



H T S

Hunting Technical Services

LAND REFORM, TENURE & INSTITUTIONS

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LAND TENURE IN AFRICA

A PROGRESSION

Open Access → Common Property → Lineage → Chieftain → Titled

ECONOMIC CHANGE → CHANGES IN TENURE

**AUTOMATICALLY ?
BY GOVERNMENT ACTION?**



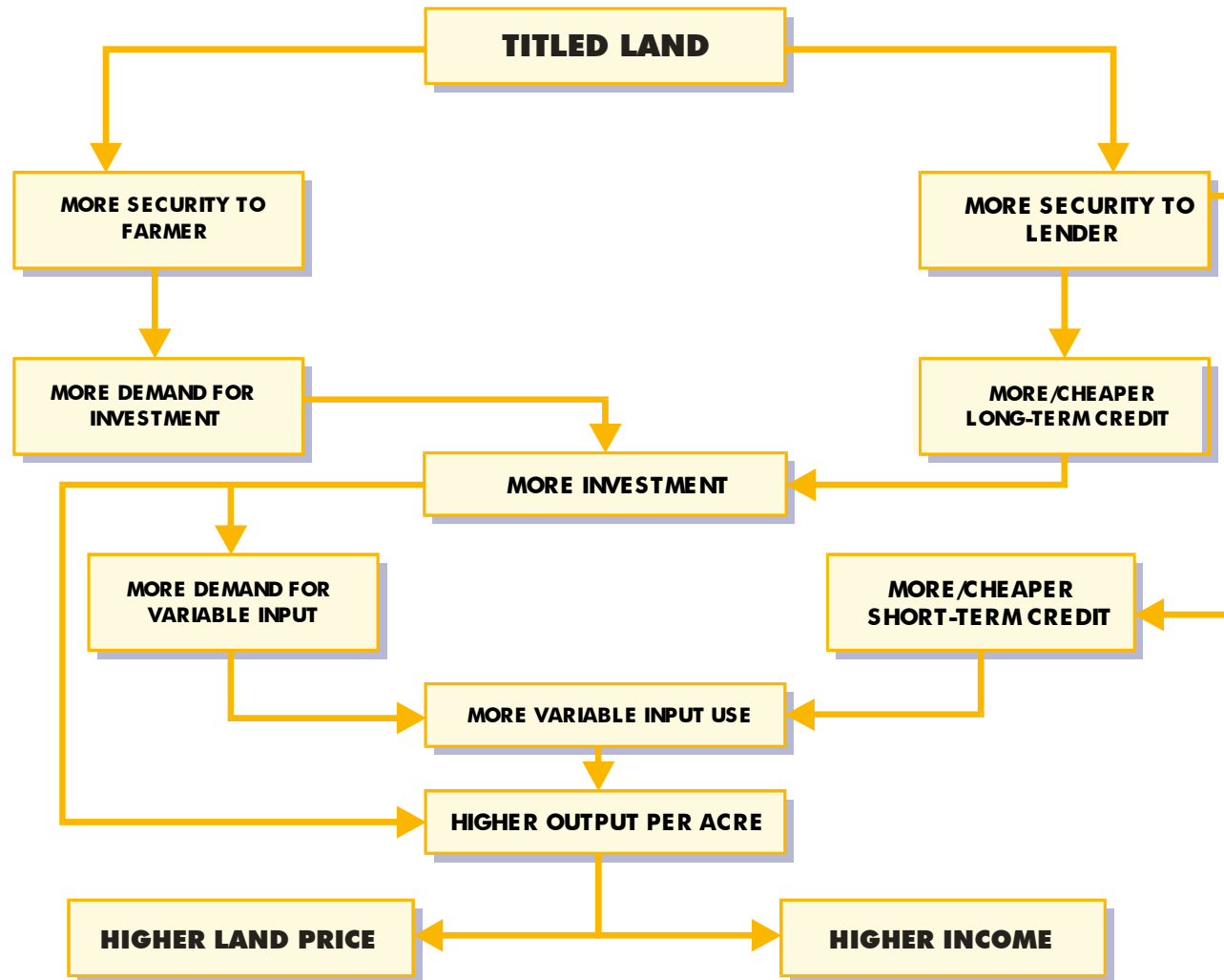
SECURITY vs TRANSFERABILITY

Communal and traditional forms of tenure can and usually do provide the farmer adequate security - he is unlikely to lose his land

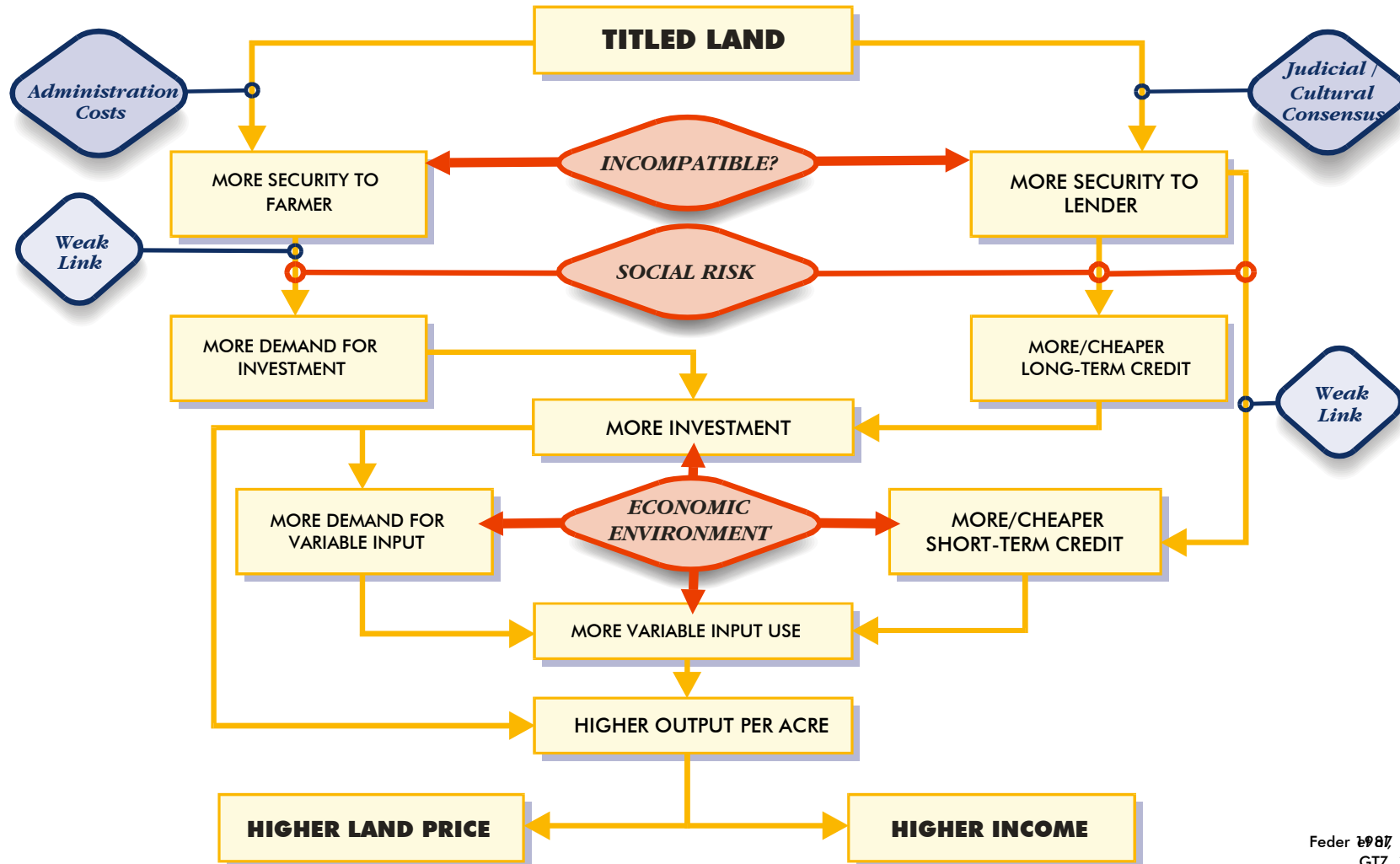
Transferability is the most critical new property right conferred by modern forms of tenure - the right to buy and sell, to mortgage, to bequeath freely, to rent



LAND OWNERSHIP, EQUITY AND FARM PRODUCTIVITY - The Theory



LAND OWNERSHIP, EQUITY AND FARM PRODUCTIVITY - In Practice



SOCIAL RISKS

- **Land Grab**
- **Dispossession**
- **Succession**
- **Extinction of Customary Rights**
 - **Intra Family**
 - ▶ Succession
 - ▶ Wives, minors etc
 - **External**
 - ▶ Pastoralists
 - ▶ Passage, fuel gathering etc



ADMINISTRATION COSTS

**OUT OF DATE TITLES ARE USELESS
EXPENSIVE TITLES WILL NOT BE RENEWED**

- **Survey Costs - Air Photography, mapping**
- **Adjudication - 100% Contact??**
- **Initial Registration**
- **Running Costs - Record Keeping, Transactions**

SALE, MORTGAGE, SUCCESSION, DIVISION



THE ECONOMIC ENVIRONMENT

LAND MUST BE IN DEMAND FOR TENURE TO BE VALUABLE & AFFORDABLE

- **Markets - for produce, inputs and credit**
- **The Resource Endowment**
- **Population Growth and Migration**
- **URBANISATION**
- **Trade**



CONCLUSION

CHANGES TO LAND TENURE MUST BE 'DEMAND LED'

The challenge for Governments is to develop land tenure institutions at just the right pace to match economic and social change :

TOO FAST RISKS

great cost for little benefit

TOO SLOW RISKS

major social disruption and economic loss

