African Land Devolution Data Set

Note: If you use this data set, please cite the following article: Kate Baldwin, “Chiefs, Land and Coalition-Building in Africa,” *Comparative Politics* 46/3 (2014).

**Variables**

The observations in this data set are the political leaders in power from “independence” through 2007 in Benin, Botswana, Burkina Faso, Ghana, Kenya, Lesotho, Liberia, Madagascar, Malawi, Mali, Mozambique, Namibia, Nigeria, Senegal, South Africa, Tanzania, Uganda, Zambia and Zimbabwe. Only leaders who served in power for the majority of a year are included in the data set. In cases where a leader served non-consecutive terms, these are coded as separate observations. In the case of Liberia, the data set starts in 1960, and in the case of South Africa, it starts in 1990.

**country:**

Name of the country.

**ccode:**

Afrobarometer’s three-letter country code.

**leader:**

Last name of the political leader. In cases where one leader served multiple non-consecutive terms (or multiple leaders shared the same last name), the terms are distinguished from one another by adding numbers to the end of the political leader’s name (i.e. Kerekou2), thereby making leader a unique identifier within each country. The list of political leaders installed prior to 2000 is from the Archigos database. See Hein Goemans, Kristian Skrede Gleditsch, Giacomo Chiozza and Jinhee L. Choung, “Archigos: A Database on Political Leaders,” Typescript, University of Rochester and University of California, San Diego (2008). I updated the data set through 2007.

**year:**

Year in which leader installed. For leaders installed prior to 2000, this data is from the Archigos database. I updated the data set for leaders installed between 2000 and 2007.

**ethgroupleader:**

The ethnicity of each leader, using the ethnic categories included in the fourth round of the Afrobarometer survey. This was coded drawing on a variety of sources, but leaning particularly heavily on the dataset created by Fearon, Kasara and Laitin. See James Fearon, Kimuli Kasara

**ethgroupsiz:**

The percentage of the national population made up by the leader’s ethnic group. The size of each ethnic group in each country was calculated using Afrobarometer data. Specifically, it was constructed from q79 of the fourth round Afrobarometer, which asked respondents “What is your tribe? You know, your ethnic or cultural group?” The Afrobarometer data was weighted to ensure representativeness and then aggregated at the country level to determine the size of different groups.

**biggroup:**

A dichotomous variable indicating whether the leader’s ethnic group made up more than 50 percent of the population.

**increasedpower:**

A leader is coded as increasing the power of chiefs if they passed a law doing one of the following things during their term in office:
(a) a law increasing the power of chiefs (or their appointees) over the allocation of land from the previous law/official policy OR
(b) a law providing formal recognition to previously unrecognized traditional authorities and gives them a role in administering land OR
(c) a law increasing the amount of land of which chiefs are trustees OR
(d) a law reversing a decrease in chiefs’ power.

Full details on the research protocol used to identify these changes are available in the annex.

**decreasedpower:**

A leader is coded as decreasing the power of chiefs if they passed a law doing one of the following things during their term in office:
(a) a law decreasing the power of chiefs (or their appointees) over the allocation of land from the previous law/official policy (i.e. by setting up other bodies to take over land allocation functions) OR
(b) a law abolishing chiefs who previously had a role in allocating land
   i. by removing recognition from them OR
   ii. by preventing customary chiefs from becoming administrative chiefs\(^1\) OR

\(^1\) I have not counted laws which stipulate chiefs must be popularly elected or approved by the government as abolishing traditional chiefs unless they also stipulate that customary leaders are ineligible for appointment. In French West Africa, the government has frequently changed the exact process of appointing village and canton...
(c) a law decreasing the amount of land of which chiefs are trustees

Full details on the research protocol used to identify these changes are available in the annex.

**comp_elections:**

Binary variable indicating whether at least one opposition party was allowed to contest at least one legislative or executive election during the leader’s tenure in office. This was coded from variable nelda3 in the NELDA data set. See Susan Hyde and Nikolay Marinov, “Which Elections Can Be Lost?” *Political Analysis* 20 (Spring 2012), 191-210.
ANNEX. RESEARCH PROTOCOL

The project collected information on formal increases and decreases in the power of chiefs over the administration of land in each country between the year of independence to 2005. In order for a practice to constitute a formal increase or decrease in the power of chiefs, it must be enacted via a law or a government decree. Decreases in the power of chiefs prior to independence are not included in the study.

The following three sources provided the main evidence on relevant land policy in each country:

In addition, many country-specific sources were consulted and are referenced in the footnotes below.

INCIDENCES OF LEGAL CHANGES IN THE POWER OF CHIEFS OVER LAND

Benin (1960-2005)
Decrease – Decret de April 14, 1960 – eliminated canton chiefs’ administrative power (those canton chiefs who died not replaced).²
Decrease – Reforme territoriale de 13 fevrier 1974; Ordonnace 73-63 du 14 Nov 1973 – set up revolutionary committees to govern villages; government banned traditional leaders from standing for public positions (no new installations took place between 1974-1985).³

Botswana (1966-2005)
Decrease – Tribal Land Act, 1968 – established land boards, which took over the administration of land from chiefs; chief initially a member of the board.⁴
Decrease – Tribal Land Act (Amendment), 1989 – removed chiefs from positions on land boards.⁵

**Burkina Faso (1960-2005)**

*Decrease* – Decret de Jan. 26, 1962; Circularie de Dec. 27, 1963; Circulaire de Sept 3, 1964 – first decree outlawed all traditional insignia; second circulaire got rid of the position of canton chiefs; third said that that traditional chiefs could not run for village chief.\(^6\)

*Increase* – Decret de Feb. 6, 1968 - Chefs de canton recognized as part of the administration and provided a salary.\(^7\)

*Decrease* – Reorganisation agraire et fonciere, 1984 – Comites pour la defense de la Revolution given the power to allocate land.\(^8\)

**Ghana (1957-2005)**

*Decrease* – Ashanti Stool Land Act, 1958; Akim Abuaka Act, 1958; Stools Land Act, 1960; Administration of Lands Act, 1962 – first two acts vested the land of the Ashanti and the Akim Abuaka stools in the central government; last two acts made revenue from all stool lands government property.\(^9\)

*Increase* – Constitution, 1969 – stool lands once again vested in stools in southern Ghana, chiefs regained power to allocate land in southern Ghana.\(^10\)

*Increase* – Constitution, 1979 – lands in northern Ghana no longer considered public lands; vested in skins and original owners.\(^11\)

**Kenya (1963-2005)**

No formal changes in the power of chiefs since independence

**Lesotho (1966-2005)**

*Decrease* – Land Act, 1979 – land committees took over land allocation functions from chiefs; committees continue to be chaired by chiefs.\(^12\)

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\(^12\) Government of Lesotho, Lands Act, 1979.
Decrease: Land (Amendment Order), 1992 – village development committees took over land allocation functions from chiefs.\textsuperscript{13}

Liberia (1960-2005)

No formal changes in the power of chiefs since 1960

Madagascar(1960-2005)

No formal changes in the power of chiefs since independence

Malawi (1964-2005)

Decrease: Land Act of 1965; Registered Land Act 1965; Local Land Boards 1967 – 1965-1957; all public land and customary land (formerly trust land) vested in the Head of State; provided for the registration of customary land under private title in designated areas; provided for establishment of administrative bodies in each district to oversee customary land transactions, with land sales subject to their approval (Note: The provisions in these acts were never implemented in rural areas).\textsuperscript{14}

Mali (1960-2005)\textsuperscript{15}

Decrease: Law No. 95 (Collectivités Territoriales - CT), 1995 – devolved power to communes; gave the responsibility to manage resources to communes, rather than villages.\textsuperscript{16}

Mozambique (1975-2005)

Decrease - Decree No. 6/78, 1978 – traditional leaders formally abolished\textsuperscript{17}

Increase – Municipalities Law, 1994 & Decree 15/2000 – Municipalities Law (1994) states that municipal organs will listen to traditional authorities, specifically in areas of land management (though revoked and replaced by another version in 1997 that says municipal organs will listen to traditional authorities without specifying specific areas); Decree 15/2000 recognizes traditional authorities as one of three

\textsuperscript{13} Government of Lesotho, Land (Amendment) Order, 1992.


categories of “community authorities” and tasks them with delegating land.\textsuperscript{18}

\textbf{Namibia (1990-2005)}

\textit{Decrease} – Traditional Authorities Act, 1995; Communal Land Reform Act, 2002 – traditional authorities act recognizes traditional leaders and provides them with compensation, but no longer recognizes kingdoms; creates communal land boards which must sign off on the allocation of land, in addition to chiefs.\textsuperscript{19}

\textbf{Nigeria (1960-2005)}

\textit{Decrease} – Land Use Act, 1978 - removes traditional leaders from their position in managing land.\textsuperscript{20}

\textbf{Senegal (1960-2005)}

\textit{Decrease} – Loi sur le Domaine National, 1964 – state formally appropriated all power to distribute land; state’s power to allocate land devolved to elected Rural Councils.\textsuperscript{21}

\textbf{South Africa (1990-2005)}

\textit{Increase} – Ingonyama Trust Act, 1994 – 2.8 million of hectares of land in Kwa-Zulu (1/3 of province) put in trust under the trusteeship of the Zulu king (though in 1998 a board was established to help the king manage the land).\textsuperscript{22}

\textit{Increase} – Traditional Leaders and Governance Framework Act, 2003 & Communal Land Rights Act, 2004 – traditional councils, who must be traditional chiefs where they exist, ultimately responsible for the


allocation of land (not subject to approval of district magistrates). (Note: this law was legally challenged in 2006 and 2009, and has not yet been implemented).

**Uganda (1962-2005)**

*Decrease* – Constitution of Uganda, 1967 – abolishes traditional chiefdoms (Article 118 (1)).


**Tanzania (1961-2005)**

*Decrease* – African Chiefs Ordinance (Repeal) Act No 13, 1963 – abolished the chieftaincy.

**Zambia (1964-2005)**

*Decrease* – Western Province (Land and Miscellaneous Provisions) Act, 1970 – All land in Western Province (previously held by the Litunga in trust for the people) vested in the President.

*Increase* – Land Act, 1995 – chiefs must give their approval before land can be converted from customary to leasehold tenure (This procedure was first outlined in Circular No 1 of 1985).

**Zimbabwe (1980-2005)**

*Decrease* – Communal Land Act, 1982 – shifted authority to allocate land from the chiefs to district councils.

*Increase* – Traditional Leaders Act, 1998 – village headmen (rather than villagers themselves) responsible for selecting village heads, who are in charge of allocating land.

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