

World Bank group supports communal tenure

THE term 'common property' has been largely misunderstood and falsely interpreted for the past two to three decades, write Daniel Bromley and Michael Cernea in a 1989 World Bank discussion paper.

They go on to define communal property as, "structured ownership arrangements within which management rules are developed, group size is known and enforced, incentives exist for co-owners to follow the accepted institutional arrangements, and sanctions work to ensure compliance".

Private property, they say, seems to be stable and adaptive because it has social and legal sanction to effectively exclude excess population and to resist unwanted intrusion through the power of the state.

They further dispute the common assertion that private property leads to the best use of agricultural land. Large areas of Latin America's prime agricultural land is used for cattle ranching, they say, while food crops are grown on poorer land.

And there is no evidence that privatisation reduces land exploitation when other economic

incentives are left unchanged. In developing countries, resource degradation is often attributed to communal tenure systems when it actually occurred because local institutions responsible for sustainable resource management and use were dissolved.

They argue that development assistance for sustainable agriculture, environmental protection and natural resource management will only succeed if it focuses on the local people involved.

Bromley and Cernea form part of a body of international and local opinion that emphasises using existing local institutions which people understand and support. This opinion argues that communal tenure should be supported or, alternately, get institutional support so that it may develop to new social tenures able to support modern economic activity.

In terms of this view:

- locally developed communal tenure institutions offer the cheapest and most effective on the ground land administration

- communal tenure provides good security of tenure
- communal tenure institutions can work with assets that are already available and need less outside support than other tenure systems
- they are usually ecologically effective and sustainable and can be upgraded to sustain sound land use practice even in crowded conditions
- communal tenure is indigenous and so more accessible to rural people
- it allows marginal groups in a community, such as women and youth, to retain their land use and transfer rights. Private tenure locates control in a single owner, usually male
- communal tenure can meet local needs more effectively because it develops according to local conditions
- rural communities are more supportive of communal tenure and it gives them greater control
- communal rights can be registered more easily in South Africa than private title.