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"FEUDAL" LAND TENURE AND AGRARIAN REFORM IN AFRICA

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The Feudal Paradigm in Africa

The application or misapplication of the term "feudal" to certain African traditional societies or to particular institutions within those societies exercised historians and social anthropologists in the 1960s. This discussion died down in academe by the early 1970s, but has been pursued vigorously in some country contexts, in Ethiopia in particular, on both the political and academic levels. The importance of the issue of the applicability of the feudal paradigm is obvious from a historical perspective, but the question which is posed here is, rather, whether the use of the paradigm reveals or obscures matters of concern to the planner concerned with land tenure and development strategies. This question must be asked because the paradigm is alive and well in the strategy and project documentation prepared by donors in many African countries. This paper attempts to review the discussion to date and then focus on what has been thought to be the best case for application of the paradigm in Africa, the Abyssinian Empire.

Many of the differences in point of view which emerged in the 1960s literature concerning the usefulness of the feudal paradigm were rooted less in different perceptions of African realities than in the participants' different definitions of feudalism itself. The term is, after all, a characterization applied retrospectively to a substantial period of European history. It refers to a readily discernible and critical trend, but the feudal structure varied in important particulars in different parts of Europe. Feudalism is a complex of associated elements, which have been enumerated somewhat differently by different students of European feudalism. The list of characteristics of a feudal system which has served most widely as basis for discussion is that of Bloch (1961), who considers the important elements to be:

- 1) the feud or fief;
- 2) the personal bond of dependence;
- 3) dispersal of authority;
- 4) a specialized military class; and
- 5) the survival of the idea of the centralized state.

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Different analysts have assigned these individual elements or institutions very different weights. Marxists readily home in on what their ideology defines as the critical, generative element distinguishing feudalism from other pre-capitalist modes of production: the control of the means of production, land, by an aristocracy utilizing a system of fiefs to exact and distribute surplus production. Other approaches vary considerably. Some analysts seem ready to characterize a non-European society as feudal even if it is simply hierarchical; others require the presence of most but not all of the elements listed by Bloch; while yet others focus on one element as particularly critical, usually the fief or the personal bond of dependence.

The differences of approach are reflected in the African material. Nadel had characterized the Nupe of Northern Nigeria as feudal (1942), but the 1960s' discussion was primed by Maquet's description of Rwandan traditional society as feudal (1961, 1971). Lombard was at about the same time using the term for the Bariba of Dahomey (1957). Maquet's position is the best elaborated and his more recent statements focus on one element, the personal bond of dependence as "the feudal institution." Briefly, he sees systems based on such personal bonds of dependence divided into two types, clientship and feudalism, with the latter distinguished from the former only by a much higher degree of formalization. He suggests that dependence institutionalized in feudalities is relatively rare in Africa because it tended to develop only out of caste stratification, as between Tutsi lords and Hutu subjects. He notes that the role which cattle play in this dependence relationship presents an "interesting parallel" to the fief but he chooses not to emphasize the economic dimension.

Goody (1963, 1969) and Beattie (1964) have critiqued the application of the term feudal to African societies by Maquet and others, arguing that there are significant differences between European feudalism and the apparently similar, hierarchical systems of Africa. First, European feudalism originates in a regression from the state, in the bottoming out of a process of disintegration following the collapse of the Roman Empire. Coulbourne (1956) has characterized it as "a mode of revival of a society whose polity has gone into extreme disintegration." In Africa, the "feudal" system more usually represents an advancement along the spectrum from segmentary to centralized societies, a positive step in the process of state formation. In part because of this circumstance, African "feudalities" commonly exhibit alternative, sometimes competing organizational principles, and a careful analysis of the centripetal and centrifugal forces in the society, such as that of Beattie with regard to the Bunyoro, produces many insights which are not particularly reminiscent of feudalism (1964). Also revealing is Lacoste's analysis of medieval North African society in terms of the feudal paradigm. He notes that the survival of strong tribal solidarity resulted in a hierarchical system superimposed on tribal structures within which tribesmen stood as free men, in stark contrast to the European serf.

Further, there are important differences in the location of the bonds of dependence within the feudal structure. In many African societies these bind members of the ruling and subject class to one another, whereas in European society the classic feudal bond bound together members of the ruling class, providing the glue for their system of administration and property. The quality of relationships between the lower level of that system and the serf

population was quite different. Moreover, while in the European feudal model each participant owed his feudal duty primarily to those with whom he stood directly in this relationship of personal dependence, those immediately above and below him in the hierarchy, in tribal societies in Africa there will usually be great direct loyalty by the tribesmen to the person of the chief or king. Beattie has noted this with respect to the Bunyoro (1964).

In addition, the feud is difficult to establish in Africa. Marxists and many other analysts consider it a critical feature of European feudalism that the feudal nobility had direct control over the means of production, the land. The most broadly accepted model for African tenure systems is instead that of a hierarchy of estates of administration upon a farmer's estate of use. Goody has suggested that the property arrangements of medieval Europe have their roots in the concept of full ownership developed by Roman law, which under feudalism came to be vested in the monarch, and from which the monarch delegated derivative estates. He further suggests that lacking such a concept of landownership, a system of fiefs which closely follows the European model is difficult to establish (1963).

Finally, there are problems with the element of the professional military class, though this seems to have struck most commentators as a less critical concern.

Given the above, Beattie and Goody conclude that while the comparison of particular elements in African societies with particular European feudal institutions is constructive, it is not useful to characterize societies as "feudal." That approach, they consider, is dangerous in that it obscures important differences. The academic discussion on the African level of generalization ended on this note, but a debate has continued on both the theoretical and the political level in several African countries. Often that discussion has been from a Marxist perspective, and too often based on a simplistic interpretation of Marx, assuming a unilineal progression through a fixed sequence of modes of production. Working from that viewpoint there is limited basis for dialogue, with social scientists attempting to build up models of African societies empirically from observed facts. Increasingly, however, prospects for such dialogue improve. Some of the present generation of French Marxist anthropologists, such as Meillasoux (1964) and Terray (1972), are open to the notion of previously undefined pre-capitalist modes of production. Meillasoux in his studies of the Gouro of the Ivory Coast has applied the tools of historical materialism to illuminate the formative effect of labor needs, created by patterns of work dictated by existing technology, upon kinship in this segmentary society. Coquery-Vidrovitch (1977) has attempted to define an "African mode of production" based on long-distance trade, to do justice to the particularities of the savanna kingdoms of West Africa. This work, though very much informed by the principles of historical materialism, is empirical and greatly enhances the possibilities for dialogue between Marxists and non-Marxists on modes of production in Africa. One suspects it will not be long before the feudal mode appears on the agenda for the dialogue.

If that is the case, one would hope that, as Goody and Beattie have suggested, the exchange could proceed in terms of particular elements within the system, such as land tenure. There are practical as well as theoretical

reasons for this. Decidedly hierarchical traditional systems do not have a promising future in post-independence Africa. They excite concern on the part of new nation-states and new national elites. Many are already gone, some merely "topped," others subjected to more systematic reorganization. Scholars will be examining these institutions in the future not as elements of a going concern, but as parts of systems which have been reformed, or have disintegrated, or are being transformed by market forces. Let us then focus on the element that particularly concerns us here, land tenure, and ask whether an analysis of certain African tenure systems as "feudal" promises useful insights to planners. I propose to use the Ethiopian case as a test case, primarily because the Abyssinian Empire has achieved the widest acceptance as an African feudal system, with a feudal system of land tenure. ("Abyssinian" here refers to the Amharic- and Tigrinya-speaking highland provinces at the core of the empire, after the fall of the Axumite Empire in the ninth century, A.D., but before the creation of modern Ethiopia at the turn of this century.)

Abyssinian Feudalism

Interestingly, Abyssinian feudalism played a marginal role in the 1960s' discussions of the feudal paradigm in Africa. This seems to be due to an unstated consensus that Abyssinia is an exotic, too significant an exception to patterns familiar in Subsaharan Africa to make for useful comparison. Indeed, Jack Goody, who forcefully criticizes application of the feudal paradigm to African societies, offhandedly concedes Ethiopia as feudal.

Donald Crummey has reported that, "for an Ethiopianist, reading Bloch can be seductive and hallucinatory" (1980); the case for an Abyssinian feudalism looks very good as one reviews Bloch's criteria:

- 1) There was a species of feud, the gult, which permitted extraction of a surplus from peasant cultivators to support the feudal structures.
- 2) There was a nobility, and relations within the hierarchy were formalized relations of personal dependence.
- 3) Over substantial periods, eras really, power was significantly fragmented.
- 4) The nobility played the leadership role in raising and leading armies in battle, and can be described as a military class.
- 5) There is a parallel to the origins of European feudalism in the ever-present legacy of the ancient empire of Axum, with periodic striving to obtain a more centralized state.

Moreover, the highland peasant does not face his social superior as the member of another caste or tribe. He is ethnically one with his superiors. He is not part of a strong lineage or other kin group which insulates him from those superiors, because the descent system is bilateral. Each peasant belongs to many lineages and the sense of corporateness within lineages is thus very weak. Many of the objections to an African "feudalism" are foreclosed.

Nonetheless, the applicability of the feudal paradigm to Abyssinia and to the Ethiopia of this century has been debated with some vigor during the 1970s, and in particular since the 1974 revolution. In the mid-1970s, John Cohen wrote suggesting the intellectual productivity of "trying on" the feudal paradigm in detail (1974a, 1974b). This was something which, for all the description of Ethiopia as feudal, Ethiopianists had seemed reluctant to undertake. A reaction generated Gene Ellis's "The Feudal Paradigm as a Hindrance to Understanding Ethiopia" (1976), which in turn drew fire from Ethiopian Marxists such as Legesse Lemma (1978). The latest (and most careful) contribution to the discussion is Donald Crummey's "Abyssinian Feudalism" (1980).

Land tenure has emerged as a major focus in this debate. Given the 1975 nationalization of land in Ethiopia and Ethiopia's present ideological orientation, this debate is heavy with political implications, and these seriously distort discussions. It is also genuinely difficult to generalize accurately about the more than a millennium for which we have fragmentary information on Ethiopian land tenure. But even if one focuses on a period which best fits the paradigm, say the Abyssinian highlands early in the eighteenth century, under the Gondarine emperors, a serious problem exists. The land tenure system on close examination cannot be fitted within the feudal paradigm without doing a good deal of violence to some of its more striking characteristics.

The problem is that the traditional Ethiopian peasant was himself the alodial owner of most of the land he farmed. This form of property, *rist*, is often described as a communal tenure. It is the product of a few, relatively simple rules. Original title was established by "first settlement," usually many generations in the past. Land was not willed, nor sold, but inherited by all biological children, male or female, in equal shares. There was no time limit on share claims by any descendant of the first settler. The interaction of these rules in the densely populated and mountainous highlands produced far too many claimants chasing far too little land, and the dynamics of acquiring and holding land were as complex as the rules which give rise to them were simple. But the internal dynamics of *rist* are not our concern here. Rather, the point is the alodial nature of this tenure, and its relationship to the "*feud*," *gult*.

The *gult* right is a right to govern and tax. As in medieval Europe, a nobility administered a fragmented policy through a system of grants of feuds from the emperor, and there are patterns of subinfeudation reminiscent of those in Europe. But the feud conveyed was a share in taxation, not the land itself. The financial underpinning of the empire was not rent, but tribute. The Abyssinian peasant is thus no serf, but a *gebbar*, a "rate-payer." His *rist* right to land is in no sense derived from the *gult* right. The first settler, the *akni*, may well have been permitted or sent by a certain emperor or lord to settle in the region, but the title is not seen as derived from a title of a feudal superior; it is earned by clearing and cultivation.

Is the distinction important? In the traditional model, it is not drawn. No distinction was drawn between a tax right and a tenure. The state's right to tribute produced by the land was seen as an interest in the land. It was delegated to the *gult*-holder and described as a tenure. "To the nobleman his *gult*, to the peasant his *rist*," goes the saying. *Rist* is an alodial

tenure, but this is still an African tenure system and there is no incongruity to the traditional mind in one piece of land being subject to two tenures, neither derived from the other, each serving its legitimate function.

From our standpoint, however, dealing with contrasting types of tributary and feudal systems, it is indeed an important distinction. The Abyssinian peasant has controlled the means of production, his land and his oxen. In the Marxist sense, this can hardly be the feudal mode of production. The key element distinguishing the feudal mode from the Asiatic mode is the ruling class's direct control of the means of production. By any tenure-oriented, economic test it cannot be considered feudal.

Conclusion

What can be salvaged from such a profoundly ill fit between the tenure realities and the feudal paradigm? There are other tenure systems in Africa which may be more truly feudal, even though their societies are not generally so reminiscent of the feudal paradigm as Abyssinia. But caution is indicated. The problem is not merely that of the tribute/rent distinction, which is perhaps too formal a distinction to be entirely trustworthy. It is the perhaps related and misleading suggestion of the paradigm that the peasant should be a serf, when he is very definitely a small proprietor, with all the conservatism of the peasant small proprietor. The paradigm would seriously misdirect planners' expectations as to how the peasant would behave in certain circumstances or react to certain initiatives. Fallers has discussed African farmers as peasants (1961), but we lack, so far as I am aware, a cogent analysis of them as serfs. One suspects Maquet may be right when he suggests that such a status is found in Africa only where one tribe has subjugated another and now rules it, with noble and commoner castes.

This is not to suggest that the layered tenure systems of hierarchical African societies have no potential as the raw material of agrarian reform planning. On the contrary, such planning can profit greatly by viewing each layer as a complex of possibilities to be exploited. The group represented by each layer is a potential assignee of new rights and, as each layer has its own geographical scale, there are alternatives of scale for either farming operations or land administration. Institutions of traditional land administration at the various levels may be considered for roles in improved land administration, and norms and values which legitimated the rights at each level can be reviewed for opportunities for legitimation of new patterns.

These, however, are advantages which might be derived from the creative use of layered tenure systems generally, not only those which correspond to a feudal model. And in the end, reference to the feudal model seems more likely to impede than to enhance the perception of such opportunities.

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