Some differences in Tibetan land tenure and utilization

By Robert B. Ekwall,
Research Associate, Dept. of Anthropology, University of Chicago

Because of the very natures of a pastoral economy, with resultant nomadism for those who practice it, and of an agricultural economy with a resultant sedentary mode of life for the farmer, one is tempted initially to assume that nomadic and sedentary peoples have totally different attitudes toward land tenure and land utilization, or at least that there are very great differences. Comparative study of nomadism and the sedentary manner of life in northeast Tibet brings to light two facts which at first appear contradictory:

1. There is an important and fundamental difference in the way the land and its produce are regarded by the nomads and by the sedentary communities.

2. There are very close resemblances in the manner in which land rights are held by nomads and sedentary peoples, but the differences which do exist are extremely significant and are accurately reflected in organizational differences and in the special relationships of the individual to the community as a whole.

There is a fundamental difference between the attitude of nomadic and sedentary communities toward the land. The nomadic pastoralist thinks of land tenure or land utilization in relation to the surface phenomena of the land — the grass that grows. To the nomad even this grass is rather the agent which produces an indirect harvest, represented in his fattening livestock, than a harvest in itself. He has a certain amount of contempt for, or actual avoidance of, the gathering of any of the edible greens that grow in the pastures. There are, of course, exceptions, such as the gathering of mushrooms and the flowers of the wild onion. He does also grub in the soil, though very carefully and in a shamefaced way, to collect the tiny tubers of the edible potentilla.

The sedentary farmer thinks of land tenure and utilization in connection with the earth itself, which is cultivated and enriched.
or impoverished in the degree to which it is well cared for or neglected. Cultivation of the soil is carried on, however, with a certain guilty consciousness that in so doing he angers, or runs the risk of angering the Sa bDag (earth lords) from whom the curse of leprosy may come. The fact that leprosy is common among the farming peoples and quite unknown, or extremely rare among the nomads, is cited as proof of the operation of this curse. This sense of trespass is so strong that enlargement of cultivated areas and fields is undertaken only when economic pressure becomes very great; only the most needy take the risk and break up fallow land.

Thus the fundamental difference in attitude toward land between the nomads and the farmers is not only linked with the practical use of the land, but is complicated by matters of tabu, avoidance and degrees of guilt, and the prestige attitudes that are based on such considerations. The nomad has no sense of guilt because of the manner in which he utilizes the land, for he is conscious of disturbing no one, but the farmer, by his ploughing, is de facto a trespasser.

The fact that there are close resemblances in land tenure, with differences, however, that do have a very special significance, is the theme of this paper. It is proposed to show how land is held and utilized in nomadic and sedentary communities, to note the differences and to analyze the significance of those differences, both as separate facts and as reflected in social organization.

The data is drawn from conditions which obtain in one tribe of northeast Tibet. This tribe, like a number of other tribes in the region, has a nomadic half and a sedentary half. The two halves of the tribe are ruled by the same chief and called by the same name, Zung TS'a (double division). The difference between the two halves is indicated by the addition of Rong (valley) for the sedentary half and Grog (companion — this is a contraction for Grogs Tong — companion empty — meaning wilderness, or more specifically grass country) for the nomadic half. The very name of the tribe indicates a division and the actual territory is so split that Rong and Grogs are not adjoining, but are separated by a belt of territory, some 20 to 30 miles wide, which belongs to another tribe.

Normally the dividing line between agricultural territory and the region of pastures is determined by altitude: above a certain elevation crops will not ripen and the range of the nomads naturally begins at that point. There are no marginal areas of
any great extent, but is there the possibility of any great conflict of interest between nomadic and sedentary peoples. In the case of the Zung TS’a tribe, this line of division is found within the territory belonging to another tribe, thus in this instance there exists no marginal area where any stage of gradual transition might be found.

Topography and size of Zung TS’a Rong and Zung TS’a Grops respectively.

Zung TS’a Rong comprises an area of about 20 miles in length in the upper Tao river valley at an elevation of approx. 10,000 ft. Actual farming is confined to the floor and slopes of the main river valley and the side valleys are not cultivated any distance from their mouths. The soil is mostly loess, partly of a primary aeolian deposit and partly a secondary alluvial deposit, and is characteristically rich. About half the fields are terraced on the valley walls. Forests of spruce and birch are found on the shady slopes of the main and side valleys, and the sunny slopes are grassy.

The 15 to 20 villages of the Rong are located on the shoulders of the hills that jut out and create bends in the valley. Each village thus commands the approaches and overlooks the fields belonging to it in the bend. The villages range in size from 15 to 50 families. The population of the Rong totals approximately 800 families.

The territory of Zung TS’a Grops lies south of the valley of the Tao river and consists of plateau and mountain grass country ranging from about 11,000 to 14,000 ft. in altitude. It is an irregular oblong, approximately 60 miles long and 25 miles wide, with its main axis lying almost due east-west. Most of it is excellent grazing country, broken up only by some craggy limestone peaks. The lower part is in the northeastern quarter, where the winter campsites are located. There are a dozen or so encampments, ranging in size from 10 to 80 tents, and the total population is quoted as being approximately 600 tents. The chief has a farm and home in the largest village in the Rong, but spends most of the year with his camp establishment in the Grops.

Forms of land utilization in the Rong.

The primary form of land utilization is agriculture; the main crop is barley. Other crops are peas, beans, mustard seed for oil, oats to be cut green for fodder, turnips and small quantities of
potatoes. The cultivated areas as a whole are partially, or completely fenced off and in particular immediately around the village or where more exposed to trespass, but there is no fencing off of individual holdings. All labour, such as spreading of fertilizer from stables and cow pens, ploughing and sowing, cultivating and harvesting is done by families on the land owned by the families. But some activities, such as seeding or harvesting, are communally synchronized to begin and end at the same time. Fencing is a communal responsibility, with special reference to fencing off of roads and approaches. The harvest is cut while not fully ripe and the sheaves are hung on grain racks erected around or near each home. Threshing is done on small threshing floors or on the flat roofs of the houses. Fertilizer and crops are all packed on oxen and carried on the backs of both men and women, though the latter do most of the carrying. Ploughing and seeding is done by the men, cultivating is done by the women, and harvesting is done by both.

The area as a whole produces little, or no surplus. Some of the wealthier families do have surplus grain or vegetable oil to use in trade, but that circumstance is counterbalanced by the fact that many families do not grow enough grain to live on and during certain favourable seasons of the year close up the home and go off as families to live by begging or to find work in more prosperous communities. There is considerable land adjacent to some of the villages which, though fallow and used for grazing, could probably be used for growing crops if families or villages could agree on risking the wrath of the earth lords and breaking up this new land.

There is no tenant farming, and only a trace of share cropping. The land is farmed by the owners and there are no feudal proprietors, ecclesiastical or hereditary.

Even in the Hong, grazing is also a form of land utilization. Not only are work oxen and horses for riding owned, but some milch cows, goats, sheep, and a considerable number of pigs. During the late spring and summer most of these are kept in the side valleys some distance away from the fields and herded from camps known as Yar Sa (summer land). These are made up of tents belonging to the families of each village. The limits of the grazing range belonging to each village are clearly defined and within that area the few tents, or Yar Sa, shift around to get the most advantage of the grazing available. Not every family has a tent. The poorer families, in exchange for labour, have their few animals kept at one or other of the village Yar Sa.
The tents are made of black yak hair cloth, as are the tents of the nomads, but instead of being rectangular and flat, the Yar Sa tents are conical like a tepee. Some of the wealthier families have enough cows and sheep to make considerable profit by accumulating butter and wool in the Yar Sa. But the primary reason for the existence of the summer camps is to care for the necessary work and transportation animals of the farming community.

In the fall, after the harvest is in, the fences around the fields are partially dismantled and most of the livestock are brought back to the vicinity of the village to graze the stubble of the fields, the terraced slopes, the adjacent fallow land and the nearby mountain slopes. The pigs are trough fed on turnips to fatten them for the New Year’s killing and in the late winter and early spring the meagre grazing is supplemented by the feeding of hay, straw and oats to the horses and oxen.

The use of wood and timber is still another form of land utilization. Timber, either log by log, or as standing timber, may be sold by the village as a whole from the forests belonging to the village. From these forests each family also may cut timber for the building or repairing of houses, the replacing or repairing of grain racks, and the making of boards, fence slats, churns, pails, tent pegs, tent poles, spear shafts, oxen nose rings, saddle trees and wooden bowls which are sold to the nomads. Within reasonable limits each family is free to cut as much as it wishes for these purposes, but the cutting of any unusual amount requires approval by the village as a whole… Firewood is also cut on the same basis and piled in walls around each home. Much of this is cut for the sake of prestige and the size of the piles increases year by year.

There are a number of miscellaneous activities engaged in sporadically, which conceivably may be listed as forms of land utilization. Under the pressure of the Chinese demand for herbs, some herb gathering is done by the members of poorer families. This activity is not highly regarded. The musk deer, for its musk pod, the eared pheasant for their plumes, and fox, wolf and leopards for their pelts are also hunted. In these miscellaneous forms of exploitation some latitude of range is tacitly allowed within the tribal area as a whole.

Categories of land tenure in Zung Ts’a Rong

The entire area of the Rong is called Zung Ts’a, but the tribe as a whole has no clear right to any specific portion of the area and
The overall right to the whole is extremely vague. Only in the case of a massed invasion of the area, when the tribe as a whole would muster to defend the Rong, is there any recognition of overall tribal proprietorship. In contrast to this, village rights to a clearly defined area are strong and specific. These rights are jealously guarded and much of the inter-village strife which takes place arises because of some act of trespass or exploitation. Permission for passage through the area cannot be secured from the tribe as a whole, even by negotiation with the chief, but arrangements must be made with each village through whose land the route lies. The village as a whole owns all the grazing range, the forests, the fallow land and the roads leading through the fields, as well as the lanes within the village. It exercises a certain amount of control over the family holdings and may forbid the sale of fields, houses or house sites to outsiders. It owns the waterpower rights within the village territory and maintains the roads, fences and bridges.

Waterpower, the grazing lands and the forests are communally shared, but it is possible for a family to derive special benefit from their exploitation if the village as a whole grants permission. Village control over land is shown by the restrictions placed upon sale or transfer, but no tax is paid on the land or on any gain derived there from. Contributions are levied, from time to time, for communal purposes, but these are levies for special expenditures and are not fixed taxes based on land-holdings.

A family owns its house sites with attached barnyards and courtyards, and its fields. This is true ownership of definite plots and not just a right to a certain portion of the communal fields. There is no allotment or redistribution, so it is well worth while for the family to improve the land by proper fertilizing and weeding. It may be sold to anyone within the village without question, but the problem of selling to an outsider is a most complicated one, and is usually part of the process of bringing a new family into the village. Such action requires village approval. Village approval may also be given for the ploughing under of fallow land, and when this has been done and a readjustment of fences made to include the new land within the whole of the cultivated area belonging to the village, it becomes the property of the family who did the work and who, as a matter of greater importance, took the risk of angering the earth lords. Toward the earth lords some adopt an attitude of bravado with simple acceptance of the risk, and others subsidize elaborate religious ceremonies to neutralize the curse.
tribe as a whole. Recognition of village rights to grazing ranges is secured from the chief, but through whose land one grazes, he exercises a certain may forbid the use of the land. It owns the land, and maintains the social benefits of a communal system. Special permission is necessary for grazing or any other activities on private land.

Forms of land utilization in the Grogs

The nomad considers the grass and the land surface of primary importance. What grows, however, does not comprise the harvest, but contributes to that harvest, which consists of the horses, cattle and sheep of his herds. The yearly increase of those herds, together with the milk, butter, meat, hair and hides, is the true annual yield. Nor should the abundant fuel supply be overlooked. All this does depend entirely on the grass. Of this yield the nomads sell, or exchanges, much more than the farmer sells of his harvest. Primarily the nomad uses the meat, milk, butter and cheese for his own food. Little of meat, milk and cheese is sold. Butter is something different. It is, in fact, the common unit of value and a form of currency in trading among the nomads and between nomads and farmers. Prices are quoted in terms of butter, i.e. 1 catty of butter for 7 to 10 catties of barley, or 3/2 to 5 catties of butter for a lamb skin, depending on its quality. The increase of the herds is an overall and continuing yield and the gathering of this yield is spread throughout the year, from the taking of the first lamb skin in early February to the accumulating of hides and skins and surplus meat at the time of the fall butchering in late November.

In addition to the sheep skins, hides and yak hair which are used by the nomads for their clothes, leather gear, and tents, a considerable quantity of these items is stock-piled for trade. But on grain buying expeditions to the Rong the nomads principally depend on selling sheep and using their surplus butter exactly like currency. The nomads use none of the wool for themselves, but it, together with the lamb skins, constitute an important part of the annual yield and are traded to the tea caravans for tea. Mares and surplus cattle are generally sold for loose silver to buyers from China. Thus it is evident that the yield or "grass
Country harvest is not only more varied than the harvest of the fields, but its disposal or conversion is a much more complicated matter.

In addition to the keeping of livestock, tubers, mushrooms and some greens are gathered in an incidental manner, but are scarcely worth mentioning as a form of land utilization. Hunting over the whole tribal area is of much more importance. Meat secured in the hunting of gazelle and wild sheep, musk pods from the musk deer, antlers in the velvet from stag and roebuck, and pelts from fox and wolf constitute important items of income. Unlike some tribes, the Zung T's'a Grogs absolutely prohibit the killing of marmots, which are very plentiful. This taboo reputedly arose because of an outbreak of pneumonic plague 80 or 100 years ago.

Categories of land tenure in Zung T's'a Grogs

1. The tribe as a whole has primary land right over the entire range of the Grogs. Within this overall right encampment land rights and family land rights are valid over a portion of the territory: the region of the winter encampments. But approximately three fourths of the range, that portion over which the encampments move from the first week in May until the middle of November, belongs clearly and definitely to the tribe as a whole. No encampment has any special right to any part of it, but utilization of this tribal range is by consultation and agreement within the tribe as to the time and order of moving, and the relative locations of the encampments. Each encampment, while on this range, naturally exploits the grazing immediately around it, but it has no special right to that grazing, nor to that location, for the relative position of encampments may be changed from year to year. Trespass on this range by another tribe brings instant action by the tribe as a whole, and tribal permission must be secured for the passage of any large caravan through the area.

2. The encampment, which organizationally and functionally is the equivalent or counterpart of the village, has a proprietary right as a whole, over the grazing area immediately surrounding the winter encampment. These campsites, though deserted throughout the summer, are permanent in character and consist of plastered, slat and wattle huts to which fenced-in pens are attached. Thus, under the tribe, the encampment as a whole owns the land around the encampment winter quarters and that land has clear and definite boundaries. The roads leading through
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such areas belong, however, to the tribe as a whole. Incidental trespass by herds from another encampment is tolerated, but continued use of the winter pastures is not permitted.

Each family or tent, like each encampment, has no special rights in the overall range belonging to the tribe as a whole, but within the territory surrounding the winter quarters, each tent has individual and exclusive rights over certain family hayfields. Each family also owns the hut, the land on which it stands and the surrounding cattle pens. These may be enlarged as needed, by extending the fences, without reference to anybody for permission.

The hayfields are clearly defined plots of the best pasture land that are carefully guarded and from which in early October hay is harvested. Each tent has its own hayfield and the hay belongs to that tent alone. After the hay has been harvested and stacked, however, the cattle of the encampment may graze the area. Thus in the Grogs the family hayfields correspond exactly to the family fields in the Rong. Both are private, but after the crop has been gathered, they are grazed communally.

Although the individual has no formal land rights in the Grogs, any more than in the Rong, yet in the utilization of land there is more opportunity for him than in the Rong. Individuals, and especially hired servants, may individually possess sheep and cattle which are pastured without question on the encampment and tribal ranges, but the owner alone harvests the wool and profits from the increase. Any milk is, however, generally included in the family milking and for this no reckoning is made. Frequently such individual holdings may so increase that, with a little help from patrons and friends, the servant is able eventually to set up his own tent and achieve status as a part of the encampment. After the tent family has finished haymaking in its own hayfields, any individual member of the family, or in fact any member of the encampment, may put in some extra work and acquire his own private harvest of hay, for in the pressure conditions of haying, the mowing is never complete. And this private stock of hay belongs to him as an individual. The individual may also profit, and profit well, from the very favourable hunting conditions that exist over the entire tribal range.

The land resources of the Rong, as presently utilized, can barely, or not quite, support the present population, but the nomads agree that their range could support at least twice the present population. In the Grogs every family is fully self-supporting, and many of the tents, by local standards, are very well off.
Summary

From these facts the following differences in land tenure and utilization in Zung TS’a Rong and Zung TS’a Grog are evident and of interest:

1. Overall tribal right to and specific tribal control of clearly defined areas are clear and unmistakable in the Grog, but are non-existent, or at best are extremely vague and weak in the Rong.

2. Land tenure and utilization by the village, or encampment, is more definite and comprehensive in the Rong than in the Grog.

3. Family ownership and utilization of land are approximately alike in the Rong and Grog, although of somewhat more permanent character, as is most natural, in the Rong.

4. The individual, having no specific land rights in either area, yet has much greater opportunity for personal exploitation of the land and acquisition of property in the Grog.

As a corollary it may be assumed that the tribal organization is stronger, in the Grog, the village organization is stronger in the Rong and there is more opportunity and freedom for the individual in the Grog. These assumptions, based on differences in land tenure and land utilization, are accurately reflected in the actual political organization of both Rong and Grog. The Rong is a collection, or federation, of villages grouped as a tribe, but rarely functioning as a tribal whole. Politically, the village is all important and is, in itself, a miniature state. The Grog, on the other hand, is a tribe, divided into numerous encampments which, though they have certain rights and a degree of autonomy, are yet subordinate to the tribe. The tribe is the real state. There is not much difference in the position of the family as a social group, in relation to either of these forms of political control. The individual, however, has much more freedom and opportunity where a preponderance of control is exercised by the tribe as a whole, than when such power is exercised by the smaller political unit of the village. This may be a determining factor in the generally held belief that the life of a nomad is the more ideal existence.