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Agricultural policy and land tenure in an Irish marginal county

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ABSTRACT

This paper has a twofold objective. Firstly, recent land policy both at EEC and Irish government levels is evaluated from the perspective of the small family farm in County Leitrim, one of Ireland’s most marginal farming areas. Secondly, recent changes in a small sample of County Leitrim farms are analysed in terms of their land tenure and household characteristics. The data reveal considerable social and cultural obstacles to an efficient system of land transfer resulting in a low level of land mobility. The policy response to such marginal conditions has not been encouraging either at EEC or National government level. Inadequate EEC directives have resulted in failure and while some positive intervention has been achieved by Irish agencies such as the Land Commission, there has been a general failure to show awareness of conditions on the ground. State intervention through the welfare code has resulted in a strong dependency mentality which has greatly reduced the incentive to exploit either individual or communal resources.

Key index words: Irish agricultural policy, land tenure, Co. Leitrim

Introduction

Rigidity of the land market and immobility of land transfer have long been identified as major obstacles to the development of Irish agriculture (Sheehy, 1982). Compared with an average of 63% for the EEC, 92% of farmland in Ireland is owned by the family and the transfer process is restricted almost totally within the kinship network (Kelly, 1982). The main disadvantage of this system in recent times has been the concentration of ownership in the hands of an elderly population. The most extreme example of this problem is found in western marginal areas where land quality is poor and farm size is generally small (Ó Cinneide and Cawley, 1983). In addition to the physical limitations of the land, the incentive to use land efficiently has been greatly reduced partly because of the imbalanced demographic structure of the farm population.

This paper examines recent developments in land policy both at the national government and EEC levels from the perspective of the small family farm in County Leitrim, one of the most marginal farming areas in Ireland. Having outlined the main policy areas and identified some conflicting objectives between them the paper looks at the process of land transfer in County Leitrim between 1969 and 1985.

National Policy

Recent developments in Irish government land policy, while being overshadowed by Directives from the European Community in Brussels, reveal a fundamental contradiction between economic and social objectives. The anchor point for Irish land policy is the State commitment in Article 45 of the Constitution to “establish on the land in economic security as many families as in the circumstances shall be practicable”. The support of family farming implicit in this article is mirrored by recent policy developments in Brussels, but it raises difficult definitional problems of viability. Commins (1983) argues that effective policy must ensure that the viable farm of today must not become the marginal farm of tomorrow.

While inaction on the part of the State in the predominantly owner-occupier Irish tenure system has been criticised (Sheehy, 1982), some measures affecting land ownership in marginal areas have been taken. One of these was the introduction of the Small Holders Unemployment Assistance in 1966, which contributed to creating a basic income in poor farming areas. The measure was initially based on the rateable valuation of land but this was substituted by a means test when the valuation system was declared unconstitutional.

A second important measure taken by the government in the early 1970s was the derating of agricultural land. This measure has been severely
criticised as being motivated primarily by political opportunism but a more objective assessment offered in a 1978 Government Green Paper stated: "It can be argued that the present level of rates relief on agricultural land provides no incentive to boost agricultural output. Holding land costs the majority of land-holders little or nothing and so the question of producing more, or selling the land, or leasing it to someone else who would make better use of it hardly suggests itself". Divergence of opinion regarding derating is partly explained by the fact that the two major political parties in Ireland draw their support from the opposite ends of the agricultural class divide, with Fianna Fail being the party of the small farmer and Fine Gael being the large farmer's party (Laver, 1986). The most recent Fine Gael – Labour Coalition Government introduced a new land tax scheme to counter some of the effects of derating, but this was subsequently abolished by the following Fianna Fail administration.

The Land Commission

The most direct intervention by the State in the land market has been the relief of congestion through the agency of the Land Commission. This Commission was wound down almost completely by the Coalition Government in 1984 after a long history of reallocating land particularly in the depressed western region. Some would argue that the Commission had outlived its usefulness, but the lack of exchequer funding was probably one of the main reasons for its decline. In its most recent period of activity the Land Commission was empowered to buy land for its purposes by way of compulsory acquisition or voluntary purchase. In 1977, 63% of the land it acquired was by compulsory acquisition (Sheehy, 1982). Pressure from smallholders, often through their elected representatives, ensured that practically all sales of land and most cases of non-resident owners were brought to the notice of Land Commission field staff.

Although the Land Commission made a significant, although unpublished, contribution to relieving land congestion in the western region, its procedure for dividing and allotting land met with frequent criticisms. One of the major criticisms was of the payment for land compulsorily acquired by land bonds. These bonds involved a redemption period during which they failed to maintain their value. Another area of criticism related to the slowness of their procedures which were affected by the legal requirement to allow those who were losing land to appeal the decision. The only stated qualification for obtaining an allotment of land from the Land Commission was to own some land already, thus creating in the minds of smallholders a divine right to the land of others. Before eventually being disbanded, however, the Land Commission had begun to draw up priority lists of potential allottees for land based on some criteria of their ability to farm it.

In 1973 the Leitrim Resource Survey recommended a major role for the Land Commission in the restructuring of agricultural land. It suggested the acquisition of (a) land continuously let in conacre or remaining derelict or under-used, estimated to be about 60,000 acres (24,250 hectares) or 22% of land holdings; (b) land held by absentee landlords; (c) land becoming available through the death of elderly unmarried farmers. Land Commission practice, however, usually made considerable allowance for human and social considerations, and the tendency was not to acquire the land of elderly owners where the successor was temporarily away from home.

The Welfare factor

Based on an extensive study of the small farm problem in the west of Ireland, Scully (1971) concluded that 43% of the farms had no future in agriculture, and those who farmed them were more appropriate recipients of social welfare aid than State assistance for agriculture. Scully suggested that a considerable proportion of farms could not contribute to agricultural growth and were thus effectively excluded from agricultural policy measures. In his view the State should accept the need for direct support for smallholders in the form of unemployment assistance. Despite this early unequivocal view of agricultural policy based primarily on an economic perspective, experience since would suggest that the welfare factor in agriculture has been a major source of internal conflict in policy developments. The Leitrim Resource Survey (1973) pointed out that eligibility for welfare payments was a serious obstacle to structural reform for at least half the farming population of the county. The farmer's dole placed an effective ceiling on production since farmers who increased productivity risked the loss of welfare entitlement. While being a well-intentioned measure to subsidise low incomes it may also have greatly contributed to a dependency mentality.

Welfare considerations were important in contributing to the poor response to long-term leasing in marginal areas. The social welfare code encourages the letting of land on the 11 months system, because the capital value of land is not taken into account for the purpose of means testing. If the farmer leases land, however, the rent and capital value may be taken as the basis of means.

The ineffectiveness of the Farmers' Voluntary Retirement Scheme (EEC Directive 160) resulted largely from a conflict with the welfare code. The incentives offered had to compete with other State benefits available to farmers who chose not to retire. In the Western counties smallholders may receive Unemployment Assistance up to 66 years of age and headage payments regardless of age. In the severely handicapped areas, therefore, farmers of 66 years and over would lose substantially by volunteering to retire if their means entitled them to the upper ranges of the
Old Age Pension. The need for a more integrated approach by the various government departments involved in rural development is obvious.

**Land Use**

The absence of a land use policy — a contributing factor to the confusion of purpose in Irish land policy — has also been criticised. Convery (*The Irish Times*, July 21, 1984) blames the rigid traditions, both institutional and social in the land market and characteristics of both the social welfare benefits and the tax code on the little progress with tree planting, in spite of generous EEC supported grants. He claims that 25% of the wet mineral drumlin soils belt, of which County Leitrim forms part, would yield a substantially larger net increase in forestry than agriculture, even under EEC price support schemes for milk and beef.

Between 1969 and 1972 County Leitrim had the highest rate of land acquisition for afforestation in the State (An Foras Taluntais, 1973), but since then the Forest and Wildlife Service have found it increasingly difficult to obtain land for planting. In addition to being unable to compete on the open market for land, there has been considerable opposition to forestry among the farming community. The conflict of interest between the Forest and Wildlife Service and the role of the Land Commission was eased somewhat by a pledge given in 1972 that no further land would be purchased for planting unless following consultation by the Land Commission with farmers adjoining the land in question, it was deemed unsuitable for agricultural purposes. More vehement opposition has emerged in recent years to attempts by private interests such as financial institutions in charge of pension funds to acquire land in marginal areas for afforestation.

**Land mobility**

An exhaustive study of the transfer of land in Ireland for the period 1950-1977 reveals that two-thirds of all whole farms transferred were acquired from parents, while other relatives accounted for a further 20% (Kelly, 1982). During the period examined 43% of whole farms were obtained by inheritance on the death of the previous owner and 41% were by gifts including marriage settlements. Other studies have noted the reluctance of farmers to sell or lease land mainly because they wished to pass on the land to family members. It has been suggested that the absence of such a facility in the EEC Retirement Scheme was another reason for its failure.

In 1983 a Government statement on land policy had as an objective “to stimulate structural change in a way that will allow as much as possible of our land to be used to the limit of its productive capacity”. An ambitious programme of promoting long-term leasing followed but apart from having some success in the richer dairying areas, where the introduction of the Super Levy caused a scramble for milk quotas, the impact in marginal areas has been negligible. Apart from the welfare obstacle to leasing there is a well-grounded fear of lessees gaining legal rights to land after leasing it for a number of years.

Another major reason for the unattractiveness of long-term leasing among smallholders is the already well established tradition of letting land in conacre or on the 11 months system. This system has been justly criticised on the grounds that it contributes to inefficient land use and to a deterioration in land quality over time. Without security of tenure lessees have little incentive to maintain soil fertility. The system, however, has been described as a way for the industry to pension-off some of its members, and it has provided very considerable land mobility within an inflexible structure of land holding.

While presenting an obstacle to long term leasing, the 11 months system frequently amounts to the same thing with land being let to the same person year after year (Kelly, 1982). It would be difficult to see the potential suppliers of land for leasing putting aside the conacre option since such lettings do not always constitute market transactions. Non-cash benefits may be provided by the person taking the land, and many arrangements are therefore informal.

**Part-time farming**

The Leitrim Resource Survey (1973) indicated that part-time farming was the dominant position in the county and called for a clear State policy on the issue. Most farms in the county were too small and family incomes had to be augmented by either off-farm employment or more often by social welfare payments. Although EEC policy makers appear to be moving towards a more positive view of part-time farming the most recent statement by the Chief Economist in Ireland’s Department of Agriculture shows continuing equivocation in this matter. Having noted an increase of more than 6,000 part-time farmers in the country between 1973 and 1981 and referring to their poor production rates compared with those in full-time farming, Attwood (*The Irish Press*, June 7, 1983) pointed out the policy-makers dilemma: “whether to discourage part-time farming and focus attention of resources on full-time farmers or not”. He argues that part-time farming is a contributory factor to the present serious unemployment situation in Ireland to the extent that people with full-time jobs outside farming hold and farm land.

**EEC land policy**

With the accession of Ireland to the EEC in 1973 much of the decision-making process affecting agriculture was transferred from Dublin to Brussels, and consequently numerous proposals and directives since then have been put forward at the community level. It would appear that since 1973 EEC policy for the reform of agricultural structures has gone almost
full circle. The original policy derived mainly from the Mansholt Plan contained the following proposals: the modernisation of farms, the retirement of elderly farmers and the allocation of their land for structural improvement and the provision of socio-economic guidance and the acquisition of vocational skills by persons engaged in agriculture (Scully, 1985). The effect of these proposals was very limited particularly in marginal areas. The onset of economic recession was a major hindrance but limitations within the policy proposals became more obvious with the passage of time. In the Irish context, Directive 160 dealing with farm retirement failed completely in its objective to stimulate land mobility for structural reform.

The current economic climate has highlighted the weaknesses of this original common policy. The Mansholt Plan was conceived against a background of the buoyant economic conditions of the 1960s, but current massive levels of unemployment have greatly reduced the alternative opportunities for surplus farm labour. In addition the problem of agricultural surpluses is far more serious than heretofore thus causing a complete review of aids to farm investment (Scully, 1985).

The failure of EEC policies to come to terms with the problems of marginal agricultural areas in Ireland is partly due to the global nature of many of these policies (Cuddy, 1981). It is also due in part to the inherent dualism in agriculture whereby more productive farmers benefit more from policy decisions than those in the lower levels of production. Commins (1983) argues that the small farm problem is being continually created over time and that the extent of under-utilised land is related to the gradual marginalisation or displacement of an increasing segment of the agricultural population from the mainstream of agricultural development.

Agricultural policy is characterised by a basic conflict between the irreconcilable goals of economic productivity and social equality. The emphasis to date in much of agricultural policy both nationally and at EEC level has been on economic criteria and the development needs at the sub-regional level have not been adequately addressed. The disadvantaged areas scheme of headage payments (Directive, 268) comes closest to meeting some of the needs of marginal farming areas in Ireland, and it complements previous Irish government attempts to stabilise the rural population. Directive 268 provides aids (mainly livestock headage payments) to maintain farm incomes in certain less favoured areas where there is a danger of depopulation reaching a scale which would jeopardise the viability, continued habitation and conservation of the countryside. This directive is clearly more relevant to Alpine areas where farmers are compensated for being "landscape managers". In the Irish context payments were reduced because of the inability of the exchequer to match EEC contributions and headage payments were not available to farmers whose wives were working. Headage payments can be criticised from a structural viewpoint, because they encourage elderly farmers to continue working after reaching the qualifying age of the pension (66 years).

The case of County Leitrim 1969-1985

A sample of 121 farms was examined in the field in 1969 regarding aspects of their land tenure. A follow-up study was carried out of the same farms in 1985 to trace the main changes during the intervening period. The sample was originally selected randomly from the intersection points of a square mile grid applied to the 1 to 10,560 maps of the county. While the sample may not be representative of the 1985 population of farms Fig. 1 shows that it was well dispersed throughout the county. Agricultural land is exceptionally marginal in County Leitrim, with much of the northern part composed of carboniferous plateaus over 1,000 feet (300 metres) with intervening glaciated valleys. The southern part is characterised by rolling drumlin topography interspersed with lakes. The land on 82% of the sample farms had a grazing capacity of between 45 and 65 Livestock Units per 100 acres (40 ha) (See Leitrim Resource Survey, 1973).

Change in farm size between 1969 and 1985 is shown in Table 1. It indicates a much greater degree of enlargement than either the Agricultural Census or the Population Census would suggest for the county as a whole (Table 2). While sample bias may be relevant here, it is also likely that the official data referring to "landholdings" and to "areas worked by farmers" do not give a true indication of farm size change. Changes in the sample farms indicate a considerable reduction of the number of farms under 30 acres (<12 ha) and a concomitant increase in farms over 50 acres (>20 ha). Differences between the area owned and the area worked can be accounted for by the renting of land which appears to be more prevalent in marginal areas than elsewhere in the county. In 1985, 12 sample farms had differences between the area owned and worked: one farmer set part of his farm and the remainder added to the area they owned by renting land. The amount of additional land rented was modest, being less than 20 acres (<8 ha) in half the cases and reaching a maximum of 40 acres (<16 ha) for one farm.

Between 1969 and 1985, 42% of the farms experienced an increase in size, while three farms were reduced in size. The largest increase was 70 acres (28 ha) but almost two-thirds of the increases were less than 20 (<8 ha) acres. Despite the moderate degree of enlargement throughout the study period changes in ownership were few. In more than three-quarters of the sample farms no major change apart from the intergenerational transfer of land within the primary kin group had occurred. Among these instances where land had changed hands within the family, enlargement of the family farm through the purchase of additional land had also occurred in 15 farms. This sample of Leitrim farms confirms the general picture.
Figure 1. Townland locations of survey farms.
of little land entering the open market and the negligible impact of a variety of policy measures to stimulate greater mobility in land ownership.

There were only a minority of instances where the family farm was not passed on directly to a son: in two of these the widow of the previous owner inherited and in six additional cases the land was in the wife’s name since the husband had married into it. In seven sample farms where there was no direct heir, a nephew benefited from the transfer of land. In some cases a nephew had moved in to live with a childless couple and having worked the land for a number of years eventually inherited it. In other instances nephews inherited the farm after the death of a relative. Earlier studies (Scully, 1971) predicted incorrectly that large numbers of “heirless” farms would disappear over time but subsequent examinations found a pattern of temporary migration by potential heirs to be quite common in marginal areas (Frawley, 1979). In County Leitrim, therefore, where there appeared to be considerable potential for terminating the large number of small holdings, the traditional social structure in the form of the extended family, which was considerably buttressed by a welfare system working against land mobility, intervened and significantly halted widespread enlargement.

Until its almost complete disbandment in 1984 the Land Commission played a role in reallocating land in County Leitrim between owners who no longer worked it, and neighbouring farmers who were judged to be in greater need of it. Evidence from the farm sample indicates that the Commission restricted compulsory acquisition to the most blatant cases of resource wastage resulting for example from absentee landowners leaving land in caretaker arrangements. The occasional incidents where they did step in served to spread a definite wariness among landowners of a possible take-over. Some landowners in the sample had returned from abroad to prevent a take-over by the Land Commission. In other cases, however, non-resident farms remained in caretaker arrangements for 20 years or more mainly because of the low level of interest by neighbours in them.

There were 12 instances in this small sample where the Land Commission had influenced changes in farms during the study period. In half of these cases only 14 acres (5.6 ha) or less had been added to farms through the sub-division of acquired land. Such small sub-divisions in the 1970s might indicate an almost ludicrous approach to the creation of viable holdings, but it also indicates the pressure for egalitarianism exerted by the farmers themselves on the Commission.

Many small holders acknowledged that the Land Commission was their only means for enlarging their farms, yet most sub-divisions gave rise to intense hostility towards the Commission among those who failed to benefit. Once the era of sub-dividing former estates had ended, the Land Commission became relegated to the impossible task of satisfying land hunger among a farm population which was becoming

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N.A. Data not available
is increasingly inefficient through age. It was little wonder that its efforts to bring about a more effective distribution of resources were doomed to failure.

In addition to considering farm size change it is also useful to examine the household characteristics associated with the sample farms. Various studies have highlighted the association between “good” household structure and farm performance (Scully, 1971), but the alternative argument that household structure is a response to the ability of the farm to support a family should also be considered. Table 3 shows the breakdown of sample households in a number of categories, the main differentiation being between full-time and part-time farmers. The level of part-time farming is not surprising considering that the Census of Population shows a reduction of 30.8% in the number of “farmers working areas” in the county between 1971 and 1981 (Grimes, 1986). These sample households included farmers with either full-time or part-time jobs on the one hand, and full-time workers who had a farm as a secondary source of income on the other. The self-employed were an important category among part-time farmers with a number being involved in rural related activities such as building, turf-cutting and timber haulage. Public service employees ranging between the administrative and unskilled categories together with manufacturing operatives were also important occupational groupings. Farmers with young families and particularly those who had taken out bank loans for farm enlargement, were under considerable pressure to find alternative sources of income outside the farm. The failure of agricultural policy, particularly at EEC level, to come to terms with the significant phenomenon of part-time farming resulted in many policy measures having little relevance for a considerable proportion of the Leitrim farming population.

Seven of the part-time farms were non-residential since the owners lived in nearby towns and had a job or family business. Having inherited the land they maintained drystock on it, visiting the land regularly. Of the remaining 48 part-time farm households 22 had a married couple or widowed parent under 60 years and apart from one childless couple, they also had at least one offspring under 30 years of age. Sixteen part-time farms were either owned or operated by a pensioner (65 years or over) and ten farms were operated by bachelors over 30 years of age (Table 3). Among what could be termed the “good demography” households i.e., non-pensioner and non-bachelor, the number of children even in cases of incomplete fertility was usually five or six and in one case there were nine children in the household. This suggests that some residual traces of the dual characteristics of low nuptiality and high fertility remained despite significant changes in recent years. Four of the part-time households which were either owned or operated by pensioners had a son under 30 years of age with either full-time or casual off-farm employment and who helped on the farm. In four other instances of these pensioner households an unmarried sibling had remained in the family home, reflecting again traces of the previously more widespread extended family household. In three of the bachelor part-time households the farm operator lived alone, and the remainder apart from one who lived with an unmarried brother lived with a widowed parent.

Less than half the full-time farm households were characterised by “good” demographic structure (Table 3). In half of these cases again the farm operator was 55 years or over, which was the suggested retirement age under the EEC farmer retirement scheme. In one-third of the full-time households with “good” demography a widowed mother or ageing parents formed part of the household. One of these households had two family units while another contained unmarried siblings of the household head. The potential for familial tensions in such extended households seems obvious, particularly considering the small size of many such farmhouses.

Of the 23 full-time farms operated by bachelors, 11 were one person households, six lived with a widowed mother and/or other persons — usually a sibling — and the remaining six were sibling households where the parents were deceased. The high celibacy rate in the county (29% of males between 45 and 64 were unmarried in 1981) is reflected in these household types where the traditional pattern of postponed marriage while waiting to inherit the family farm and home is well represented.

While the low level of mobility in land ownership reflects the ineffectiveness of many policy measures, farm household demography manifests in a more vivid way the marginalised nature of this farming community. Having failed to improve their standard of living to any substantial extent, such policies continued to treat agriculture in isolation, thus failing
to come to terms with the serious social and cultural problems inhibiting development.

**Conclusion**

There are intractable problems associated with the ownership and working of land in County Leitrim. These problems are derived from the kin dominated transfer of the family farm and they are reflected in the slow rate of farm enlargement in recent years. Added to the small farm size and the poor quality of land are the social and cultural obstacles to an effective transition of the family farm between generations. The most radical response to these prevailing difficulties seem to be reflected in the terminal character of so many households. Many have failed to achieve a level of either economic or social self-sufficiency permitting them to raise a family on the land: a large number seem doomed to a similar prospect in the future.

Policy makers in Ireland have exercised extreme caution in matters relating to land tenure. Historical circumstances determined the recency of ownership for smallholders after a long and bitter struggle with colonial landlords. Attachment to the family farm has always been regarded as a dominant passion of rural Ireland, and it is difficult to see how State intervention could achieve radical progress in an area with which even the family itself finds great difficulty in dealing. It is interesting to note in this regard that the quality of official data relating to landownership in Ireland, despite the significant involvement of many agencies is quite poor.

The record of State achievement in the area of land policy in Ireland during recent decades has not been impressive. Both national government measures and the more recent EEC directives have resulted largely in a series of unfulfilled aspirations. From the perspective of the marginal smallholder policy decisions have shown little appreciation of conditions on the ground. Global land policies have swung from promoting dairying to livestock production and more recently to encouraging afforestation. The reticence if not downright hostility of land owners toward the most recent policy thrust suggests a significant gap between the views of bureaucrats and the needs or aspirations of the targetted population.

Considerable resources are being wasted by the many Government departments and agencies working at cross purposes in their objectives. An unfortunate consequence of State intervention in rural Ireland has been the creation of a strong dependency mentality particularly through social welfare. The incentive to develop and exploit resources for personal or communal gain is greatly lacking and landownership is frequently connected with the desire to remain on the most advantageous side of the welfare code. The contracting urban tax base resulting from mass unemployment together with the serious food surpluses are likely to provoke a more radical political response in the future.

The case of County Leitrim indicates a definite tendency on the part of smallholders whose resource level is inadequate to become involved in part-time farming where possible. Policy makers must acknowledge this transitional stage in designing measures for rural development. In marginal areas like County Leitrim, addressing the needs of agriculture in isolation is pointless; agricultural resources are frequently playing a secondary role in contributing to household incomes in such areas. Rather than discriminating against part-time farmers by barring them from agricultural development aid, incentives should be made available to encourage these farmers to invest their earnings in further resource development.

It is important that the glaring conflicts between welfare benefits and policies for promoting enterprise be eliminated. It may be a daunting challenge to weaken many households from a state of welfare dependency and to encourage them to attain sufficient economic independence so that they can contribute to the exchequer through taxation. Many part-time farmers by being part of the tax net already do contribute. It will require ingenuity on the part of the State to promote greater development through tax incentives while maintaining the necessary equity between urban and rural populations. The necessary policies for changes must find support at the community level rather than being imposed by central government.

**References**


