

## CHAPTER XII

### GENERAL OBSERVATIONS

In this final Chapter, we shall particularly look into some important matters which we have no opportunity to discuss elsewhere.

#### Land Title

In all cases of interview in the Block, and from the examination of the records at the Kuala Selangor Land Office, it has been found out that all lots in the Block have thus far been issued only with AA titles, that is Approval of Application for Land, marked as Schedule III. In each case, the legal owner of the respective lot is in possession of a copy of this Schedule III, which in effect is the only legal document he has in respect of his ownership of the lot. A copy of this Schedule is attached in Appendix II. No TOL neither EMR cases have been discovered.

#### Schedule III, Approval of Application for Land

Numerous references to and comments on this Schedule have been made throughout this study where relevant. In view of its importance and serious implications particularly of its express conditions, these comments will be briefly assembled here and those irrelevant elsewhere included.

Besides the approval of the application and specification as regards the land and fees payable, the Schedule sets out certain Express Conditions and Restrictions in interest. Some of these deserve comments.

Express Condition (1) sets out two rules: inseparable entry in the Mukim Register of the Bendang lot and kampong lot alienated, and strict prohibition of subdivision. Few comments may be made on these;

- 1) For motives to be discussed, it was intended by the Land Office to alienate a lot of Kampong land elsewhere for every lot of Bendang land alienated in the S.S. Bendang lot was alienated first, and Kampong lot to be alienated later. As it materialises, this is an ill-planned policy, which now gives rise particularly to a problem. Some of the Bendang owners have, of course, already been alienated with the kampong lot. There are seven owners in this Block with Kampong lots such as at Sungai Sirih and Sungai Kajang. But now it

is discovered that there is insufficiency of suitable Kampong land in the reasonably neighbouring areas to be alienated. As an alternative, the Land Office is now trying to withdraw the old A.A. and replace it with a fresh one with no provision of the Kampong lot. This the settlers of the S.S. now refuse to comply with for fear of complete withdrawal of both lots. If complied, there is no longer the uniformity between the lots.

2) As pointed out in Chapter IV, the provision of a Kampong lot elsewhere, registerable under a single title with the Bendang lot, to be "used solely as a site for one or more dwelling houses and for the cultivation of trees of economic value" may lead to fragmentation of both holding and farm. This will be elaborated.

3) The strict prohibition as regards subdivision is primarily a measure devised before-hand to ensure that no problems, economic or otherwise, attending the process of land subdivision would arise in the area. The problems include the existence of uneconomic units of ownership and operation, the probability of ownership and operational fragmentation, and the possibility of joint- and co-operation. However, as discussed at length in Chapter V, this Study shows that though de jure subdivision is strictly prohibited, this does not prevent the occurrence of de facto subdivision as attested by the existence of 12 co-owned lots in the Block. And this phenomenon gives rise to more economic and social problems than the de jure subdivision really would. As already pointed out, the divergence of de facto from de jure ownership poses the problems of legal unsettlement of claim of ownership with particularly its various social consequences. It also creates the problems of legal management of the lots concerned, evident in the considerable delay of the settlement of land tax of the lot, and the long deferred transfer of the title of the lot in the case of inheritance. Thus, as the situation exists in this Block, instead of avoiding the problems attending subdivision, this express condition creates more problems out of the divergence between de jure and de facto ownership of lots. The effectiveness of this Express Condition to accomplish its objective will only materialise if measures are taken to ensure that what is de jure is strictly adhered to de facto.

Express Condition (2) provides that no trees of the species *Hevea Briziliensis* can be planted on the land alienated, both the Bendang and the Kampong lots. This is evidently in conformity with

the objective of making the S.S. a solely padi area. That rubber trees are not also allowed to be planted in the Kampong lots outside of the S.S. can be seen as partly an attempt by the authority concerned to make the settlers concentrate the whole of their attention on padi. Coupled with double-cropping, it points out to the intention of making the S.S. a specialised padi area of specialised settlers. If this is the true motive behind this express condition then, as far as Block F is concerned, it has considerably failed. For, as we have seen in Chapter III, complete specialisation in padi is hampered by the fact that a considerable number of owners and/or operators in the Block own and/or operate considerably large areas of land outside of the S.S., not of rubber but coconut.

Express Condition 3 (i and ii) sets out that the Bendang lot is to be cultivated solely with wet rice, and the Kampong lot to be used for the purpose of dwelling and cultivation of trees of economic value other than rubber. Here again is evident the intention of making the S.S. a strictly specialised padi area, like that of the nearby Sekinchan Settlement.

As we have seen in the previous Chapter, these conditions have been violated in the Block. Permanent dwellings, sometimes two or three of them, have been erected on about 48% of the total Block's 104 lots; and crops other than padi have been cultivated on 60.6% of them. It appears now that owing to the difficulty of obtaining suitable Kampong land, these provisions are dropped. Perhaps this explains why measures are not taken against the violation.

As already pointed out, these conditions as they originally are may lead to fragmentation of ownership and operation. The owners and/or operators will have to stay at various distances from their lots. The problems of transport; of transportation of equipment, seeds, fertilisers, produce and the like to and fro; of time and energy wastage; of deprivation of continuous on-the-spot care of padi particularly with regard to pests such as birds are all posed.

It is appreciated that if the settlers are allowed to build permanent dwellings and cultivate other crops on the lots, this will reduce their total area available for padi. But would it not have been possible to originally plan from the outset that a lot of larger area is alienated, a certain specified portion of which, say one-half of an acre, is to be used for the purposes of dwelling and mixed Kampong cultivation. This would no doubt reduce the number of lots in the S.S. to one smaller than what it is now, but at the same time it serves to avoid the various problems now in existence.

Restriction of interest one provides that any transfer of the land must be to a single person and relates to the whole of both Bendang and Kampong lots. The underlying motive here, like that in the case of subdivision, is to retain the unit of ownership and operation of lots intact, thereby avoiding the economic and social problems that may arise from the partial transfer. But this de jure requirement is again not followed de facto in the Block. As we have seen in Chapter II and other Chapters, there is much distortion of the

de jure situation caused by de facto ownership in the Block. Twelve lots, as we have seen, are involved in partial transfer, through sale. There are others the partial transfer of which is for one reason or another concealed, particularly that occurring through inheritance. The result of this restriction is that fresh problems of approximately similar nature as those of subdivision arise from the divergence of the de facto and de jure ownership of the lots.

### Persatuan Peladang Tali-Ayer Tiga

In the course of my interview, I was awakened to the existence of a farmers' society in the Block, came into contact with some of its officials, and witnessed some of its activities.

The Society is called Persatuan Peladang Tali-ayer Tiga, and was inaugurated in 1963. Its membership is open to all farmers who operate lots in the Blocks along Drain 3 of the S.S., upon the payment of an entrance fee of \$1 and an annual subscription of 50 cents. At the time of the interview, its membership stands at about 100.

Among the objectives of the Society is to provide capital-loans for members to buy land, equipment and the like at reasonably low interest rates; and also to provide seeds, fertilisers and other facilities on credit to members. To achieve these, the Society borrows from other bodies.

Beside implementing these objectives, the Society also becomes instrumental as an agency through which the Department of Agriculture provides better seeds and fertilisers to farmers in the Blocks at a reduced charge and on credit. It is also responsible for reporting to the Department of the existence of such a situation as the prevalence of pests and diseases so that effective measures may be taken by the latter. It also co-operates with the Government in organising the agricultural courses provided by the latter to the farmers.

There is no doubt that a Society of this nature, if conducted effectively and in the right spirit, can help a great deal to alleviate the level of living of its members. It can do this by raising the productivity of their farms through such steps as the help to consolidate their ownership of an economic unit of land; as the provision of better seeds, the introduction of the most effective and modern techniques, and the provision of fertilisers, all brought in within the means of the farmers; as the control of pests and diseases; and as the provision of agricultural education to the farmers. It can also help to raise their standard of living by freeing them from having to pay higher prices to the middlemen in the purchase of fertilisers and equipment, for example, and from having to pay higher interest rates to money-lenders for credit.

Suffice us to quote a notable instance of the Society's success. At such a young age, the society already has in its possession two small tractors, purchased through the credit provided

by the Lembaga Persatuan Penanam Padi. The services of these tractors are lent to the society's members for ploughing their land at a reasonably low charge on the basis of pay-half-now-and-the-rest-at-harvest. Already operators of lots 2799, 2800, 2802, 2805, and 2814 attribute the increase in the productivity of their lots this year, ranging from 29% to 33% compared with that of the last year, to the application of these tractors to plough their land.

### Double-Cropping

As has been oft-repeated, the Block as the S.S. as a whole is devised to be a double-cropping padi area. With its considerably well-controlled water supply, the suitability of the area for the purpose is indisputable. In fact, double-cropping had continuously been practised in the area.

During the year of this Study, however, double-cropping is not practised. It was dropped, I was told, about two years ago with the reservation that it will be reintroduced. I was further informed that one of the reasons why the practice was dropped is that there is a strong resistance on the part of the settlers themselves.

Nearly all the interviewees in the Block expressed their dislike for the practice. This is due to the low total yield of padi that results from the practice. They would derive a bigger total annual income, so they say, by cultivating padi as a single crop and then concentrate their efforts on the cultivation of other off-season crops or doing some other jobs than what they would derive if they were to devote the whole of their attention on padi double-cropping. The interviewees of lots 2801, 2834, 2863, 2873, 2879 and 2891, for example, attribute the increase in the productivity of their lots this year, ranging from 14% to 43%, to the fact that double-cropping is dropped this year. Their explanation is that as only single-cropping is practised now the land can be allowed to dry well before being cultivated again. This makes it more fertile for padi, and hence the increase in the output.

This is indeed a problem of profound magnitude. The original purpose and intention of the establishment of the S.S. is defeated if double-cropping is dropped. There is the probability of some truth in the allegation of the settlers as to the low yield of double-cropping. A systematic fact-finding survey to look into this matter will be well rewarded.

The allegation may not be true. The settlers may object double-cropping because they want to attend to their coconut-land outside of the S.S. for those who have, or they want to cultivate other crops, or do some other jobs. If this is so, it is thus the first manifestation of the danger of non-specialisation already referred to.

Even if it can be established that the allegation is true, the underlying reason for it is not, I think, as that given by the operators of the above lots. Double-cropping is practised elsewhere

in Malaya such as in Province Wellesley, but never have we heard any allegation that the combined yield is lower even than that of a single-cropping because the land is not allowed to dry. There may be other explanations. One of these shows itself glowingly. Double-cropping taxes the land considerably. The fertility of the land must be restored if it were to produce good results. This means that fertilisers must be adequately and carefully applied. For all we know the application of fertilisers in the Block and in the S.S. as a whole is still in its experimental stage.

### Co-operative Mill

A particularly interesting phenomenon observable in the Block is that all padi marketed in the Block - and the S.S. - is sold to the local Co-operative Mill. In the course of my interview in the Block, I have seen a Chinese man buying padi from a lady. An inquiry, I was told that such a case occurs quite frequently to dispose of all his padi to the Co-operative Mill.

Marketing of padi is thus completely controlled in the S.S. Middlemanship is total non-existent. The farmers are thus assured of getting the government - controlled price for their padi. They are freed from the low prices of the middlemen and prevented from being involved with such practices as 'padi-kunchâ' credit to the money-lenders.

In this regard, the padi planters here are in an enviable position. One can only wish that this controlled - marketing system of padi be extended to cover all the areas of padi plantation, particularly those in Kedah and Perlis, the notorious homes of padi-kunchâ practices.

### Co-operative Sector

Talking of Co-operative Mill, we are reminded of the idea of co-operative. Perhaps we may be pardoned to indulge in this idea of co-operative in relation to the Block and the S.S. as a whole.

Besides controlled - marketing of padi by the Co-operative Mill, and the activities of the Persatuan Peladang some of which are on line with co-operative services, there is not other co-operative element observable in the Block.

This is lamentable. Although there are no middlemen in padi marketing, there are obviously middlemen in the provision of daily consumption goods. The provision of daily necessities in the Block is provided by an Indian shop situated at one corner of the Block. Or else the Block's settlers obtain their provision from the retail shops at Tanjong Karang town. Saved thus from the middlemen of one camp, the farmers of the Block are still in the hands of those of another.

One can only express how ideal it is if this function is taken up by a Consumption Co-operative. With the existence of this

Consumption Co-operative, in addition to the controlled - marketing of padi by the Co-operative Mill, and the Persatuan Peladang running on the basis of Production Co-operative, the Block and the S.S. as a whole can be converted into an absolutely co-operative colony.

In this instance, I am particularly reminded of the idea of Co-operative Segment, propogated by Professor U. Aziz,<sup>1</sup> as an effective way to implement a genuine co-operative movement in Malaya. I can think of no better area than the S.S. to initially launch this sector as an experiment at least. It is a single-crop agricultural area, where the settlers are generally poor. It is an area where improvement in all respects is urgently needed. Settled only by Moslem Malaysians, there is a considerably cohesion among the settlers for co-operative ideas to flourish.

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<sup>1</sup>"Poverty and Rural Development in Malaysia", *Kajian Ekonomi Malaysia*, Vol. 1, No. 1, June 1964, pp. 95-6.