, the Frelimo party remained wary of private capital -- all the more so considering the absence of a domestic class of entrepreneurs or farmers with investment capacity. The Mozambican nation was to be built on the principles of socialist modernization, with progress and equity as watchwords. State farms were to serve

as poles of modernization in the rural areas, providing examples of progressive farming techniques as well as employment opportunities for those who had depended upon colonial agriculture in the past.

The state farms were to be joined with communal villages in which social services -- education, health care, consumer cooperatives, etc. -- were available to the rural population. These villages were to be governed by popularly elected officials drawn from, or supported by, local Frelimo party cells. Popular tribunals were to be established in which disputes between villagers could be resolved according to local interpretation of Frelimo political principles.

The actual experience of Frelimo governance after independence differed significantly from area to area depending upon climate and crops grown, levels and types of past colonial involvement in the local economy, and local social structures and cultural practices. Still, some general conclusions can be made. The first of these is that Frelimo was enormously successful in its attempts to establish educational and health care networks in the rural areas.²¹ The government skillfully balanced the contributions of donor countries and international organizations with the development of its own capacities.²² As a consequence, these aspects of the Frelimo program were embraced at the local level as opportunities for constructive participation in the project of nation-building rather than creating aid dependence. Both the health care and the educational program received wide acclaim from international organizations, and were used as models for similar efforts in other countries.²³

The second conclusion relates to Frelimo's attempts to create functional political components at the village level. From the outset, this objective was as much a result of Frelimo's suspicion of local 'traditional authorities' as it was a consequence of the party's desire to mobilize the population in support of socialist modernization. Indeed, in local elections, 'traditional authorities' -- particularly those who had been compromised by their role as intermediaries for the Portuguese colonial administration -- were often barred from consideration or strongly campaigned against by party organs.²⁴

However, local popular sentiments regarding 'traditional authorities,' or lineage-based political institutions in general, were often far more complex than Frelimo's simple disdain. In most areas, these institutions had responded to Portuguese co-optation at the head by moving selected powers and functions to other levels. In many cases, individuals had been discredited, but respect for their offices remained. At any rate, Frelimo encountered hostility on a variety of levels as, over the years following independence, it failed to recognize the complexity of local level conceptions of political legitimacy, and continued to campaign against the 'obscurantism' of 'tradition.'

This tension between the government and local populations was exacerbated by the fact that although village-level tribunals were established to administer justice in the rural areas, these courts were not well equipped to handle land disputes. They were more appropriately designed to work within the domain of 'family law,' e.g., marriage and divorce cases.²⁵ Formally, decisions regarding land rights, and disputes over them, were more often seen to fall under

the domain of bureaucrats within the Ministry of Agriculture appointed by government. Of course, in practice, these functionaries could not resolve the greater part of the disputes for lack of time and knowledge of personal claims and histories. What happened in most regions was that conflicts between smallholders continued to be resolved within unofficial institutions, working their way up the ladder from family heads to lineage heads to chiefs or other respected elders until a suitable settlement had been obtained. Only infrequently did a dispute enter the 'official' system, and then usually at the district or provincial level. This continued -- albeit often transformed -- functioning of lineage-based institutions strengthened their perceived legitimacy in contradistinction to official institutions.²⁶

Where smallholders were left vulnerable was not in disagreements among themselves, but with the state itself. This brings us to a third, and final, conclusion regarding the post-independence administration of the rural areas. Smallholders had little recourse vis-à-vis the government and in many instances felt themselves powerless before the claims of the state agricultural sector.²⁷ It is true that the state sector provided wage employment in the rural zones where the flight of Portuguese colonials had all but eliminated it. Furthermore, the sector (to varying degrees in varying regions) sought to employ women among its work force in conjunction with Frelimo's broader agenda for the 'empowerment of women.'²⁸

It is also true that on many state farms, laborers were permitted to cultivate *machambas* of their own on parcels which

were not being exploited by the farm in that year -- a practice which had also been permitted by some colonial landholders. This gave a limited number of local residents access to some of the best farmland in their respective regions.

Nonetheless, the opportunities and benefits derived from the state farm sector were quite limited in most areas. Due to a lack of managerial capacity, technical expertise, functioning equipment and adequate finances, most farms operated well below their capacity and the productivity levels projected for them by an optimistic Frelimo government. Notwithstanding their poor performance, they commanded nearly all of the attention and resources given by the government to agriculture, not to mention nominal rights to most of the best land in the country. The smallholder sector, and with it the cooperatives which the government had enthusiastically supported in rhetoric, received little in the years following independence, and responded by producing less and less.²⁹

The Restructuring of the Agricultural Sector

Any treatment of the failure of the state farm sector in Mozambique would be misleading if it did not draw attention to the devastating impact of South African destabilization and Renamo's campaign of destruction of more than a decade. Renamo's tactics have been well documented elsewhere.³⁰ The important point here is that state farms were not immune to the effects of the war. Situated as they were in areas of strategic importance (often near waterways

or transportation lines), and producing, as they often did, export crops crucial to the national economy, they frequently became the sites of protracted military conflict between government and Renamo troops. State farms were one of the most visible markers of the post-independence state in the rural areas. Renamo sought to destroy what Frelimo tried to protect. Despite the concentration of government forces around many of the farms, Renamo needed access only for a short period to wreak havoc. Nearly all the state farms that we have visited had had some -- if not most -- of their infrastructure and equipment destroyed at one time, not to mention, in some cases, their managers killed and their work force terrorized. Most had been unable to cultivate the greater part of the area available to them, in part because they could not protect it from attack. Throughout the decade of the 1980s, the proportion of state farm budgets committed to defense rose significantly while productivity and profitability plummeted dramatically. Inarguably, the war contributed substantially to this state of affairs.

Concurrent with the war, however, other factors contributed to the failure of the sector. We have mentioned some of these above, including managerial, technical and financial problems. In some cases (though certainly not all), local populations were less than enthusiastic about working on state farms, further hindering productivity. Even before the effects of the war had made themselves apparent with regard to the state farm sector, these other problems betrayed profound inadequacies. In 1981, the Ministry of Agriculture admitted that not one state farm had turned a profit.³¹ Most farms were heavily indebted to the Bank of

Mozambique and the Popular Development Bank. By the time of the Frelimo Fourth Party Congress in 1983, the condition of the state farm sector was sufficiently poor that the party recognized a need to reformulate its policy for the agricultural sector.³²

The first concrete step was taken in 1985 when the Ministry of Agriculture created the Section for Analysis of Enterprise Units (*Secção de Análise de Unidades Empresariais*, SAUE), and charged it with evaluating the condition of state enterprises under the Ministry's direction and formulating recommendations for their future disposition. It was not until January 1989 that SAUE presented its assessment to the Ministry.³³ Based upon such considerations as the importance of each farm to the sector as a whole, the financial status of the enterprise, and the number of workers it employed, SAUE recommended that the farm be either 'maintained' or 'excluded', i.e., divested. Most farms producing for export markets, or those which constituted substantial long-term investments, were on the list to be maintained. Most farms growing annual cereal crops were recommended for exclusion. In most cases of divestment, SAUE suggested that the location retain a center for extensionists, but that it otherwise distribute the land to smallholders and small commercial farmers.

Since SAUE's original proposal, several others have been made -- some by SAUE, some by the section that replaced it (*Unidade de Reconstrução das Empresas Agrárias*, UREA), and some by the legal counsel to the Ministry of Agriculture.³⁴ The criteria for evaluation have differed, with some focusing on economic input or output levels, and some on the landed area of the farm. The number and types of

farms to be maintained versus the number and types to be excluded have been points of contention. The target recipients of land have also been debated, with joint ventures, foreign capital, domestic capital, veterans of the war for independence, government officials, former state farm managers and employees, local smallholders, returning migrants and refugees, demobilized government troops, demobilized Renamo troops, and resettled populations all receiving consideration.

But to date, none of the proposals has been given legal force by the government. Several factors may account for this. For the past ten years, the government has been groping for a means of reorganizing the agricultural sector as a whole. At the Fourth Party Congress in 1983, the party declared its intention to shift its attention away from the state sector and toward the 'family sector' -- i.e., smallholders and cooperative agriculture. It has been unable to translate this declaration into reality. In conjunction with this, it has been unable to decide whether or not private rights in land will be introduced in the country, and whether or not to proceed with land titling and registration. Lack of resources, poor access to the rural areas as a result of the war, and conflicting ideological perspectives have all played a part in the party's failure to articulate a new vision for rural Mozambique.

More specifically related to the state farm sector, the government seems undecided about the causes of state farm failure. Despite assertions to the contrary from the very sections within the Ministry of Agriculture responsible for studying the problem, some at high levels within the government remain convinced that the state

farm sector can be made profitable once peace is restored to the countryside. Others, believing that it cannot, remain undecided about how best to recuperate the financial losses generated by the sector in the 1980s (should the land be sold? leased? rented? and to whom? and when?). Still others, aware that state farm land is a valuable asset, have wished to hold it as a playing card for a later date (to appease Renamo, to accommodate demobilized government troops who can find no employment, or to attract investment from abroad).

Now, with elections hovering at a vague point on the horizon, few in government appear willing to push an issue as politically thorny as the disposition of state farm land or, for that matter, land in general. Accounts of land grabbing and corruption are commonplace, and a number of individuals told us that many government officials have much to lose politically by associating themselves with earnest attempts at land tenure reform, and much to gain by keeping land a low profile issue -- selling favors in the meantime. In May 1992, the government formed an ad-hoc National Land Commission, but vested no power in it or gave it much institutional domain.³⁵ Its term expired in May 1993, with no indication that the government intended to renew it. Ultimately, the government appears to be caught in a loop with regard to decisions on the state farm sector and land in general, proposing, debating and counterproposing, but failing to give any clear mandate for action. Little incentive seems to exist for breaking out of the loop, while many officials are profiting from staying within it.

Although a policy mandating state farm divestiture (and answering questions regarding who should be given use rights to

former state farm lands, under what terms, by what mechanism, and to what ends) has yet to be articulated, it would be a mistake to assume that nothing has been done with the sector over the past several years. In the absence of clear directives from the central government, provincial-, district- and farm-level officials have taken steps on their own. Quite simply, they have had to.

Following the implementation of an economic program for structural readjustment in 1987, credit tightened severely in Mozambique. Most farms, of course, were in the red annually. By 1989, government estimated total state farm debt to be 28.46 billion meticaïs (\$38.2 million by the 1989 conversion rate). In 1990, the *South African Digest* set the figure at 75 billion meticaïs (\$80.7 million by the 1990 conversion rate). Accordingly, by 1989, most farms were unable to secure the credit necessary to buy inputs for the agricultural season or to pay laborers. Without any formal decision from the central government, many farms spontaneously shut down because they could not afford to operate.

During the same period, two crucial things occurred. First, provincial-level directors of agriculture, as well as many state farm managers, attended a roundtable discussion on the state farm sector,³⁶ and a national-level council at the Ministry of Agriculture, both held in Maputo.³⁷ At these meetings, processes of divestiture were discussed, and existing proposals (which would have mandated provincial-level officials to take definitive action with regard to a large number of farms) were reviewed.

At the same time, legislation was passed to accommodate the alienation of state assets such as processing plants and other

infrastructure.³⁸ The legislation made no mention of state farm land, and was not intended to be applied to it. But many provincial-level officials, now well aware of the processes entailed by divestiture as a result of the Maputo meetings, quickly moved to establish commissions to value state farm infrastructure and machinery and liquidate them. Recognizing that the value of the infrastructure without land was negligible, in many cases officials 'granted' land as well.

Since these 'divestitures' have been driven by immediate financial considerations, and not by a larger rural policy, the recipients have almost exclusively been either those who could put up capital or those who are well enough connected politically to know how to request land and have their requests treated favorably. Needless to say, the smallholder sector has largely been excluded from the process. In most locations they have been considered 'incapable of appropriately exploiting the land'. By contrast, those considered 'capable' have been not only foreign investors, but also government officials and military veterans -- many of whom have never farmed before.

While the government asserts that only 35 enterprises have even begun the process required for divestiture (and that only 13 of these have officially been divested),³⁹ our research indicates that alienation of capital assets and land has occurred, or is occurring, on the vast majority of farms in the country. The government response to this is that these divestitures are not 'official', and are in fact illegal. Further, it asserts that land thus alienated can be repossessed by the government at any time.⁴⁰ This position only serves to

compound the problem by adding another level of uncertainty to tenure rights on former state farm lands. Once distributed, land cannot easily be taken back without giving rise to protracted disputes and damaging the credibility of the government itself. On the other hand, so long as doubts remain about the security of tenure rights, landholders -- even larger commercial landholders -- refuse to invest in improvements on their holdings, and productivity and environmental sustainability suffer as a consequence.

The Impact of Restructuring on Agricultural Producers

If one conclusion can be distilled from our research over the past two years, it would be that smallholders have, ironically, fared poorly in the breakup of the state agricultural sector. From the moment Frelimo declared the need for restructuring in 1983, the objective was to support 'private' and 'family' sector agriculture. In Mozambican terminology, the latter connotes the smallholder sector. SAUE's initial proposal on restructuring again identified the smallholder sector as a target beneficiary of divestiture, and most subsequent proposals have reiterated that point.

In spite of this, smallholders have almost never been the beneficiaries of the process. Land has not been distributed to them. Land has not, in fact, been distributed (with only one exception of which we are aware⁴¹); it has instead been acquired by those who have the means and the political savvy to do so. Furthermore, as the process plays out, smallholders are increasingly being dispossessed

of land that they have inhabited and cultivated throughout the colonial and state farm periods.

Several examples are worth citing.⁴² In the north of the country, in Cabo Delgado Province, the government divested the Cabo Delgado State Cotton Farm to the joint venture company Lomaco (comprised of the multinational Lonrho and the Mozambican government) in 1989. Lomaco is 'clearing' vast tracts of land which not even the colonial enterprise, SAGAL, had ever exploited. It claims to be doing this to encourage local smallholders to plant cotton, which they would then sell to the company. Residents, however, are unenthusiastic about cultivating cotton -- a crop which requires diligent labor input but cannot be directly consumed -- and feel insecure about cultivating land which they have not cleared themselves. According to local customary law, the smallholders would have no claim to such land. And since no other, 'official' rights have been granted them, some are leaving the land uncultivated and moving off into the bush.

In the central region of the country, in Sofala and Manica Provinces, provincial-level officials have 'granted' tracts of land from the former Lamego and Vanduzi State Farms, respectively, which both closed in the past three years due to a lack of credit. Much of the Lamego land has gone to provincial-level officials; in other words, they have divested it to themselves. *Deslocados* (internally displaced people) and local smallholders are currently crowded onto these lands as a result of years of displacement due to the war. Although many are now beginning to spread out from the Beira 'corridor' -- where they enjoyed the protection of Zimbabwean troops during the

conflict -- others, including people originating from the area and those who wish to enjoy the advantages afforded by close proximity to the roadway, railway and infrastructure concentrated in the corridor, remain. They far exceed the carrying capacity of the tired tracts of land to which smallholders in the region have been confined since the colonial era. Nonetheless, local officials assert that smallholders are incapable of effectively exploiting the rich lands and the infrastructure of the former state farm, and for that reason they have not even been considered in the divestiture process. What is more, three colonial era landholders have been permitted to 'reactualize' land titles since the state farm closed.⁴³ They now claim not only large sections of former state farm land, but also land that they formerly held which was never included in the state farm -- and onto which smallholders had expanded nearly twenty years ago.

Small tracts of land on the edge of the former Vanduzi State Farm are currently being used to accommodate settlements of *deslocados*. Their inhabitants have been given access to 1-hectare plots of land to cultivate. But the arrangement is considered temporary. These people are expected to vacate the land when the security situation permits their return to their 'areas of origin'. Local officials in Vanduzi are more interested in attracting commercial farmers to occupy former state farm land. At the time of our research, they had been unable to find many who were willing to commence operations in a zone where security was so precarious. In an interview with one who had actually commenced farming, it was stated that farm hands were being permitted to cultivate their own plots where the commercial farmer was not currently farming -- just

as had been the arrangement under colonial and state farm management in the past. The farmer gave no assurance that such arrangements would continue once security permitted him safe access to all of his holdings. With investors from Zimbabwe, just across the border, expressing interest in acquiring land there, it is doubtful that many smallholders will be allowed to continue farming such coveted land in the future. Realizing this, many feel insecure on, or even around, former Vanduzi State Farm lands, and are considering moving out once it is safe to do so.

In the south of the country, on the land once comprising the ten state farms of Chokwe, the situation is still different for smallholders.⁴⁴ There, smallholders were dispossessed of the lands on the margins of the Limpopo River when irrigation schemes were constructed in the 1950s. The only exception was a small class of 'progressive African farmers' who were admitted to the schemes on a probationary basis. At independence, smallholders spontaneously reoccupied these valuable lands as colonial settlers vacated them. But when flooding of the region occurred in 1977, the government took advantage of the opportunity again to remove smallholders from the area. The Complexo Agro-Industrial do Vale do Limpopo (CAIL) was formed in 1977, and later, in 1984, ten state farms were created through a process of subdivision of CAIL. As financial constraints have forced all of these farms to close in recent years,⁴⁵ land has been parcelled out once again. This is the only case we are aware of where land has been 'distributed' to smallholders. In 1991, a lottery was conducted, and plots allotted to those whose names were drawn. Still, the lottery was rigged, with 'private' and 'family' sector farmers

times. Categorical assumptions concerning the imminent movement of populations fail to take a number of issues into account.⁴⁹ To begin with, the desire to 'move out' was as often expressed to us in terms of escaping the watchful eye of the state as it was in terms of reoccupying an abandoned homeland. This is not to say that the desire to return to the lands cultivated by forebearers is not a factor. It is to say that in many cases, these sentiments are bound up with resentments that can be traced to the tensions arising from villagization and the political penetration of the state into the rural zones in the first years following independence.

These sentiments are complex and often contradictory. Rural inhabitants whom we interviewed frequently hoped that schools and health clinics would be provided to them wherever they lived. These are services that inarguably are fundamental components of state presence in the rural areas. But other forms of pervasion were viewed less favorably by our interviewees. The establishment of party cells, local government offices accountable to Maputo, and popular tribunals all received mixed reviews. They may have been embraced at one time -- and this in opposition to 'traditional institutions' discredited by cooperation with the Portuguese. But now, it is often to 'traditional authorities' that people are turning as they express a frustration with or hostility toward official institutions.⁵⁰ In Sofala, we were told that when Frelimo came to power, the party disrespected 'traditional authorities' and banned their organization of ceremonies to bring rain and prosperity to the people. It is little wonder, the respondents asserted, that war and drought took hold of

the land. We have encountered similar attitudes in locations throughout the country.

A second issue which has implications for the intentions of people now compressed on or around most former state farms and other valuable lands is the length of time that they have been displaced from their areas of origin. The war with Renamo lasted more than a decade, and large-scale population movements began to occur in some regions as long as ten years ago. This means that some people have been uprooted for that entire period.⁵¹ Many have married in their new locales. Some have spent their formative years there. While elders may have a greater inclination to 'return', those upon whom they have come to depend over this period may wish to stay.

This is closely related to a third issue. The zones to which people have moved -- including, but not exclusively, former state farm lands -- are, in nearly all cases, more closely integrated with urban centers than the regions to which people might return. Youth who have experienced the more urban lifestyles associated with larger population concentrations will be reluctant to leave. Even elders who have experienced the convenience of roadside markets for the purchase of consumer goods and agricultural inputs or sale of surplus production may hesitate to return to relative isolation. This is compounded by the fact that what infrastructure might have existed in their areas of origin has most likely been destroyed by Renamo. Reconstruction of these zones will take a long time; meanwhile, they are comparatively less attractive in their productive potential.

We do not mean to suggest that *deslocados* will, universally, not return to the countryside. They have already begun resettling in some parts of the country.⁵² There are many incentives to do so, and they are not negligible. Among them is certainly the promise of more secure access to land. What we do suggest is that the existence of such an option -- predicated upon the so-called 'abundance' of land in Mozambique -- does not supersede the fact that lands located in the transportation corridors (Beira, Limpopo, Nacala and Nampula), along roads, around urban centers (including the green zones outside Maputo and Beira), and near waterways remain more attractive to everyone, including smallholders. In recent years, smallholders have experienced what it is like to live in these areas,⁵³ and sometimes to cultivate lands there, as a result of dislocations caused by the war and the closures of many state farms in these same regions. Practices and patterns have been generated, hopes raised, expectations created, and, in some cases, rights asserted.

The situation has been drastically complicated by the government's failure to articulate a clear land policy (and specifically a policy for restructuring the state farm sector), and the resulting haphazard manner in which the state farms have been dismantled and lands (in general) made available to various occupants.⁵⁴ This failure represents a substantial mistake which has already been committed in the peace process in Mozambique. Because of it, powerful interests have gained a toehold on the best and most desirable lands in the country.⁵⁵ This has occurred because the central government has given no clear directives regarding how smallholders are to be made beneficiaries of agricultural

restructuring, and in the absence of this, no one at the provincial level has taken responsibility for protecting their interests, or asserting their claims to land. Quite the contrary, officials have systematically excluded smallholders through considering them 'incapable' of exploiting valuable land. Divestiture and other major land grants and transactions have been presented to smallholders as a *fait accompli* and not as a process which is designed to benefit them -- as it was ostensibly meant to be. In most areas we visited, smallholders were unaware either that the local state farm was being divested or that distribution of land to them might be a consideration. Of course, officially, divestiture has not yet occurred in many of these situations. What is 'not happening' cannot easily be contested.

The prevailing assumption among most provincial officials, however, is that for larger commercial farmers, occupation of land is the first and most important step toward asserting legal claim. At the provincial level, officials are merely awaiting confirmation from Maputo before issuing use titles to those larger commercial farmers whom they have permitted to occupy land. If and when this happens, the news that the lands beneath them have changed hands without their knowledge will not be well received by smallholders, whether they are *deslocados* or not.

The war which Mozambique is now attempting to put behind it was not characterized by popular support from a disgruntled peasantry. It was not a guerrilla war -- not a popular uprising.⁵⁶ Nonetheless, it has been shown that in some areas the spread of the war was facilitated by local grievances over compulsory villagization

and the transfer of authority over land (accompanying this process) from 'traditional institutions' to appointed bureaucrats. The land issue sometimes fanned a fire that had been set by the larger forces backing Renamo. The danger, now, is that in focusing on settlement between Frelimo and Renamo, the potential for continuing conflict which the land issue continues to present may be overlooked. Recent events in Magude District, Maputo Province, should serve as a caveat. There, 350 smallholder families threatened to use violence if a 'private' farmer, who had been 'given permission' in 1990 to occupy 120 hectares of land formerly belonging to the Magude State Agricultural Enterprise, persisted in his attempts to evict them and exploit the land himself.⁵⁷ Unfortunately, this scenario is now being played out time and time again throughout the country.

Issues Under Consideration and Debate

The issue underlying the potential for conflict over land in Mozambique is larger than the disposition of state farm land or the process by which the state farm sector is divested. The same factors which have prevented the government from establishing a clear policy for the restructuring of the state sector -- lack of resources or information, ideological impasse, anxiety over the prospect of elections, corruption, land grabbing, and political stalemate -- have also prevented it from clearly delineating a coherent land rights regime for the country as a whole. Government remains undecided about whether or not to permit the emergence of a market in land rights, sending, from time to time, conflicting signals about its

intentions. A mechanism for obtaining land use titles has been established (in the Land Law Regulations, Decree no. 16/87, 15 July 1987⁵⁸), but the government hesitates to issue such titles in most situations. The majority of commercially oriented occupants of former state farm land (and other similarly valuable plots) whom we interviewed had been permitted to apply for title, but had not been granted one. Smallholders are theoretically able to apply for titles to their lands as well, but nowhere have we seen an instance of this occurring. The process is prohibitively expensive, not to mention distrusted by smallholders.

In the midst of such an atmosphere, land rights for everyone remain unclear. Smallholders stand to lose systematically when rights are not clearly defined. They have little recourse when told to leave their land by anyone who may claim it with the complicity of the local government. Commercial farmers, too, are penalized when land rights are not clearly defined. Fearing that they may eventually lose their rights, they are reluctant to invest in their land, and are not able to farm as efficiently and productively as they might.

The issuance of titles may help to clarify the rights of commercial farmers. But in a country such as Mozambique, where the smallholder sector predominates and government capacity is very limited, land titling does not represent an efficient or adequate means of ensuring land tenure security for the smallholder sector.

If the Mozambican nation is finally to achieve a transformation of its agricultural sector to the benefit of smallholders, and at the same time consolidate the peace, a way must be found to ensure local level participation and confidence in the administration of land and

natural resources. The multi-party elections which are now promised will not in and of themselves do this. None of the new parties, including Renamo, have a coherent perspective on land issues. What is required is constitutional, legal and political reform which facilitates accountability to the wider population of individuals and institutions making decisions about the disposition of land and the allocation of natural resources. It is only when smallholders sense that those who are responsible for the distribution of land and the settlement of land disputes are accessible and answerable to them that they feel secure on their land.⁵⁹ In essence, the separation of 'popular justice' from land issues, manifest in the years since independence, requires a remedy. This would be a fundamental component of the 'political decentralization' and 'transition to democracy' of which everyone in Mozambique now speaks.

Beyond this, there is mounting evidence that notions of democracy and political accountability need to be expanded to recognize the potential role of 'traditional institutions' in local governance. Democracy entails governance that is considered legitimate by people at the local level -- if in some cases this means the participation of individuals who derive prestige and credibility from their place in lineage-based institutions, ways will have to be found to accommodate.

Mozambique would not be the first African nation to institutionalize the participation of 'traditional authorities' in local-level governance. In Botswana, land boards, consisting of elected officials, appointed officials and land chiefs, have been quite successful in administering local lands and resources in a way that

both instills confidence in local inhabitants and prevents the exploitation of these populations by their 'traditional leaders.'⁶⁰ Uganda, Malawi and Senegal are other countries that have experimented, with varying degrees of success, with similar structures.⁶¹

In Mozambique, such institutions would have to be given the authority to administer not only 'family' sector lands, but also to decide issues related to 'private' sector agriculture within their jurisdictions. Otherwise, former state farm lands and other valuable holdings would continue to be denied to the smallholder sector, and land boards would essentially be reduced to administering 'reserve areas' where land is exhausted or geographically isolated.

Many in Mozambique have expressed concern about permitting smallholders or their local representatives the authority to deny land grants to larger commercial farmers. But such concern is probably unwarranted. Given the authority to make decisions as to whether or not commercial farmers would be permitted to obtain rights in the area, land boards would be able to weigh the benefits that this might bring (including infrastructural construction, employment, hireable assistance such as plowing, and dissemination of technical knowledge) against the costs (including primarily the fact that larger commercial farmers would require large tracts of valuable land). It has been demonstrated in the experiences of the countries mentioned above that administration through local-level land boards need not be the death knoll of commercial agriculture. On the contrary, it can allow for a more amicable relationship between smallholders and local government as well as between smallholders

Mozambique: The Role of the International Community', *United States Institute of Peace Special Report on Mozambique*, 18 May 1993, p. 3.)

⁷ A trust fund has been established by the United Nations to support political parties and the electoral process itself. (See *ibid.*, p. 4.)

⁸ The research has been undertaken as part of the Land Tenure Center, University of Wisconsin-Madison, Research Project on State Farm Divestiture and Land Policy in Mozambique. The Land Tenure Center has been conducting research in Mozambique since 1989. Earlier research focused on land markets and land disputes in the peri-urban zones (see Laurel Rose et al., *Residential and Agricultural Land Disputes in Maputo* (Madison, 1992); and Michael Roth, Steve Boucher and Antonio Francisco, *Land Markets, Transaction Costs, and Land Use in the Peri-Urban Green Zones of Maputo, Mozambique* (Madison, 1992)). The current project is in cooperation with the Ministry of Agriculture, Government of the Republic of Mozambique, and is funded by USAID-Mozambique's Private Sector Support Program.

⁹ The findings of the Land Tenure Center project are presented in greater detail in a number of publications: Gregory W. Myers and Harry G. West, *Land Tenure Security and State Farm Divestiture in Mozambique: Case Studies in Nhamatanda, Manica, and Montepuez Districts*, LTC Research Paper no. 110 (Madison, 1993); Christopher Tanner, Gregory Myers and Ramchand Oad, *Land Disputes and Ecological Degradation in an Irrigation Scheme: A Case Study of State Farm Divestiture in Chokwe, Mozambique*, LTC Research Paper no. 111 (Madison, 1993); Gregory Myers, *Land Tenure and Resettlement in Post-War Mozambique: Capacity and Individual Choice* (Madison, 1992); Harry West and Gregory Myers, 'Legitimidade política a nível local e segurança de posse da terra', *Extra* (Maputo: Centro de Formação Agrária), 10 (1992), pp. 34-39; Gregory Myers and Christopher Tanner, 'Direitos de propriedade e conservação ecológica', *Extra*, 10 (1992), pp. 26-33; and Gregory Myers, *Land Tenure Issues in Post-War Mozambique: Constraints and Conflicts* (Madison, 1993).

¹⁰ See, for example, Albie Sachs and Gita Honwana-Welch, *Liberating the Law: Creating Popular Justice in Mozambique* (London, 1990), p. 1; Barbara Isaacman and June Stephen, *Mozambique: Women, the Law and Agrarian Reform* (New York, 1980), p. 68.

¹¹ See Barry Munslow, *Mozambique: The Revolution and its Origins*, (London, 1983), pp. 102-113.

¹² *Ibid.*, pp. 92-97.

¹³ For a general description of this period, see Allen Isaacman and Barbara Isaacman, *Mozambique: From Colonialism to Revolution, 1900-1982* (Boulder, 1983); and Joseph Hanlon, *Mozambique: The Revolution Under Fire* (London, 1990).

¹⁴ The policies of the Portuguese colonial administration had systematically obstructed the advancement of Africans in most spheres, and commercial activities were no exception. Consequently, at independence, an African Mozambican private sector was virtually nonexistent.

¹⁵ "Intervention" did not constitute the legal seizure of land and capital assets. Colonial landholders remained the nominal owners of the lands they had abandoned until, in 1987, a provision in the Land Law Regulations (Article 79) gave them three years in which to "reactualize" their titles or give up claim to their lands. This has, in recent years, further complicated issues of tenure on former colonial lands. For a more detailed treatment of the process

of intervention on abandoned colonial landholdings, see Myers and West, *Land Tenure Security and State Farm Divestiture*, pp. 5-8.

¹⁶ Quoted in Hanlon, *Mozambique: The Revolution Under Fire*, p. 100.

¹⁷ All data concerning the state farm sector are to be treated with caution. The government itself has presented conflicting information about the number of farms in the sector and the area covered. This is the result of a number of factors. Regarding the number of farms, some were never made operational, and have therefore been sometimes included, sometimes omitted, on official lists. Other farms underwent processes of consolidation or subdivision, further confusing the number of actual farm units at any given time. Area statistics are rendered inaccurate by the fact that cadastres of most farms were never undertaken. In addition, most farms "claimed" far more land than they ever utilized, and estimates of their sizes sometimes included this area, and sometimes did not. Vast "schemes" in the north of the country administered as much as 400,000 hectares each, but most of this area was not under the direct control of any state farm enterprise.

¹⁸ By desirability we mean to imply quality of the land and soils, proximity of the plots to natural resources and infrastructure, accessibility, and level of previous investment in the immediate vicinity.

¹⁹ See *Mozambique Land Law*, as well as Sachs and Honwana-Welch, *Liberating the Law*, pp. 27-45.

²⁰ In highlighting the ideology of FRELIMO, we do not mean to imply that the government's actions were unaffected by political considerations. Indeed, we wish to draw attention to a discourse which was both founded upon certain forms of political power and meant to produce or reproduce certain forms. Among the effects of this discourse was the establishment of a political structure, centered in Maputo, which reached deep into the rural areas. This was an effect of which most FRELIMO officials were well aware.

²¹ For discussions of these programs, see Stephanie Urdang, *And Still They Dance: Women, War and the Struggle for Change in Mozambique* (New York, 1989); Bertil Egero, *Os Primeiros Dez Anos de Construção da Democracia* (Maputo, 1992); William Finnegan, *A Complicated War: The Harrowing of Mozambique* (Berkeley, 1992).

²² See Joseph Hanlon, *Mozambique: Who Calls the Shots*, (Bloomington, 1991), pp. 9-10, 179-85.

²³ See *ibid.*, pp. 10, 178-9.

²⁴ See *ibid.*, pp. 12, 25.

²⁵ In some areas, including particularly the green zones around urban centers, popular tribunals often handled land disputes, but these were frequently presented as components of marriage conflicts or some other form of family dispute.

²⁶ For a detailed description of this phenomenon in the province of Manica, see Myers and West, *Land Tenure Security and State Farm Divestiture in Mozambique*, pp. 41-52.

²⁷ In many cases the political agenda of villagization and the economic agenda of the state agricultural sector were tightly integrated, and were, at times, supported by military coercion. Still, though mistakes were made and abuses perpetrated, the simple condemnation of villagization as a program designed to "capture the peasantry" and "consolidate state power" would entail an inaccurate oversimplification and demand a kind of rewriting of history

which is now, unfortunately, happening more frequently in the literature on Mozambique.

²⁸ This is made even more significant by the fact that in many areas -- particularly in the south, where labor migration by a large percentage of the male population is common -- the vast majority of cultivators are women. In all regions, most women farm. For in-depth treatments of the relationship between state agriculture and women in Mozambique, see John Saul, *A Difficult Road: The Transition to Socialism in Mozambique* (New York, 1985); Jean Davison, *Gender Relations of Production in Collective Farming in Mozambique*, Institute for Research on Women and Gender Working Paper no. 153 (Stanford, Calif., 1987); Jelle van den Berg, 'A Peasant Form of Production: Wage-Dependent Agriculture in Southern Mozambique', *Canadian Journal of African Studies* XXI (1987), pp. 375-389; Urdang, *And Still They Dance*; Isaacman and Stephen, *Women, the Law and Agrarian Reform*; and Hanlon, *The Revolution Under Fire*.

²⁹ See Kathleen Sheldon, 'Women and Revolution in Mozambique: A Luta Continua', in *Women and Revolution in Africa, Asia, and the New World*, ed. Mary Ann Tetrault (Columbia, forthcoming), for a concise evaluation of the relationship between rural women and state agriculture.

³⁰ See, for example, Margaret Hall, 'The Mozambican National Resistance Movement (RENAMO): A Study in the Destruction of an African Country', *Africa*, 60 (1990), pp. 39-68; Robert Gersony, *Summary of Refugee Accounts of Principally Conflict-Related Experience in Mozambique* (Washington, 1988); William Minter, 'The Mozambican National Resistance (RENAMO) as Described by Ex-participants', *Development Dialogue*, 1 (1989), pp. 89-132; Alex Vines, *RENAMO Terrorism in Mozambique* (Bloomington, 1991); Urdang, *And Still They Dance*; Finnegan, *A Complicated War*.

³¹ Cited in Hanlon, *Mozambique: The Revolution Under Fire*, p. 101.

³² See Otto Roesch, 'Rural Mozambique Since the Frelimo Party Fourth Congress: The Situation in the Baixo Limpopo', *Review of African Political Economy*, 41 (1988), pp. 73-91.

³³ This assessment is reproduced in appendix 8 of Myers and West, *Land Tenure Security and State Farm Divestiture in Mozambique*.

³⁴ *Ibid.*, appendices 9, 10, 12, 13, 18, 19, and 20.

³⁵ Mozambique has no ministry, or department, of lands, as do most other African nations. The National Directorate of Geography and Cadastre (DINAGECA) is mandated to carry out some, but not all, of the functions normally associated with a ministry of lands. However, due to a lack of capacity and resources, its activities are largely limited to survey and cadastre in urban areas.

³⁶ See appendix 15 of Myers and West, *Land Tenure Security and State Farm Divestiture in Mozambique*.

³⁷ *Ibid.*, appendix 16.

³⁸ This legislation included Laws 13/91 and 14/91 of 3 August 1991, Decrees 27/91 and 28/91 of 21 November 1991, and Decree 31/91 of 26 November 1991. *Ibid.*, appendix 17.

³⁹ *Ibid.*, tables 2 and 3.

⁴⁰ We have, in fact, seen cases in which this has been done. In some instances, such land has been distributed multiple times.

⁴¹ This is within the Chokwe scheme, discussed below.

42 Ibid., pp. 27-62, for detailed summaries of the case studies.

43 We have seen evidence that this is a widespread phenomenon.

44 See Tanner, Myers and Oad, *Land Disputes and Ecological Degradation in an Irrigation Scheme*, for a detailed summary of this case study.

45 Two of these farms have been divested to joint ventures.

46 The lottery actually had to be conducted more than once in several locations because of accusations that the process had been "unfair" and/or dominated by the "old families" of longstanding influence in the region. In some cases, this caused land to be taken back and redistributed.

47 In Chilembene, much land has also been granted to Lomaco, João Ferreira dos Santos (JFS), and SEMOC -- a parastatal seed company. In the process, local smallholders have been displaced from land -- some of which was never under the control of any state farm enterprise -- that had been given to them (with deeds) after the 1977 floods.

48 This subject will be taken up in a forthcoming article by Myers.

49 See also Myers, *Land Tenure Issues in Post-War Mozambique: Constraints and Conflicts*; Myers, *Land Tenure and Resettlement in Post-War Mozambique: Capacity and Individual Choice*; Ken Wilson, 'Linking Returning Home with Development in Northern Mozambique: Some Preliminary Suggestions', unpublished manuscript, Refugee Studies Programme (Oxford, 1991); Ken Wilson, 'Repatriation and Development in Northern Tete: People's Attitudes, Current Procedures and Post-War Planning: Preliminary Findings from Field Research in Angonia', unpublished manuscript, Refugee Studies Programme, (Oxford, 1991); and Ken Wilson and J. Nunes, 'Repatriation to Mozambique: Refugees Initiative and Agency Planning', in *When Refugees Go Home*, ed. T. Allen and H. Morsink (London, 1992).

50 See West and Myers, 'Legitimidade política a nível local e segurança de posse da terra'.

51 If the observations of anthropologists monitoring the resettlement process associated with the construction of the Kariba dam in Zambia in the late 1950s and early 1960s [Elizabeth Colson, *The Social Consequences of Resettlement* (Manchester, 1971)] can be used for comparison, it can be expected that displaced peoples might begin to establish significant ties to the region to which they have moved in as little as five years.

52 Often families will send one or two individuals to resettle while others stay behind. As the resettled lands are able to support them, more members of the family move, but at least a few remain as a hedge against renewed conflict or other problems in the resettled area. This process is often referred to as "leapfrogging." For accounts of such movements, see Medecins sans frontières (CIS Celula Inter Seccoes), Boletim Mensual No. 1-10; and forthcoming article by Myers.

53 In some cases this has constituted a return to areas they previously occupied.

54 See Myers and West, *Land Tenure Security and State Farm Divestiture*, pp. 63-67.

55 This phenomenon is not limited to former state farm lands; again, see Myers, forthcoming.

56 Since the publication of Christian Geffray and Mogens Pedersen, 'Nampula en guerre', *Politique Africaine*, 29 (1988), pp. 28-40, and Christian Geffray, *La Cause des Armes au Mozambique* (Paris, 1990), many have asserted

that there is evidence that rural populations supported RENAMO in some areas. However, a close reading of these works shows that Geffray and Pedersen do not support this view. They are, in fact, quite explicit in their conclusions to the contrary. They assert that local discontent with past government policies created an atmosphere in which RENAMO's arrival was not actively resisted, and that some youths initially welcomed RENAMO's arrival due to the excitement and opportunities for overturning gerontocratic relations in the village that it promised, but they do not equate these phenomena with 'rural support' for RENAMO. This was confirmed in a personal communication with Christian Geffray, Paris, March 1992.

⁵⁷ *Noticias*, 9 March 1993.

⁵⁸ Reproduced in Myers and West, *Land Tenure Security and State Farm Divestiture in Mozambique*, appendix 4.

⁵⁹ For a more in-depth discussion of this issue with regard to the Mozambican case, see West and Myers, 'Legitimidade política a nível local e segurança de posse da terra'.

⁶⁰ For a concise description of the organization of the land boards in Botswana and an evaluation of their operations, see Botshelo Mathuba, *Report on the Review of the Tribal Land Act, Land Policies and Related Issues* (Gaborone, 1989).

⁶¹ See Mark Freudenberger, *Land Tenure, Local Institutions and Natural Resources in Senegal* (Madison, 1993); Richard Mkandawire, 'Customary Land, the State and Agrarian Change in Malawi: The Case of the Chewa Peasantry in the Lilongwe Rural Development Project', *Journal of Contemporary African Studies*, 3 (1983-4), pp. 109-128.