TWENTY-SIX CENTURIES OF AGRARIAN REFORM

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A Comparative Analysis

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COMPARISON AND CONTRAST II: REFORM OBJECTIVES AND PROCESSES

I. OBJECTIVES

In the previous chapter we investigated the problems that prevailed prior to reform. The reform might or might not have been designed to solve these problems. It is necessary, therefore, to find out what were the objectives of reform and the processes of their realization.

First we must differentiate between the objectives of the pre-reform advocates of reform and those of the actual reformers. The advocates may not be in positions of power or be policy-makers. However, as outsiders they see the problems more clearly and prescribe the reform accordingly. Or they may be proponents of a certain political philosophy which prescribes reform. But there is no reason why their objectives and those of the actual reformers should always be the same. Of course, the difference between the two may be a difference in roles and policies only, though the persons may be the same.[1] In this chapter we shall deal with the objectives of the actual reformers only.

The objectives of reform may be distinguished as economic, social, and political. Economic objectives deal with production and allocation. Social objectives include distribution of income and wealth, and status of the peasant in society. Political objectives include promotion of political stability, legitimacy of the political system, and national security.[2]

(A) ECONOMIC OBJECTIVES

Prior to the Soviet reforms, economic objectives were not common features of the reforms under study. Problems of investment and allocation or productivity and growth were not even mentioned. The only economic action of the Greek reforms was Solon's regulation of exports to reallocate factors of production and to maintain the supply of food in the domestic market. Pisistratus extended credit to small farmers, encouraged production in mining, and promoted construction work to alleviate unemployment, but these policies were separate from and independent of his land tenure program, and had little or no effect on agricultural production or productivity.

Similarly, the Roman reforms had no direct interest in economic problems. Except for Gaius' colonization program, which was designed partially to relieve urban unemployment, no economic objectives appeared

in the program. Even the colonization program was more a political maneuver and a revival of an old policy of colonizing occupied territory. Failure to deal with economic problems was even more pronounced in the French reforms. They not only failed to include economic objectives but tended to have negative effects on production by encouraging fragmentation and small-scale operation. In Russia the emancipation was neutral to economic problems. However, economic objectives started to win recognition with the Stolypin reform, which had consolidation of holdings and commercial production among its objectives. It also was concerned with economies of scale in agriculture.

The Soviet reforms were the beginning of the contemporary era in which agrarian reform has been comprehensive, extending to all sectors of the agrarian structure. Thus, the Soviet reforms were concerned with the scale of operation, with techniques of cultivation, with capital investment, and with allocation of resources, although they fell short of their objectives in application. Soviet emphasis on economic objectives was comparable to that of the English tenure changes which were responses to economic developments and business rationality. The main difference between the English tenure changes and the Soviet reforms was that the former were motivated by and planned according to the business interests of the individual owners, while the latter were motivated and planned collectively by the Communist Party in the name of the national economy.[3]

The new era was only ushered in by the Soviet reform, but not all reforms since have been that comprehensive. Especially during its first two decades, the Mexican reform had no economic goals. Actually it had negative effects on production whenever it broke up efficiently run estates. Although this was formally prohibited in 1934 and later in 1942, the precaution to preserve efficient farms was often disregarded, especially in the 1930's during the presidency of Cardenas.

The Japanese and Egyptian reforms, comprehensive in objectives and effects, both took economic problems into consideration, but the results were limited. Though Japan provided extension services and encouraged coöperatives, the effects were more social than economic, and altered distribution and the standard of living rather than the conditions of production and allocation. The coöperatives were limited to credit and marketing activities. They had no direct impact on the scale of operation, physical productivity, or allocation of resources. Therefore, the impact on investment was not labor-saving and there was hardly any effect on labor productivity.

The Egyptian reform was more directly concerned with production than was the Japanese. By instituting mandatory membership in producer coöperatives, it guaranteed the use of machinery, fertilizer, insecticide, and pesticide, which were contingent upon large-scale operation. The

coöperatives also assumed marketing, credit, and educational responsibilities. The reform also aimed at increasing mobility of capital to encourage productive investment in industry. Therefore the Egyptian reform, as an example of agrarian reform, is the one most comparable to the Soviet reform in proclaimed objectives. But unlike it, the Egyptian reform was not integrated within a national economic plan. However, this difference may be insignificant, since agriculture in Egypt is relatively efficient and has little room for flexibility of production planning.

Thus, even though economic problems characterized all the societies under study, the only reforms with economic objectives were the Soviet, Japanese, and Egyptian. The Stolypin reform was concerned only indirectly. The English tenure changes were concerned primarily with economic objectives and will be discussed later.

The above analysis may be objected to on the ground that all the reforms have served economic goals by promoting individual ownership, thus increasing security of tenure and raising incentives. If true, this is an indirect objective or only an effect rather than an objective. Furthermore, there is no conclusive evidence that individual ownership encourages incentives more than tenancy. It may do so if it promotes security of tenure, but security was not necessarily advanced by the reforms that created individual ownership. A serf in bondage is also secure, probably more so than the newly created owner, since he is reasonably assured of an amount of land proportional to the size of his family through periodic repartition. The new owner did not have this security, since his land was too small to guarantee an adequate income capable of creating security. It was also subject to fragmentation and diminution through inheritance, even though the new owner might feel secure.[4] The reformers who have tried to rehabilitate or promote privately owned family farms have justified their action as a means to strengthen or create political democracy and stability, rather than to stimulate incentives and increase production.

(B) SOCIAL OBJECTIVES

The social objectives of reform are difficult to isolate from the economic and political, since the social problems were causes of low productivity and of unrest and political instability. Low per capita income and unemployment, for example, are social problems, but whether the reformers dealt with them because of their social or their political implications is hard to say. These problems are therefore, separated in this section only for analytical purposes.

The social objectives have centered around freedom of the person of the peasant, freedom of the land, correction of injustices, lower unemployment, and higher living standards. The first two are problems of serfdom and bondage. The other three are results of corruption, inequality of distribution, and low per capita output.

Freedom of the peasant and his land were two separate questions and their treatment was not the same. Solon freed the *Hektemors* by freeing their land from debt, and by taking measures to prevent recurrence of land enserfment. The English commutations freed the land by commuting labor rent into money rent, but the person of the villein had to be ransomed in order to obtain his freedom from the lord. The French reform and the Russian emancipation were designed to free the person of the peasant, but not the land unless redeemed separately. In the French reform, all dues to the lords were abolished without compensation under pressure from the peasants. This was not the original objective of the reform; it was forced on the Assembly by circumstances. The Russian emancipation freed the person of the peasant but made ownership conditional upon redemption.

Poverty is a relative concept. It relates to low per capita income of the whole community, or to low per capita income of specific groups relative to the other groups. Low per capita income of the whole community is a problem of the size of total production given the total population, while that of specific groups is one of distribution, or of what share of the product goes to each specific sector of the population relative to its size. Inequality of distribution is a social problem which several reforms aimed at tackling. However, only the Soviet reform ideally aimed at eliminating inequality and at raising the total per capita income or standard of living.[5]

Only the Stolypin reform did not have social objectives, unless one considers separation from the *mir* to be a sort of freedom,[6] although the reformers themselves did not consider this freedom as one of their objectives. However, like the Stolypin reform, the English enclosures were not motivated by social objectives, but social effects may be observed when evaluating them in a long-run perspective.

Low living standards loomed large prior to the Greek reform, the French reform, and the Russian Emancipation. The reformers were aware of that, but no attempts were made to deal with this problem from the standpoint of distribution of land and wealth. In other words, there was no attempt to redistribute the land and raise the living standard of the peasant. Except for Pisistratus' distribution of the estates of his adversaries, nothing in the nature of the reforms was appropriate to deal with the problem.

Peasant low income and social distress were central to the Roman, Mexican, Japanese, and Egyptian reforms. In the Roman and Mexican, the problem was perceived as a result of injustices and corruption. Therefore, it was treated by restoration and distribution of usurped *ager publicus* in Rome and land of the Indians in Mexico. Mexico also distributed public and private land to improve conditions of the peasants, but this was conditional and ineffective, as we shall see below.

The Japanese and Egyptian reformers proclaimed their intention to

deal with low income and unequal distribution by redistributing privately owned land, regulating rent, and redistributing the agricultural product. The extent of redistribution will be discussed in the next chapter.

(C) POLITICAL OBJECTIVES

Having surveyed the background features and having seen that crisis and political instability were common, we are not surprised to find that the primary objectives of reform were political. Except for the tenure changes in England and the Soviet reforms, political objectives were primary in all the reforms, as shown in Chart II. Political objectives, however, differed according to whether reform was introduced before or after a political upheaval.[7] When reform preceded political upheaval, its main objectives have usually been to create stability, prevent a revolution, and maintain the existing political order with a minimum modification. If reform was introduced after a revolution, it has usually been to maintain and strengthen the new political order, or give it legitimacy. In either case, political stability has been the goal, but the object of stability was different — the old or the new order.

Another political objective of reform, which is related to the above, has been the establishment of a western type of democracy. This resulted from the conviction that a middle class is necessary for democracy and that creating a class of small owner-farmers strengthens the middle class and thus democracy.[8]

We have seen that Solon wanted to reduce the danger of revolution and stabilize the political system which was endangered by the heavy concentration of wealth and power and the loss of citizenship by the enserfed *Hektemors*. He therefore tried to narrow the gap between classes and lessen the danger of conflict. In contrast, Pisistratus wanted to strengthen his own position and legitimize the revolution and his dictatorship. For this purpose he distributed land to fulfill his promises to his supporters and to weaken the power of his adversaries.[9]

The Gracchi brothers wanted to stabilize the political system which had been endangered by concentration of wealth and power, unemployment, poverty, and restiveness among the slaves. It is probable that Tiberius had other political reasons, such as switching the pendulum of power in favor of the plebian aristocracy that he led, but his main purpose was to prevent a revolution from below and restore political stability. Tiberius wanted also to rehabilitate democracy and strengthen the army, both of which had been undermined by disappearance of the middle-class farmers.

The French reforms, as part of the total program of the middle class or bourgeois revolution, were geared to win the confidence of the peasants and weaken the power of the old nobility, that is, to establish and legitimize the new political structure. The reform was therefore modified gradually according to political circumstances, such as the external dan-

ger to national security and the need for peasant support. These objectives were held strongly as potential instruments to contain peasant discontent and restlessness which the revolutionaries exploited to strengthen their own position and legitimize the new political system.

Though the Russian emancipation aimed at improving conditions of the peasants, its primary purpose was to avoid political upheaval. This was the opinion of the Tsar and of Rostovtzev, who supported the reform as his right-hand man. Both were aware of the potentialities for political disorder and were anxious to introduce changes from above rather than have them enforced from below. This attitude became especially strong after the Crimean War demonstrated the weakness of the Russian social structure. Even the form of organization imposed on the liberated serfs was determined by the need for political stability; besides being an easy way of collecting taxes and dues, the *mir* was considered a stabilizing element in society. When this proved to be untrue the government changed its attitude and sought to dissolve the *mir* and strengthen private ownership. The change was based on the belief that a strong middle class composed of rich and secure peasants would be a stabilizing factor; this was the essence of the Stolypin reform. Stolypin wanted to dissolve the *mir* and encourage individual ownership to maintain the status of the nobility and counteract the influence of the leftists and revolutionaries. The nobility, represented by Stolypin, allied itself with the middle class and adopted their techniques to intercept any uprising and to salvage what they could. The reform was a means to that end.

The interdependence between Soviet political objectives and their reform policy is known, both in general and in detail. The Communist Party had planned to nationalize the land and create collectives, but the policy and application of reform were guided, partly at least, by political objectives. For example, once nationalization was decreed, the peasants were allowed to seize the land and hold it individually. The authorities permitted such acts, to win peasant support and strengthen the revolution while attending to other matters. When War Communism proved economically and politically disastrous, once again the Soviets modified their policy and introduced the NEP to regain the confidence of the peasants and guarantee the security of the new political system. When the rich peasants became powerful — at this time the economic objectives of the NEP had roughly been realized — the government changed its policy and initiated the drive for collectivization. Finally, when collectivization met with strong opposition, Stalin interfered and, at least formally, ordered re-adherence to voluntary collectivization. Though the drive did not become voluntary, the change of policy shows how closely the agrarian policy was influenced by politics to serve the regime and augment the security of the state.

The Soviet reform was in fact more politically oriented than any other

reform. In its totality, the program was based on the intellectual and philosophical doctrines of socialism regarding class and power structure and position of the individual vis-à-vis the state. The Soviets intended to destroy the old political order and build a new one based on nationalization and collectivization of the land. This was what their reform was meant to achieve.

The Mexican reforms also were motivated by political objectives, and were implemented accordingly. The reform law of 1915 was passed under the pressure of Zapata, the Indian leader who, with others, was causing enough rural disturbance to endanger the Revolution. The peasants had already started to seize the land by force and settle on it, and the reform was politically expedient to quiet them and to help the revolutionaries entrench themselves in the country. Restriction of the rights of ownership by foreigners was another political objective of the reform intended to strengthen the political independence of the state. Since the foreigners had received extensive concessions from the old regime, the reform sought to destroy that regime by eliminating foreign influence as one of its main effects. These objectives clearly indicate that the reform was used by the reformers to ensure security of the new political structure, as occurred in the French reform.

Application and direction of the reform depended also on the political views and objectives of the incumbent president of the republic. When Carranza was president, even though he had supported the Reform Law of 1915, its application was obstructed by the administrative complications he introduced. His primary objective was to stabilize his own political position, and once that was done, he tried to slow the reform; he succeeded. Similarly, when Calles changed his views about the *ejido* in favor of private ownership, he ordered parcelization of the ejido land.

Finally, upon his election to the presidency, the radical Cardenas revitalized the reform and strengthened the ejido tenure. The next distribution revival had to wait until the presidency of Lopez Mateos in 1958. It appears that neither the orientation, direction, nor pace of the reform was determined primarily by the objective economic and social needs of the rural population. They were determined largely by the attitude of the president and his political and social philosophy.

The significance of political objectives in the Japanese reform needs no proof. Coming in the form of directives from the Occupation Army, the reforms were intended to create democracy and eliminate future dangers of war. All details of the program were chosen to fit these ideals. Democracy was associated with small owner-farmers and therefore a class of these was to be created. Control of rent and limitation of the size of holding were additional measures to ensure the creation and stability of a middle class as a basis for democracy.

Finally, the Egyptian reformers aimed at breaking up the "feudal" oli-

garchy to free the peasants from political dependence and strengthen the relative position of the emerging middle class. Even the reform policy on coöperation was politically determined, placing the decision-making responsibilities in the hands of state officials. Furthermore, the Egyptian reformers compromised with the fairly large landowners in order to neutralize them and thus safeguard the new political structure. When their neutrality was no longer essential to the security of the Revolution, the reform law was revised to expropriate some of their holdings. Even regulation of rent was not devoid of political orientation, for it helped to win peasant support in return for improving peasant conditions.

This survey of reform objectives leads to one of the most important hypotheses about reform. It clearly suggests that the main objectives of the reformers were political. The reformers use land distribution and other tenure changes, according to each situation, to win support of specific groups, to create or restore political stability, to legitimize their own positions, and to create what they consider to be democracy. The timing and scope of the reform are determined more by the political pressure for reform than by the economic and social needs of the people. To a large extent, the timing and objectives of reform are interdependent with the processes or ways and means of executing the reform, as will be seen in the next section. Therefore, planning reform for economic development and improvement of social conditions should not ignore the political implications and the feasibility of these reforms. To do so may render the reform plan futile.

II. Processes

Two types of reform processes may be distinguishable: those which determine the objectives, and those which, at least partly, are determined by the objectives. The processes that determine the objectives involve timing of the reform and the extent to which it is meant to deal with the problems of the rural population. The processes determined by the objectives include those dealing mainly with implementation of the reform. To separate these two classes of processes is not easy, because a process may be both a function and a determinant of the objectives of reform.

(A) Objective-determining processes

Most of the reforms under study came during, or directly following, a political revolution. Those which neither accompanied nor followed a revolution did not involve redistribution of private estates, at least when land was held by legal title. These reforms were usually timed to prevent a revolution. In contrast, the reforms involving redistribution of land accompanied a revolution, coming only after the power structure had been changed and a new elite had emerged. The pattern of implementation was determined by the degree to which the new elite aspired to the status and power position of the deposed elite. The specific objectives of reform

were defined according to whether or not the reform was intended to prevent a revolution or to support one. We shall call the former group nonrevolutionary reforms and the latter revolutionary reforms and shall deal with them separately.[10]

1. Nonrevolutionary Reforms. Among these were Solon's and the Gracchan reforms, the Russian emancipation, and possibly the Stolypin reforms. These also include the tenure changes in England. All the nonrevolution reforms came at a time of crisis and only when the reformers believed a revolution to be imminent. Solon's reform involved no land distribution. It centered around abolition of debt which freed the enserfed land and restored it to its legal owners. The Gracchan reform, on the other hand, was declared indispensable if a revolution were to be averted and democracy rehabilitated. Though the Gracchan reforms included land distribution, this land was not legally owned by the immediate holders. Formally, it was public land held in violation of the size limit on individual holding. The legally held private estates remained intact.

The Russian emancipation was also necessitated by the apparent crisis and the determination of the tsar to prevent the eruption of violence and the overthrow of the political system. Therefore, its timing was important in determining the objectives which excluded distribution of privately owned land. The land affected was held by concession from the state in lieu of specific obligations by the landlord. The landlord held his private land separately and this land was not affected by emancipation. It is therefore hard to classify the Emancipation among the reforms that distributed private land, increased the holdings of the peasants, or diminished land concentration.

Though the Stolypin reform followed a violent uprising, it did not follow a revolution but was designed to prevent one. While it did not involve land distribution, it did change the form of tenure of *mir* land from collective to individual. Now the peasants owned individually what they had owned collectively. Otherwise, there was no change except that resulting from private land transactions.

While the nonrevolutionary reforms are too few to permit generalization, it may be suggested that such reforms usually avoid land distribution, fundamental tenure changes, and basic changes in the political structures. They are usually intended to pacify rather than to change the social order or to solve fundamental rural problems.

2. Revolutionary Reforms. These include the reform of Pisistratus, the French, Soviet, Mexican, Japanese, and Egyptian reforms. In each of these, reform was carried out by a new regime during or directly after revolution had altered the political structure and installed a new class in power.[11]

Two things are common to the revolutionary reforms: privately held land was distributed to the peasants, and the distribution was carried out by

a new elite. Of course, the revolutionary reforms did not all follow the same pattern of land distribution. Pisistratus, as far as could be ascertained, distributed public land or the land of his adversaries which he confiscated and treated as public land. The French reform did not distribute land, but established title to land already in the hands of the peasant; also, it relieved the peasants from paying feudal rent. In other words, it changed the status of the peasants from tenants to owners. The Soviet reform did not distribute land, but redistributed the right of use of the land after abolishing the right of private ownership. Inasmuch as the right to use the land became the highest form of tenure in Soviet Russia, this right was redistributed in favor of the tillers of the land, that is, the peasants. The Mexican reform concentrated on usurped land and restored it to the peasants, and opened public land to colonization. Especially since 1934 the Mexicans have not hesitated to requisition and redistribute parts of the private estates when land was needed. The Japanese and Egyptian reforms were similar in that both transferred land from private owners to tenants or landless peasants.

In all these reforms the revolutionary process of reform and the time at which it was introduced determined the objective and scope of reform. Land distribution was necessary to gain support of the beneficiaries and to weaken the adversaries. The need for political acceptance made distribution necessary, but only to the extent that the revolution and the new elite needed legitimacy. Furthermore, it appears that land distribution is closely associated with revolution and a change of the ruling elite. In contrast, the entrenched elite try to maintain the old tenure structure as intact as possible. Whenever they permit basic changes, it is because they are convinced that change is imminent and larger losses are to be anticipated.

(B) OBJECTIVE-DETERMINED PROCESSES

Three such processes may be distinguished: compensation, discrimination, and reaction. They are interrelated, but for analytical purposes are treated separately.

1. Compensation. The act of compensation refers to the redemption or compensatory payment for any rights or property expropriated as a result of land tenure reform. Except for the reforms of Pisistratus and the French, all others that involved transfer of private estates to other private owners were based on payment of compensation or redemption fees.[12]

The reforms of Pisistratus and the French were noncompensatory because of unique circumstances. Distribution of land in the former applied only to public land or to private land made public for political reasons, but there was no distribution of private land and no reason for compensation. In the French reform, provision was made initially to compensate all rights based on land concession. Owing to political circumstances and the threat to national security discussed above, and the pressure of the

peasants, redemption payments were cancelled and the feudal tenants became owners without paying compensation. Therefore, it may be unrealistic to classify the French reform as noncompensatory. The reformers, as long as they had a say in the matter, were insistent that compensation be paid.[13]

Formally, the Gracchan distribution was not compensatory. Since the expropriated land was held illegally, no compensation was owing. Yet, Tiberius had contemplated compensating the landlords but withheld compensation from them after their opposition became intolerable. He compensated them indirectly, however, by increasing the land allowance for their children and by exempting them from rent on their holdings of public land. In that sense the reform was compensatory.

The only other reform that renders classification difficult is the Mexican, in which distributed land was either restored or dotated. The restored land was simply returned to its legal owners and required no compensation, and the land for dotation was extracted from public land or from neighboring private estates. Public land warranted no compensation, but the policy on privately held land was unique. The law permitted compensation, whether the land was restored or dotated, subject to examination of each petition for compensation according to the economic needs of the petitioner. If approved, compensation was paid by the treasury rather than by the land recipient.

In contrast, compensation was paid automatically in the Russian emancipation, in the Japanese and Egyptian reforms, and in the English tenure changes. Since the English tenure changes were based on land transaction rather than on expropriation, and were carried out without direct government intervention on a national level, they are not discussed here. The Russian emancipation and the Japanese and the Egyptian reforms were compensatory by design and in fact. Compensation was paid in government bonds to be amortized by the land recipients.[14]

From the above it appears that in all cases of distribution of privately owned land, legal provision was made for compensation even when reform was carried out by a new elite representing a class generally opposed to the old regime. The principle of compensation reflects two kinds of attitudes: first, a sense of justice, and second, hesitation and insecurity of the reformers. We shall not discuss the former, since it relates to one's philosophy and value judgment concerning private ownership and wealth. The latter attitude, however, reflects the apprehensions of the reformers which arise from contradictions in the logic of such reforms. The contradictions are: (1) why redistribute landed property and not industrial and commercial property?, and (2) if landed property were redistributed without compensation, how is a different policy for urban wealth justified, should the question arise? These contradictions have actually been pointed out in relation to the French and the Stolypin reforms. In France

the revolutionary middle class insisted on reform by legal means and with compensation "lest a dangerous precedent for other forms of property be set." In the Stolypin reform the question was raised differently: Is the expropriation of certain landowners justified in order to establish private ownership by others? This hesitation led to the Stolypin policy discussed above.

2. *Discrimination.* Two types of discrimination[15] were common: discrimination by exclusion or nonapplication of the reform law, and discrimination by inclusion. The former relates more to the differential effects of reform on social and economic classes; the latter to the nature of tenure or rights of ownership. An example of the former is the exclusion of the *metayers* and landless rural workers from the benefits of the French reform. This type of discrimination will be discussed in conjunction with the effects of reform in the next chapter; discrimination by inclusion will be discussed presently.

Several of the reforms have been discriminatory in handling tenure arrangements. These include the Roman and Russian emancipation, Mexican, Japanese, and Egyptian reforms. Because of their discriminatory character, they have resulted in what may be considered a dual tenure arrangement, one form of which applied to the veteran landowners, and the other to the new owners or beneficiaries of the reform. The duality, however, has not been uniform. For example, land distributed by the Roman reform became private property but was made inalienable, in contrast to the private owner's right of disposal. Thus, the new owners, like all other owners, had full use of the land, but unlike them their right of disposal was restricted. Even though the restriction was intended to protect them against losing the land by sale, their tenure status fell short of the right enjoyed by the veteran owners.

The problem of duality was more pronounced in the Russian emancipation where emancipated peasants were given perpetual rights to the land, but these were not rights of ownership as the term applied to other owners. The peasants held the land in communal tenure and neither the individual peasant nor the commune could alienate the land. The individual could forego his rights upon meeting certain conditions and winning the approval of the commune, but he could not transfer his rights freely. The commune, on the other hand, could alienate the land after completing redemption payments, but even then alienation was conditional. No such restrictions were placed on other owners.

The same form of duality resulted in Mexico.[16] The recipients of land were members of *ejidos* and held the land collectively. In contrast to the private owners, they could not alienate it either individually or collectively. This is why we have suggested that these new "owners" were secure tenants rather than owners. Whichever classification we apply, the re-

sulting tenure implies tenure relations discriminatory against the beneficiaries of reform; hence the duality.

The Japanese experience was different. Land alienation was restricted in two ways, one specific and the other general. The specific restriction prevented the new owners from alienating their land except by returning it to the land committees for resale. This restriction was abolished in 1950. The general restriction required that land be sold only to people who owned less than the legal maximum size of holding. Since this regulation was general to all owners, it is irrelevant to the question of duality.

The Egyptian reform represents the most extensive discrimination among those under study. The recipient of land was subject to at least three restrictions: he had to join a coöperative, could not alienate the land, and was obliged to observe inheritance laws which applied only to small owners. For this reason, it appears that the Egyptian *fellah* was made a secure tenant only, like the Mexican *ejidatorio*. The Egyptian *fellah* was restricted also regarding production methods through membership in the coöperative. Although the motives of these restrictions were to raise his income and improve his conditions, they created a dual tenure system and in that way set him apart from other owners.

In contrast to these discriminatory reforms, the Greek, French, Stolypin, and Soviet reforms and the English tenure changes applied the law equally to all, and a uniform tenure system emerged. The variety of backgrounds within which these reforms or tenure changes have taken place does not encourage generalizations; yet, some hypotheses may be suggested.

One possible hypothesis is that the discriminatory tenure policy was a reflection of the government's interest in regulating tenure. The dual tenure system resulted from government indecision on policy. Some governments would not let tenure change occur spontaneously as in England, and they did not have the courage to go all the way in directing change as the Soviets did in Russia. This hesitation might be a reflection of the surviving influence of old regimes, or of the fact that the new elite aspired to the position of the old regime, or of both. Thus, the reformers were neither willing to preserve the old tenure nor ready to destroy it. The result was a compromise; they modified the old tenure system by creating small owners and protecting them through a dual tenure system.

This hypothesis is borne out by the Roman, Mexican, Japanese, and Egyptian reforms, as these are contrasted with the English and Soviet tenure policies which went to extremes of government control in that it was either nonexistent or complete. The only discriminatory case that deviates from this hypothesis is the Russian emancipation, which, besides maintaining the influence of the old regime, kept the peasants under supervision to facilitate collection of taxes and redemption payments. When both these objectives failed, government policy on the duality of

tenure changed. The Stolypin reform reversed the policy and provided for uniform tenure arrangements.

Another possible hypothesis is that a close relationship exists between duality and reform planning. Reforms planned in advance tend to result in duality, while spontaneous reforms are beyond the control of the reformers and therefore lead to a uniform system. Thus, Pisistratus' distribution policy was part of the process of revolution and nothing indicates that land tenure reform was planned in advance. The same was true in France and, of course, in England. Two cases do not fit this hypothesis — the Stolypin and the Soviet reforms. The former involved a policy reversal: a change of tenure rather than distribution of land. In a sense, this policy reversal may be seen as government decision to let tenure change follow a spontaneous course free of government intervention. Even the Soviet reform, which was planned, resulted in duality at least with regard to the form of land holding. The Soviet policy provides an example of complete control which may be considered an extreme case of the duality system represented here as partial government control over tenure groups.

The duality problem has significance in evaluating the efficiency of reform and in predicting future developments and stability; for example how can the creation of a double-standard tenure system be justified when it allows the veteran owners full rights of disposal while it puts the newly created owners under government control? And how can the latter group be reassured they are not being discriminated against and thus be prevented from becoming a threat to the new political order? These questions will be dealt with in chapter xiv.

3. Reaction. Reaction, as used here, means an attempt to limit the effects of land tenure reform or prevent its consummation and/or permanence. Reaction may take any of three forms: compromise, obstruction, or reversal. Compromise implies purposeful limitation of the effects of reform by the reformers in an attempt to ensure acceptance of reform, to avoid failure, or simply for lack of intention to achieve more radical changes in the tenure system. Obstruction may be caused either by the reformers or by their opponents. The reformers may obstruct execution of the law when they have legislated more extensive changes than they had intended, or when they are satisfied that their primary objectives have been realized without a more thorough implementation of the reform law. In contrast, the opponents of reform may obstruct implementation at any stage of the process, to protect vested interests inherent in the old order. Compromise and obstruction occur only during the reform period, but reversal occurs only after the era of reform. Reversal reflects the policy of a group other than the original reformers. The most characteristic example of reversal occurred after the death of the Gracchi: the successor government reversed the policy of its predecessors and undid their work.

These forms of reaction are encountered to one degree or another in most of the reforms under study. One of the difficulties of analysis is to determine whether a particular reaction policy was compromise or obstruction. How can one determine, for instance, whether or not a compromise was indispensable to save the reform? Another problem is how to evaluate a policy which if taken by itself may appear to be a form of reaction, but when considered in context proves otherwise. An example is the reversal of Soviet policy on agriculture in 1921, and again in 1932–33. In order to avoid this problem we will consider both situations.

Finally, in determining whether or not the reform effects have been limited because of reaction by compromise, we shall base the evaluation on proclamations of the reformers and on the objective needs of the rural population, both socially and economically. Thus, a policy may or may not be a compromise according to whether or not it falls short of the originally proclaimed objectives of the reformers.

Both compromise and reversal were apparent in the Greek reform. Compromise during Solon's reform caused peasant dissatisfaction, while the landlords were not overly disappointed. First, Solon refrained from land distribution despite loud cries for it and despite the concentration of poverty and wealth. His policy might have been guided by an honest perception of the problems rather than by an intent to compromise, but his second measure tended to support the view that his was a policy of compromise. By debasing the currency, Solon indirectly compensated the landlords who themselves were debtors and reduced the impact of the reform on their standing in the social and economic class structure. The two policies together tended to undermine the effectiveness of the reform as a solution of the problems plaguing the society.

A second instance of reaction was the reversal following the rule of Pisistratus when his dynasty was overthrown and his sons killed. The fact of reversal is significant in the sense that the reform was not built on a solid foundation sufficiently independent of the regime in power to survive its fall.

All three forms of reaction featured in the Roman reform. Compromise might have been unavoidable in order to avoid failure, but this is hard to either prove or disprove. Tiberius compromised in two ways: he allowed the big holders of *ager publicus* a larger land allowance for their children, giving each family the right to hold up to 1,000 *iugera* (customarily equated with 622 acres); he also exempted them from rent on public land. He thus limited the impact of reform on the distribution of both income and land. Obstruction occurred when the land commission, under pressure from the Italian allies, was suspended and its powers of jurisdiction vested in the consuls who were expected to evade implementation of the law. Consequently, the reform was indirectly brought to a halt before consummation.

Finally, reaction by reversal set in once the political forces exchanged places and the Gracchi brothers were overthrown. Though there has been disagreement over the extent of reversal, there is full agreement that it occurred. In the same year that Gaius Gracchus was killed, land alienation was made permissible and the preventive measure against future land accumulation was destroyed. Two years later the land commission was dissolved. Then the law on colonization was repealed and the colonies established by Gaius were disestablished. Finally, the stage was set for reconcentration by declaring all *ager publicus* held by individuals as private property subject to alienation. Probably one of the main reasons for reversal was that the opponents of reform had not been weakened sufficiently to prevent their counteraction. The fact that even among the reformers there was hesitation and willingness to compromise might also have contributed to the impermanence of the reform effects.

Reaction in the French reform was apparent mainly in the execution of supplementary measures, namely, in those areas dealing with land and land concession. The reform, primarily for the liberation of the peasants, was complete and quick, but once implementation was under way, obstruction started. Obstruction was possible owing to the ambiguity of the law, to the difficulty of separating personal from real rights, and to the fact that proof of title was put initially on the peasant. These regulations slowed down implementation until peasant pressure and rioting forced repeal of these obstructive policies.

Finally, reaction by reversal was reflected in the policy on sale of public land which was more favorable to the richer than to the poorer people. Reversal was, of course, more conspicuous after the Restoration when many former landlords recovered their land or received compensation. These reactionary policies were economic in character, directed toward rehabilitating the former landlords or strengthening the new big landowners. In no case did reaction affect the personal freedom that the revolution conferred on the *censier* or the serf.

Reaction was more conspicuous in the Russian emancipation, both as compromise and as reversal. Since the compromise was quite favorable to the landlords, they made no attempt to obstruct the reform. Compromise was effected mainly by manipulating the redemption settlement and the land value, and by permitting the landlords to choose the land they retained. As a result, the landlords were better off economically than they were before. Another form of compromise was the exclusion from redemption of complementary resources such as water and meadow land, giving the landlord economic weapons to bargain with and to safeguard some of his traditional advantages.

Reaction by reversal prevailed mostly after the death of Alexander II, the reformer Tsar. Almost immediately afterward repression and oppression mounted, and the peasants were personally bound and subjected

once more to the authority of the nobility. In their assemblies and in their economic affairs the peasants were put under guardianship of the local nobility in a manner described by Robinson as being similar to serfdom of the old days. The reversal extended to the tenure rights of the peasant, and in 1893 his right of separation from the commune was further restricted in an attempt to perpetuate the communal form of tenure.

One might go farther and tie the Stolypin reform to the Emancipation rather than treat it as a separate reform measure. The Stolypin reform itself would then appear as reaction by reversal, since it advocated a retreat from the Emancipation communal tenure policy, replacing it with private tenure. Yet, even in implementing this policy there was reaction by compromise in favor of the nobility. The land committees entrusted with implementing the law were biased in composition and under the influence of the nobility. The land banks, which were the intermediaries in transferring the land to the peasantry, also favored the nobility by overvaluing the land and charging the peasants higher interest rates than those required of the landlords.

Evaluation of the Soviet reform is a little more difficult, since the conclusion will depend on one's point of departure. If, for instance, one looks at the reform from the standpoint of ownership, the reform was complete, rapid, and free of reaction. Land was nationalized and private ownership abolished in one act. But if one considers the agrarian policy concerning holding and operation of the land as part of the reform, reaction becomes evident. Also, if we were to evaluate each specific policy measure separately, reaction appears to have prevailed. If we look at the reform in its totality, however, reaction appears to have been a tactic necessary to bring about consummation rather than a way to obstruct change or to perpetuate the old situation.

Taking each Soviet measure separately indicates several instances of compromise, obstruction, or reversal. Compromise appeared first in 1917–18 when the peasants were permitted to seize land and property according to their abilities. The richer peasants got more this way than the poorer, and differentiation favoring the former continued. A second compromise was during War Communism when the Soviet government formed an alliance with the middle peasantry against the rich. Though a tactic, this policy compromised the objectives of the Land Decree and the basic goals of the reform. When the War Communism policy was successfully blocked by the peasantry, the Soviet reformers reversed it and reinstated free trade. They permitted tenancy and hired employment, and substituted a tax in kind for the requisitioning of farm products. This reversal probably was an unavoidable political tactic, but the fact remains that the reform was temporarily halted and the original policy modified.

When the economic and political goals of the NEP were considered fulfilled, reform was resumed in the direction of collectivization. When

the kulaks and richer peasants destroyed livestock and refrained from sowing the land in protest, Stalin suspended the drive for forced collectivization. The drive, however, was resumed and by 1938 collectivization was complete. The effects of Soviet reaction, however, were temporary in contrast to the permanent effects in other instances.

Reaction in Mexico was mainly by compromise and obstruction, though reversal at one point may be said to have prevailed. This was between 1925 and 1933, the period dominated by President Calles, who changed his views on the tenure status of the *ejido*. Under his influence, it became mandatory that land title be vested jointly in the ejido and the individual member and that land be parceled out to the members. But this period was short and its effects negligible, and therefore it need not be discussed.

Compromise and obstruction were more common and more effective. Compromise was due partly to the absence of a clear idea of reform and the vagueness that surrounded the status of the ejido. Thus, in the land decree of 1915 and the Constitution of 1917, eligibility to petition for land was so restricted that many landless rural groups were excluded, particularly the peones on haciendas who were most in need of land. The choice of land for redistribution was also based on compromise. Generally speaking, only the lower quality land was redistributed. Furthermore, concessions to the landlords were made in 1927 giving them representation on the census boards which determined the area of land to be distributed.

Obstruction was equally common. For example, execution of the law was made dependent on the initiative of the peasants who were illiterate and ignorant of their rights and of the letter of the law. This was particularly obstructive because it was difficult to prove title to the land or to prevent a court injunction in favor of the landlord.

The reaction in Japan started even before the reform bill was passed, as shown by the discrepancy between the proposed bill and the order of SCAP. It was an attempt to compromise with the landlords by raising the upper retention limit to 5 *cho* (12.25 acres). Compromise prevailed during implementation by excluding the forest and meadow land from the reform, leaving it in the hands of the landlord. But obstruction was more significant; it came in different forms, including intimidation, eviction, appeal to court, and pressure on the local land commissions. In fact, it became so evident that SCAP found it necessary to interfere and put an end to it.

Finally, reaction by reversal was contained in the legislative amendment of 1950 which allowed land transaction. While this action might be considered a contribution to freedom of the peasant, it was a factor in reversing the reform effects; it increased the number of larger holdings and encouraged a black market rent structure. These results suggest that

when freed of control and preventive measures, the system of ownership in Japan tends toward land concentration. The latest attempt at reversal has been the bill introduced in the Diet session of 1963 to recompensate the landlords for their losses.

Finally, reaction in Egypt was by both compromise and obstruction. Toleration of landholdings larger than any size limit that had been suggested by earlier writers on reform and allowing the landlords to retain and dispose freely of their choice land were certainly compromises. The majority of the big owners continued to live on rent income as absentee landlords. Those who were expropriated were "generously" compensated, and the redistribution of wealth and income was quite limited while the majority of the peasants continued to live at or near subsistence.

Obstruction was attempted by the former landlords, using both legal and illegal methods. First they tried to prevent passage of the law, and when they failed, they tried to obstruct its effective application by removing livestock and grain from the estates, as happened in Soviet Russia on the eve of collectivization. They also tried to evade the law by failing to register the land in excess of the legal limit as required in preparation for reform. Now they are evading the rent regulation law, by reverting to black market rents, and thus partly reversing the distributive effects of the reform.

In contrast to these instances of reaction, there was none in the changes of the English tenure system. The tendency has been continuously in the direction of private tenure and land concentration. One may consider the spread of tenancy after the eighteenth-century enclosures as reversal, being reminiscent of the preyeomanry period, but not if one looks at the rise of yeomanry as a step toward concentrated ownership at the expense of very small landlords. Finally, it may be objected that the tendency in England has recently been not toward private property but away from it, as suggested by tenant protection, at least in the twentieth century. Protection of tenancy, however, regulates the right of contract only; it does not diminish the right of disposal.

The above observations suggest that land tenure reform has usually fallen short of expectations because of reaction in one form or another. In general, the form and degree of reaction have depended on who the initiator of reform was. Not only have the reforms failed to realize the expectations fully, but usually the reform process has undergone modification or reversal before reform has come to an end. The exception has been when the government followed an extreme policy of either abstaining from intervention as in England, or controlling the land system completely as in Soviet Russia. In the former case, the result was the entrenchment of private ownership; in the latter, its total destruction.

The significance of reaction, whichever form it takes, is that reform laws should not be interpreted at face value. Between legislation and

execution there are many hurdles to be overcome. The reformers in most cases have objectives somewhat dissimilar to those of the peasants. They use reform for their own purposes, and as soon as they have obtained their own goals the movement for reform loses its tempo. This applies especially when the reformers in any way aspire to those positions occupied by the former elite or landlord class. The course of events or the fate of the reform is usually determined by the social position of the reformers vis-à-vis the former ruling class and by their objectives. The greater the conflict between the new and old ruling groups, the more radical and permanent the reform tends to be. Conversely, the more closely the new group identifies with the old, the less radical, more compromising, and less permanent the reform effects would be.

Permanence, however, is relative and reversal may come at a later date. In the above studies it has come usually within a generation of the beginning of reform and, except in the Soviet reform, always after the original reformers had disappeared from the scene of political activity. The shortest interval between initiation of the reform and its reversal was between War Communism and the NEP in Soviet Russia; the longest was in the Greek reform of Pisistratus, extending to more than two decades. Therefore, evaluation of the reform must allow enough time for belated developments to unfold, as well as for determination of the actual objectives of the reformers and their relationship with the landlords and the ruling elite.