

Property Rights, Land and Territory in the European Overseas Empires

Direitos de Propriedade, Terra e Território nos Impérios
Ultramarinos Europeus

Edited by José Vicente Serrão
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Conquest, occupation, colonialism and exclusion: land disputes in Angola

Mariana Pinho Candido¹

Abstract: In this study, I explore how the notions of land occupation and land ownership have changed in Angola from the 16th to the 19th century. Under Portuguese colonial rule, West Central Africans were slowly removed from their territories despite the resistance of the local population. Making use of Portuguese local documents, I explore how land access was central in the earlier contacts, and how the initial land conflicts contributed to economic shift towards slave trade rather than local plantations. Although land rights and land use were subject to changes, land use and access to labour has been central to Portuguese colonialism in West Central Africa.

Resumo: Neste estudo pretendo analisar o modo como as noções de ocupação da terra e posse da terra mudaram em Angola entre os séculos XVI e XIX. Sob o regime colonial português, os africanos da região centro-ocidental foram gradualmente retirados dos seus territórios apesar da resistência da população local. Através de documentação local portuguesa, analiso o modo como o acesso à terra foi fundamental nos contactos iniciais, e como os conflitos de terras iniciais contribuíram para uma evolução da economia mais virada para o tráfico de escravos do que para uma agricultura de plantação. Embora os direitos sobre a terra e o uso da terra tenham registado várias mudanças, o uso da terra e o acesso à mão-de-obra foram questões centrais do colonialismo português na África centro-ocidental.

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Competition and conflict over land control have a long history in Angola. Since their arrival on the coast of Luanda (formerly known as São Paulo de Assumpção de Loanda) in 1576 and in Benguela (São Filipe de Benguela) in 1617, Portuguese agents engaged in disputes with local rulers regarding the use of the land and its occupation (Amaral 2000; Heintze 2007: 243-271; Candido 2013a: 30-58). While the Portuguese understood land access to be guaranteed by conquest and subjugation of rulers, the local authorities, known as *soba*, *dembo* or *mani*, had a different conception of land use and rights. Scarcity of personnel and weak military power forced the Portuguese crown to practice indirect rule beginning in the mid-seventeenth century, allowing local rulers to continue to have nominal control over their subjects and territory, though they were officially subordinate to the interests of the colonial power. The use of African rulers strengthened Portuguese control and their ability to collect taxes and mobilize troops. With a limited number of colonial troops, the colonial administration relied on the *guerra preta*, soldiers provided by local rulers, to maintain its military power (Heywood 2002: 103-104; Ferreira 2007; Newitt 2005: 170; Mattos 2008). Moreover, the cooperation of local rulers maintained political stability and minimized the costs of deploying European officers to rule over a territory they did not know (Crowder 1964: 197-205; Berry 2001).

Colonial officers removed from power rulers who resisted or challenged Portuguese wars of conquest in the seventeenth, eighteenth and early nineteenth centuries. Those local authorities were later replaced by more collaborative rulers. Two centuries of signed vassalage treaties provoked major political rearrangements in West Central Africa. Until the mid-nineteenth century, Portuguese colonialism in Angola was based on the control over subjects, not of continuous territorial occupation (Miller 1976; Dias 1986; Santos 2007; Candido 2013a: 70-76). After that, the colonial state shifted to the belief that territorial control was vital to imperial aspirations. Local men and women adjusted to the new realities, in the same way that their ancestors had done in earlier times. By the mid-nineteenth century, Portuguese colonialism had disrupted local notions of land use and ownership, imposing new models and new ways to claim property.

This study explores the Portuguese territorial occupation of Angola as part of the process of conquest and colonization inaugurated in the late fifteenth century until the mid-nineteenth century. During those four centuries, the Portuguese empire made use of different land policies from *sesmarias* in the late fifteenth century to vassalage treaties in the eighteenth century and straightforward land expropriation in the nineteenth century. African rulers and the local population played an important role on how these land policies and land rights changed throughout these four centuries.

1. Conquest and land

Although the processes of land rights and access suffered changes from the fifteenth to the nineteenth centuries in West Central Africa, land expropriation was central in the process of incorporation of territory, implementation of the colonial state, and subjugation of the local population as part of the Portuguese empire. In the earlier centuries, territorial occupation was enough to expand the notion of Portuguese conquest. Colonial officials drew maps with vague boundaries that demonstrated their lack of knowledge about the people and the land supposedly under control. Mountains, rivers, people, and states received new designations, especially Christian names such as São Salvador do Congo, São Filipe de Benguela, highlighting the religious and

missionary goals of the Portuguese expansion and conquest. The process of encounter revealed the desire to “discover” new lands, new people, and name them, as if these people and territories were previously empty of meaning and logic (O’Gorman 1995: 88-89; Benton 2000; Pagden 2008: 1-7; Crais 2003: 1045-1046). Later on, in the seventeenth and early eighteenth centuries, the Portuguese crown imposed treaties of vassalage to recruit African authorities under the colonial administration and incorporate new populations as subjects of the Portuguese empire. With the expansion of the transatlantic slave trade, however, the Portuguese crown focused on the expropriation of people, rather than the effective occupation of the territory. The initial contacts of exploration gave way to violent clashes, the so-called *guerras de conquistas*, nominally wars of expansion, and a camouflage for colonial authorities to capture free Africans and sell them as slaves (Miller 1984; Miller 1988: 142-143; Ferreira 2011; Curto 2002).

By the mid-eighteenth century, influenced by the Enlightenment, the administration employed new mechanisms of control, such as censuses, residential lists, and ethnographic reports with the goal of increasing “scientific” knowledge about the colonies (Santos 2007; Santos 2010; Candido 2011; Guedes and Pontes 2013; Matos 2013). In the nineteenth century, land ownership became individualized and privatized, altering notions of rights and access, a point I explore with more detail in the longer version of this study².

An understanding of the land issue in Angola needs to address the initial contacts between Portuguese explorers and the local authorities of the Kongo and the Ndongo states in the early sixteenth century (Thornton 1983; Heintze 2007: 169-270). With the failure of the conquest of the Kongo state and the increasing interest in the silver and copper mines located further south, the Portuguese crown changed the focus of its expansion in West Central Africa. Instead of investing in political and commercial alliances with the ruler of Kongo, the Portuguese crown reached out for new regions and commercial partnerships, bypassing the Manikongo as an intermediary in the nascent slave trade. After sending an embassy to the lands of the ruler of Ngola in 1520, the Portuguese crown established a lucrative trade with the state of Ndongo, acquiring captives directly in the local markets, and thus excluding the role of Kongo. The Portuguese explorers, and later on colonial officers, consolidated the practice of buying war captives and local slaves. The business proved to be very profitable, due to the ongoing demand for cheap labour in the islands of São Tomé and in the Americas, increasing the interest of the Portuguese monarchy in securing control over people rather than land, which had influenced the contacts in the early sixteenth centuries (Heintze 2007: 473-504; Caldeira 2013: 161-164).

In the late fifteenth century, the king of Portugal Dom Sebastião sent Paulo Dias de Novais as the governor of the newly conquered regions south of the Kongo state. The Portuguese ruler issued a royal decree in 1571, ordering Novais “*to submit and conquer the Kingdom of Angola, [to impose] Catholic worship and celebrate the Holy Catholic Faith and enact the Holy Gospel*”³. The 1571 decree initiated a new era of diplomatic relations between the Portuguese explorers and the authorities of West Central Africa. Until 1571, trade was the main motivation. However, after 1571 territorial conquest and

²The longer version will be published under the title “A questão da terra em Angola”, in José Vicente Serrão (ed.), *A terra num império ultramarino* (Lisbon: ICS, forthcoming).

³Carta de doação a Paulo Dias de Novais, in Felner 1940: 407. [All quotes have been translated to English by the author.]

subjugation marked the next four centuries of Portuguese and West Central Africans interactions. The 1571 decree made explicit references to the conquest and occupation of land along the coast and inland territory, as well as the need to subjugate people and collect any resources, similar to what had happened already in the Portuguese colony in the Americas. The conquest in West Central Africa had religious justifications, influenced by the ideas of the Crusades and religious conflicts with Muslims in the Iberian Peninsula and North Africa, as well as the pursuit of material wealth, particularly minerals (Benton 2005; Candido 2013b). Yet, the importance of the capture and enslavement of Africans should not be underestimated as motivation of Portuguese expansion and territorial conquest in West Central Africa.

Perhaps the more interesting aspect of the 1571 decree is the fact that it created a political and juridical institution, the so-called “*Reino de Angola*” (Amaral 1996). The “kingdom of Angola” allegedly referred to the political title of the sovereign state of Ngola, but under the Portuguese administration it gained new meanings, assumed broader territorial boundaries, and brought a vast number of people under a single political entity. Moreover, the European terminology “kingdom” did not necessarily reflect the structure of political entities in West Central Africa. The “kingdom of Angola” became an imagined space in the Portuguese empire, one that was described in primary sources from the sixteenth to nineteenth centuries, as well as on contemporary maps, as if it was a distinct territory with clearly defined boundaries. However, it did not have any significance for West Central African populations. The so-called “kingdom of Angola” and later the “kingdom of Benguela”, which did not exist as African political units before the arrival of the Portuguese, became imagined political spaces within the Portuguese empire, as specific territories under colonial control.

Disagreements and disputes regarding the rights of settlement and trade shaped the initial contacts between Europeans and Africans on the coast of West Central Africa. African authorities refused to submit to the control of European forces. However, the Portuguese empire central ideology of territorial expansion can be seen in the cases of Mozambique and Brazil (Rodrigues 2014; Chambouleyron 2006; Motta 2005; Mota 2012). This ideology shaped the early years of the Portuguese presence in the region, strongly influenced by the notions of the right of conquest and expansion of Christianity. The global context also influenced the role of the “kingdom of Angola” in the consolidation of the Portuguese empire. The relative economic success of agents in the Portuguese colony of Brazil in the sixteenth century and the difficulty in finding mineral wealth in Angola prevented the diversification of the economy and the expansion of territorial conquests. West Central Africa became, increasingly, a source of slave labour to supply the plantations in São Tomé, the Spanish colonies, and the sugar mills in Brazil (Heintze 2007: 439; Mendes 2012; Caldeira 2013: 88-98).

The Portuguese crown slowly abandoned territorial expansion in favour of expanding the slave trade. It was more important to exercise control over the lucrative long-distance trade and to ensure the constant arrival of African slaves in ports under control of the crown, mainly Luanda and Benguela, than to invest in territorial expansion. The goal of the Portuguese crown and its officials on the ground was to control the local authorities and their subjects. The local population became potential captives to supply the growing transatlantic slave trade (Heintze 2007: 474-504; Miller 1988; Ferreira 2013; Freudenthal 2011; Domingues da Silva 2013). In a way, the Portuguese and African authorities shared a similar approach to the control of subjects, including dependents and slaves, as a way to maintain power over them.

2. Shifts in the land questions

Ideas of land access and rights in West Central Africa started to change in part due to the decline of slave exports and the growing demand in Europe and North America for raw material, such as cotton, ivory, and wax. The strengthening of Portuguese colonialism also favoured more land grabbing, particularly in regions closer to the coast where the Portuguese presence was stronger (Clarence-Smith 1985: 39-41; Henriques 2001: 47-70; Heywood 2000: 20-22; Candido 2008: 63-84). West Central African men and women tried to establish new economic opportunities for themselves. By 1826, the governor of Angola, Nicolau Abreu Castelo Branco, had already defended the idea that growing sugar cane locally with slave labour would help recuperate any economic losses that resulted from the abolition of slave exports⁴. New policies were implemented to support the cultivation of indigo and the exploitation of beeswax, gum, and ivory⁵. Orchil weed (*urzela* in Portuguese) was one of the items exported from Benguela in the 1850s, as well as manioc and corn flours⁶. A natural dye, orchil was extremely valuable in the growing industrial production of textiles in Europe and North America. The expansion of agriculture imposed new relationships between the colonial power and the local population in response to the growing demand for agricultural land. While the primary colonial economic goal had been to export people, after the end of the transatlantic slave trade the Portuguese crown focused on employing local labour, free or not, in agricultural production. The relationship regarding land, labour, and economic entanglements changed dramatically during the nineteenth century (Freudenthal 2005; Dias 1986; Pantoja 2001).

By the early nineteenth century the Portuguese crown was convinced they were entitled to promote changes in agriculture in order to bring “civilization” and a new way of life for Africans, combating migration and what was perceived as lack of labour appreciation or discipline. Africans were supposed to act solely as cheap labour, and accept the power of the Europeans to transform their life styles (Cooper 1996; Moore and Vaughan 1994; Jerónimo 2010; Meneses 2010). Their methods of farming were seen as “primitive” and disruptive to the consolidation of cash crop economies. Saldanha da Gama, who occupied the position of governor of Angola in the early nineteenth century (1807-1810), claimed that, “*the agricultural revolution should be prepared and conducted by the civilized man of affairs, who owns lands in the hinterland*”⁷. Agriculture became intimately linked with colonialism and its civilizing mission.

While along the coast Portuguese agents managed to alienate land to their own benefit, in the interior they faced resistance. Societies in West Central Africa were not static and politically bound to their territories, as the Portuguese imagined. Rulers and their subjects relocated due to political instability, droughts, and political schisms. These population movements were particularly disturbing from the Portuguese perspective, since that process threatened colonial efforts to control the territory. Moreover, the lack of clear political boundaries, in the perception of the Portuguese, was a continuous disturbance to colonial order. In 1827, minor rulers of Kitata, the *sobetas*, requested

⁴ Arquivo Histórico Ultramarino [AHU], Angola, cod. 542, fl. 11v, December 20, 1826.

⁵ AHU, Cod. 452, fl. 130v, May 5, 1827, AHU, Correspondência dos Governadores, Pasta 2, December 12, 1836, and Arquivo Histórico de Angola [AHA], Cod. 221, fl. 17, December 10, 1839.

⁶ Boletim Oficial Geral do Governo da Província de Angola [BOGGPA], n. 282, February 22, 1851, p. 4; BOGGPA, n. 312, September 20, 1851, p. 4; BOGGPA, n. 597, March 7, 1857, p. 5

⁷ Saldanha da Gama 1839: 30-32.

authorization from the captain of the Portuguese fortress of Caconda to relocate to the areas surrounding the Portuguese fortress with his subjects⁸. The intention of the *sobetas* was to have access to fertile soil where their subjects could increase their food production and feed themselves. Portuguese colonial agents failed to notice that political boundaries were not delimited by territory and that patterns of seasonal migration prevailed in agricultural practices in West Central Africa.

By 1840s, it was clear that the subjugation of new *sobas* to Portuguese control also meant the appropriation of their territory. Royal instructions ordered the officials to set borders and state the conditions under which rulers could use that land⁹. From that moment onward, the Portuguese decreed if West Central African rulers could cultivate crops or raise cattle, or even if they could leave the land to rest between agricultural cycles. The intention of the colonial state was to determine how rulers and their subjects made use of their ancestral land. From communal land holdings controlled by local authorities, land tenure came to be individualized and associated with conquest and colonialism (Mann 1991; Crais 2003).

At the same time, new settlers from Pernambuco, in Brazil, and from the Madeira archipelago started arriving in Benguela and the newly founded southern coastal town of Mossâmedes. Many were impoverished, lacking tools and resources, and relying on the Portuguese government for access to land and the means of survival in the new location¹⁰. The goal of the colonial government, however, was to rely on immigrant labour to develop “legitimate commerce” in agricultural products. The growing demand in Europe and North America for goods such as wax and ivory, as well as tropical crops, changed the colonial interest in the region. Demand for cotton, coffee, and sugar, and the decline of the plantation slavery complex in the Americas, favoured the establishment of plantations on the African continent. Land was redistributed to support European interests (Law 1995; Lynn 2002).

Over time, the lack of land registered by the local population and their rulers created absurd situations, where Brazilian and Madeira settlers became landlords and the local population were tenants on their own land. The refusal of the Portuguese administration to recognize that land used for pasture and grazing was communal land, as well as the disregard for fallow land, eventually led to the displacement of Africans. The Portuguese crown claimed rights of occupancy over customary land, leading to conflicts with local rulers and the migration of landless populations. Agriculture for export expanded at the expense of the local population, who were suddenly dispossessed of their communal land, impoverished, and forced to sell their labour in the newly established plantations (Freudenthal 2005: 145; Akyeampong 2006: 219-222)¹¹.

Portuguese traders, who until then focused on selling human beings, rushed to guarantee land concessions and titles. Rulers and settlers competed over resources. In 1850s, the *Junta da Fazenda* granted Benguela residents concessions over the land and salt mines along the coast. These concessions lasted three years and allowed cultivation and salt exploitation. In 1856, Manoel de Azevedo Ramos received a three-year concession to explore the land and the salt mines, which excluded occupying the lands of the *soba* of

⁸ AHA, Cod. 508, fl. 117-118v, December 30, 1827.

⁹ BOGGPA, n. 85, April 24, 1847, p. 1.

¹⁰ BOGGPA, n. 224, January 12, 1850.

¹¹ BOGGPA, n. 308, August 23, 1851, p. 1-2.

Catumbela¹². But as other cases have shown, colonial interests were not necessarily aligned with efforts of the local population and their rulers to guarantee access to land.

By the 1860s, Quipola, the local ruler of Mossâmedes, had been removed from his community lands, despite his people's long history of occupying the territory. Local rulers were forced to open up space for the new settlers and the plantation schemes of the colonial regime. According to the report of the governor of Benguela, João António de Neves Ferreira,

“The soba Quipola claimed that all of the land his people occupied had been given to the whites. He and his people had no space to establish their libatas [village]¹³ and raise their cattle. The only small piece of land available was at the varzeas dos carpinteiros [carpenter's cultivated plain or meadow], which were not productive. Yet, he was willing to accept this land, where he could establish the corrals for the cattle, but he needed the approval of the Governor of Mossâmedes to resettle his people there”¹⁴.

To guarantee the long-term use of the land, the *soba* of Quipola requested the governor of Mossâmedes to grant him *“the land title, so he and his successors and his people could occupy the land without the risk of losing it later on”*. The governor, however, refused to offer Quipola the land title, arguing that those were *“public lands”*, although he gave them permission to settle the cattle pens on the land. In retribution, Quipola sent a cow to the governor, understanding this to be a payment for the use of the land¹⁵. Eventually Quipola's subjects were removed from the *varzea do carpinteiro* due to the increased number of white settlers and their expanding farms. By 1865, the failure of the colonial authority to protect Quipola's access to land forced the *soba* to relocate with his people to the interior, away from the lands occupied by the Portuguese. Received as refugees in the land of the ruler of Capangombe, Quipola's subjects had inferior status and established relationships of dependency with the landlords of the territory. Destitute after the loss of their lands, Quipola's subjects attacked Europeans and white traders who travelled inland. The ruler claimed that *“whites always came to rob our lands”¹⁶*.

In the early twentieth-century, the anthropologist Augusto Bastos argued that among the people of the interior of Benguela *“if the land belongs to another person, chief or subject, who built on it a cubata or planted a tree, with the agreement of the owner of the land, the fruits of the tree can be sold, as well as the house. Among the Mundombe, land is rented, with the renter paying an annual tribute calculated over the harvest production”* (Bastos 1908: 86). This account reveals how the private ownership of land had become institutionalized by the local Ndombe (Mundombe in Portuguese sources). By the early twentieth century, Portuguese and West Central Africans alike maintained a relationship of landed property. This was a different relationship than the *soba* of Quipola had demonstrated in his dispute with the governor of Mossâmedes in the mid-nineteenth century. Land use and property ownership changed dramatically in the second half of the nineteenth century in Angola, moving away from the conception of property as being held communally to the prevalence of private property owned by individuals. Episodes of land conflict, such as the case of Quipola, are abundant in the

¹² BOGGPA, n. 372, November 13, 1852, p. 4; and BOGGPA, n. 554, May 10, 1856, p. 6.

¹³ Cubata was a single hut, and libata was a small village. See Battell Ravenstein 1901: 16, 157.

¹⁴ AHU, Angola, Correspondência dos Governadores, Pasta 35, doc. October 11, 1865.

¹⁵ AHU, Angola, Correspondência dos Governadores, Pasta 23 (1), doc. October 1, 1857.

¹⁶ AHU, Angola, Correspondência dos Governadores, Pasta 35, doc. October 11, 1865.

colonial archives indicating that West Central Africans resisted Portuguese advances over their territory, including appropriation of land (Belmessous 2012: 1-18).

Conclusion

The Portuguese crown introduced a new policy regarding land use and access in West Central Africa since the early sixteenth century. The Portuguese administration appropriated conquered lands and had to negotiate with the local authorities the juridical and physical boundaries of the territory. According to the interests of the Portuguese crown, new rights and ideals of governance were imposed favouring the consolidation of the empire. However, the role of African stakeholders was crucial to limiting colonial success. Over four centuries, the agrarian structures of West Central Africa experienced profound changes and the local population slowly lost access to property rights. Land issues paralleled relations of power and property, as spaces where Portuguese and African authorities sought to meet the demands of the local and global economy. When the balance of power favoured African political leaders, the Portuguese agents limited their actions to the coastal areas. With the expansion of the transatlantic trade and the political decline of coastal states, the Portuguese administration was able to expand their occupation of the territory, but the main economic interest was in the control of subjects, and not necessarily in the possession of the land. The decline of the transatlantic slave trade and the expansion of “legitimate” trade in the mid-nineteenth century incited disputes over land rights and access.

Multiple systems of land tenure in Angola coexisted in different historical moments. Individual ownership of land by the Portuguese and later the Luso-African agents clashed with notions of collective rights. Yet, privatization of land expanded, with profound consequences for the people of West Central Africa. With the Conference of Berlin (1884-85) and the effective occupation of the territory, the agents of the Portuguese colonial empire encountered a land regime profoundly transformed by four centuries of conquest and occupation of the land. However, land occupation and exclusion was not new in West Central Africa. It had started four centuries earlier, when king Sebastião issued the 1571 royal decree that directed Paulo Dias de Novais to conquer new territories.

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