Land reform is back in the international spotlight.

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Land and lies at the heart of many of the world’s most compelling contemporary issues: from climate change to armed conflict, from food security to social justice. Since the turn of the millennium, land issues have reclaimed center stage in national and international development debates, which increasingly focus on access to land in promoting economic growth and alleviating poverty.

The distribution of agricultural land in many poor countries is profoundly inequitable, giving rise to social tension, impaired development and extreme poverty. These exploitative imbalances are legacies of colonialism and institutionalized feudalism, posing serious threats to future prosperity and sustainable peace in many poor agrarian societies. Donor-driven development projects focusing on land governance have sought to impose market-led capitalist ideals, further polarizing power and marginalizing the poor. Exacerbating this dire situation are new commercial pressures on land, rapidly transforming it into a commodity to be traded between international banks, multinational companies, governments and speculators. Looming large is the paradigm-shifting presence of globalization, reinforced by international financial institutions seeking to unilaterally impose their macro-economic policies. This toxic blend of national feudalism and international hegemony has placed the world’s poor agrarian societies in a perilous predicament. For one sixth of the world’s population, nearly a billion farmers, without security of land ownership, the situation is grave. Confronted with this menacing dystopia, it has become increasingly urgent to assess the ways in which land is owned, accessed and regulated.

What is Land Reform?

Land reform is the process of transforming prevailing policies and laws that govern land ownership and access with the aim of instituting a more equal distribution of agricultural land while improving productivity. It can take the form of relatively benign tinkering with land tenure and administration systems or escalate to wholesale redistribution of land from rich to poor. Land reform, also known as agrarian reform, rarely occurs in isolation and is generally accompanied by structural changes to the agricultural sector to assist economic transformation.

The concept of land reform is far from new; since the time of the Roman Empire, nation states have been unable to resist tampering with land ownership and agricultural labor relations. In the last century, no less than 55 countries initiated...
programs of redistributive land reform, with many more altering their rural land ownership systems. Since the 1950s, powerful international institutions, such as the United Nations and the World Bank, have promoted western forms of private tenure in many developing countries, through the introduction of individualization, titling and registration programs. Their goal was to hasten capitalist transformation by securing land for progressive farmers while hoping that the disenfranchised landless would gain employment in urban industries. Capitalism's litigious obsession with private property rights has proved incongruous in the context of many developing countries which operate customary land ownership systems, where indigenous groups have traditional rights over land they have occupied for centuries.

Despite international interference, the early period of land reform (1950s–1970s) was characterized by nation states seeking to equitably reallocate resources from those who own the land to those who work the land, in a bid to redress historical imbalances and enhance development. These “land to the tiller” programs were particularly prevalent in post-colonial South America, where high levels of landlessness and gross inequity in land holdings exist. Reformation led to state-owned collectivized farming in China, the USSR and Cuba, while locally owned collectives prevailed in Mexico, Honduras and El Salvador. Overall these reforms failed, with a few notable successes clustered in East Asia. In many cases, land became concentrated in the hands of the state and, in feudal countries, real reform failed to materialize from the rhetoric. China’s land reform was directly responsible for a famine that killed over 40 million people.

Land reform entered a new phase in the 1980s and 1990s, with widespread de-collectivization and a new approach, so-called “market-assisted land reform.” This neo-liberal orthodoxy, set forth and funded by the World Bank, aims to redistribute land by facilitating a land market of “willing buyers” and “willing sellers.” The World Bank provides the buyers with loans, who are then required to pay full market price and display the clear intention of maximizing productivity. These land markets generously rewarded the rich, who often took the opportunity to offload marginal land, and created an enormous debt burden on the poor. Aided by the World Bank’s coercive advocacy, marked-assisted land reform supplanted state-led redistributive land reform as the dominant paradigm.

Since its inception almost 30 years ago, market-led land reform has largely been a failure. In the process of dehumanizing and commoditizing land, it contributed to a rise in landlessness and exacerbated and entrenched the gap between rich and poor. Its fundamental flaws lie in its failure to address existing inequalities or appreciate the gamut of issues associated with land in developing countries—issues such as poverty, conflict, minority and gender discrimination, and environmental degradation. Land, too, is the foundation for enjoying basic human rights. Farmers excluded from land ownership in poor agrarian societies are condemned to a life of extreme poverty and exploitation. In some countries, basic livelihood needs such as access to potable water and firewood, or education and even citizenship, are denied to those without land ownership certificates.
The rise in landlessness and inequality, both corollaries of failed land reform, has fuelled tensions across rural societies and contributed to conflict. In Nepal’s case, failed land reform led to a decade-long civil war. In response, landless farmers’ organizations have begun to establish themselves into powerful social movements to challenge the status quo and demand their rights to land. Governments and international institutions have finally begun to realize that authentic land reform is a prerequisite to alleviating poverty and achieving sustainable peace and economic prosperity.

**All Eyes on Nepal**

Nepal is one of the most relevant countries today for contemporary debate on land reform. Nepal made global headlines in 2001 when the crown prince embarked on a murderous rampage through the palace in Kathmandu, slaughtering the king and queen and most of the royal family before killing himself. However, it is the deeper question of land ownership in relation to political and economic power that is actually shaping developments in Nepal, as in so many other poor, agrarian countries around the globe.

This small, mountainous nation, landlocked and sandwiched between the giants of China and India, is home to 30 million people. It is one of the world’s poorest countries, with half the population living below the poverty line. The dramatic topography renders 80% of the land uncultivable, yet three-quarters of the population depend on agriculture for their livelihood, one-third of whom are marginal tenants and landless farmers.

Nepal’s pattern of land ownership is the corollary of over 200 years of autocratic monarchy, with successive kings treating the land as their personal property, distributing large tracts to military leaders, officials and family members, in lieu of salaries or as gifts. This feudal system deliberately precluded ordinary people from owning land and ensured their continued position as agricultural servants. Non-farmer elites began to accumulate considerable land holdings as a form of security and status, precipitating the now well-established class structure of landlordism: a dismal system whereby those who work the land have little ownership of it.

Landlessness affords no status in communities and disenfranchises millions from their basic human rights. Without a land certificate, people are denied access to many government services such as banking, electricity, telephone service, and potable water. The landless are further victimized by non-government services, preventing them from keeping livestock and prohibiting them from accessing community forestland.

Nepal’s land governance was subject to capricious rulers until the first land act was introduced in 1964. In response to a fledgling land rights movement initiated by tenant farmers, the monarchy introduced the act with the aim of “showing a human face.” It imposed land ceilings with redistribution of the surplus to needy farmers and pledged to end the ritual of offering vast land grants to royal favorites.
In practice, ceilings were not enforced, little land was redistributed, and landlords, rather than tenants, often benefited. No further significant land reform measures occurred for the next 30 years; the 1964 Land Act remains at the center of Nepal’s land reform legislation even today.

The People’s Movement of 1990 reintroduced multi-party democracy to the Kingdom of Nepal, bringing new hope. In 1996, amendments to the original land act stipulated that any tenant farmer who had cultivated a piece of land continuously for three or more years would be given the right of tenancy and the right to receive half the land they farmed. As the majority of tenants were unregistered, landlords reacted predictably by evicting them from their land and refusing to grant secure tenancy contracts. In a country as poorly developed as Nepal, where it can

A COMMUNITY-LED APPROACH TO LAND REFORM

An innovative model for land reform is rising from the ashes of market-led agendas and centralized state bureaucracies, one loosely termed “community-based land reform.” Borrowing from success stories over the past half century and incorporating new insights into sustainable rural development, the model offers a democratized, devolved approach that involves communities in the planning, implementation, and ongoing management of land reform.

In this model, each rural community is authorized to control its own land relations, including redistribution, working within a clear set of parameters laid out by the state. Governments typically fear relinquishing power, but it is precisely through this process of devolution that the majority poor can be included, empowered, and mobilized to ensure the effectiveness and sustainability of the reform. This bottom-up approach is often more cost-effective than top-down methods because of its potential to harness the administrative powers of existing local institutions (in Nepal’s case, Village Development Committees). Plus, accurate data on land ownership, tenancy, and other factors such as idle land—an important starting point for any reform program—is more likely to emerge from community-level institutions. Devolved reform offers more room for flexibility across varying ecological zones and social contexts, while locally tested pilot schemes can provide valuable feedback.

Community-led reform is not simply a development buzzword or the latest fad. It has proven success, notably, the elected Land Committees that facilitated Japan’s successful reform. Landless populations are pressing for greater inclusion, rightly asserting that they hold the knowledge required to design the most viable model for land reform. Even the World Bank has admitted that “greater community involvement” may be required; the bank now describes market-assisted land reform as only one “option.”
take many days to walk to the nearest road, and many more to reach a centralized bureaucracy, these amendments served to formally terminate tenancy rights for over half a million families.

The World Bank’s mission to proselytize market-assisted land reform had by now reached Nepal. The bank proposed establishing a Land Bank to assist the poor in buying land from the rich. Matching willing buyers with willing sellers is an expensive and difficult process and leaves the door wide open to multi-level corruption. The concept of landless farmers borrowing huge sums of money to purchase land from feudal elites who had not acquired their lands through fair means did little to imbue a sense of justice.

It is clear from experiences in many other countries that international financial institutions (IFIs) such as the World Bank are not interested in pursuing an equitable and sustainable system of land access and ownership, nor are they concerned with enabling landless farmers to lead respectable lives and contribute fully to the socioeconomic and political life of their country. They persistently overlook the long-term benefits of providing secure access to land for the rural poor despite documentary evidence of poverty reduction, increased agricultural productivity, stimulation of the rural economy, and conflict prevention.

Land ceilings also came under attack from the World Bank, which criticized the Philippines, for instance, for implementing “land ownership ceilings [which] restrict the functioning of land markets.” Of course, this is the intention of land ceilings. Instead of helping an impoverished farmer to invest in the land, create a livelihood, and improve production, World Bank policies opt to facilitate that farmer in selling it to someone in a better position. In Nepal, so far, the Land Bank has remained on the table, postponed by years of conflict and civil society resistance.

Land reform policies in Nepal have failed to significantly redistribute land, improve agricultural productivity, or realign socioeconomic power imbalances.

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**LAND GRAB IN MADAGASCAR**

In 2008, Daewoo Logistics of South Korea reached a now-infamous deal with the Madagascan government to lease 1.3 million hectares of land (over half the island’s cultivable land) on which to grow food for the South Korean domestic market. Madagascar is part of the World Food Program, from which it receives food for the 600,000 people who live at subsistence level. Not a single grain from the Daewoo deal was to remain on the island. Farmers and opposition leaders rose up and took to the streets to demonstrate their disapproval, claiming that the people were losing control of their land, which would also be destroyed by Daewoo’s mass deforestation plans. The land minister eventually rejected the deal; nonetheless, it was the last straw for a population increasingly betrayed by its government. The country has now plunged into crisis, with security forces killing over 100 antigovernment protesters and the situation likely to end only by coup or referendum.
The main reason for this lies in the conflicts of interest of decision makers. Government leaders are closely tied to landlords, if they are not landlords themselves. This corrupt nexus of power has ensured the continued failure of land reform and the perpetuation of a feudal society. The primary result of imposing land ceilings was concealment of ownership; the primary result of land records reform was authenticating elite ownership; the primary result of tenancy registration was eviction; and the primary result of modernization was abuse of customary rights.

The increasing dispossession of the majority poor and the escalating autocracy of the king led Nepal into a decade of civil war with the opposition Maoists, from 1996 to 2006. Land reform was the rallying cry of the Maoists, who declared themselves the saviors of the poor and enemies of feudalism, colonialism, and foreign imperialism.

Over the next decade, the Maoists came to control over half the country’s rural areas and, with public and political opinion turning against the monarchy, the war ended with the signing of the Comprehensive Peace Accord in 2006, paving the way for multi-party elections. The Maoists swept to victory in the 2008 election, confounding the international community but not Nepalese voters. Under intense popular pressure, the king was forced to abdicate and a new Federal Republic of Nepal was declared on May 28, 2008. The People’s Movement played a significant role in the Maoist victory and that same civil society is clamoring for the Maoist-led government to deliver on its promises of land reform.

The land rights movement in Nepal has built a significant democratic power base in the form of the National Land Rights Forum, which has over 1.6 million landless members. The organization has developed a major groundswell of momentum to bolster its lobbying and policy advocacy. The movement is united, democratic, people-led, inclusive and peaceful, and should serve as a role model for land rights movements across the world. Nepal’s land rights movement pursues a rights-based approach, advocating the intrinsic link between land rights and the fundamental human rights of subsistence, protection, participation and identity. This leverages existing international conventions, laws and constitutions that protect fundamental rights and is an effective way to ensure a framework for land reform which will address the structural causes of poverty. They claim it is the duty of nation states to devise inclusive policies which allow citizens to participate fully in society and not to abandon them to inequitable power structures and a free market system which will ride roughshod over their economic, social and cultural rights.

India also offers examples of successful people-centered movements that are peaceful and community-led. Sustained democratic pressure from India’s civil society succeeded in putting land reform on the official agenda. The Janadesh rally in October 2007 witnessed 25,000 people marching 340 kilometers from Madhya Pradesh to Delhi to pressure the government into forming a national land reforms commission, which it duly did.

While it is vital to keep land reform firmly under the political spotlight, it is also essential not to politicize land rights movements. Farmers’ organizations in
Indonesia became polarized between political parties, each pursuing separate or competing interests, which proved to be a major obstacle to implementing successful land reform. It is critical that land rights movements remain firmly in the hands of the landless farmers, where they are most effective. A sustainable and successful land rights movement needs to be led by those whose future security depends upon its success. The role of civil-society organizations and non-governmental organizations is to support landless farmers in creating a solid institutional base and strong dynamic leadership while facilitating access to government policy-making forums, at local and national levels.

Civil society pressure has led Nepal’s Maoist government to embark upon a “revolutionary” program of scientific land reform. Exactly how revolutionary or scientific it will be remains open to conjecture. Following two weeks of mass demonstrations by the land rights movement, the government recently established a Scientific Land Reform Commission to investigate available options and provide concrete recommendations. They have pledged to adopt an inclusive approach closely involving landless people in the process and to end feudal control over land once and for all.

**Land Reform in Context**

The redistribution of land, either through awarding new land to the landless or granting ownership rights to existing occupants, must not be seen as the final stage in the process but rather the initial stage in creating a viable and sustainable model to ensure livelihood stability and enhanced productivity. In many developing countries there is a trend towards abandoning, selling, or mortgaging awarded lands, often to raise money for medical expenses or because of a lack of credit to finance production. The combined pressures of increasing land prices and a dearth of government-support services has been the main catalyst for selling awarded lands. Without the necessary support systems, deprived farmers will understandably focus on solving their immediate food and economic security problems, reversing the land reform process and undermining the whole basis of a sustainable livelihood model.

In Indonesia, the government places certain obligations upon land reform beneficiaries to ensure a positive outcome: the land must be owner-cultivated and production must increase within two years. Negligent beneficiaries have their land expropriated without compensation. Such conditions are only reasonable if the newly entitled farmers are provided with the support they need, including improved infrastructure and access to markets, accompanied by financial, technical, and social services. Few governments or non-governmental organizations are committed to, or even capable of, providing the necessary support during this critical post-claim period.

The Philippines leads the way in rural support services, having established post-harvest facilities and continuous agricultural and enterprise development which focuses on community capacity building and rural infrastructure and finance.
Studies show that when agrarian reform is implemented properly and integrated support services are provided, farmers have higher incomes and invest in their farms more intensively. The examples of Japan, Korea, and Taiwan demonstrate that land reform is not only a social justice measure, but also the foundation for mobilizing agrarian societies towards rural, and, ultimately, urban industrialization.

In the case of Nepal, where broader macroeconomic policies do not support agriculture in general or small-scale producers in particular, land reform alone will not bring substantial income gains to the poor or a reduction in poverty and inequality. Indeed, if the macroeconomic context is adverse to agriculture—if, for example, exchange rate overvaluation and trade policies make agricultural imports too cheap for local growers to compete—then to encourage the poor to seek a living in farming is to lure them into debt and penury. A holistic approach to land reform must therefore be adopted to ensure viable and sustainable benefits.

Nepal is in the process of integrating into regional and global trading platforms that require a series of profound economic policy commitments. As a member of the World Trade Organization (WTO), Nepal has a legal obligation to align its economic policy with global requirements. The landless, near landless, and smallholders face an uncertain future in this era of globalization; Nepal must learn from the experiences of other developing countries that have courted the global players, adopted their policies, and paid the price. Succumbing blindly to globalization’s holy trinity of privatization, liberalization, and deregulation is tantamount to self-sacrifice at its altar.

Land reform, and protective measures against unfair trade practices, must be in place before Nepal ventures into any international commitments to open its markets and resource wealth to international speculators. Indeed, the revenues of many transnational companies now far exceed those of the countries in which they operate. Such a concentration of lightly regulated power in international profit-seeking hands is ominous for small producers and even more so for the most marginalized members of agrarian societies. While genuine community-based agricultural investment is to be welcomed, the neocolonial pacts favored by foreign investors pose a serious threat to tenure security and to marginal farmers, many of whom could be pushed out of food production and forced to join the ranks of the rural hungry or city slum dwellers.

In 1995, Indonesia signed the Agreement on Agriculture with the WTO and agreed to open its markets. Liberalization of the domestic market for agricultural commodities spelled calamity for peasant farmers. International free trade agreements are not made with the intention of strengthening poor farmers’ land rights. Furthermore, small-scale agricultural production simply cannot compete in a global market controlled by multinational corporations. Developed countries continue to bolster their agricultural export products with significant state subsidies while protecting their domestic market with prohibitive tariffs. Indonesia has since become the largest recipient of food in the world and is experiencing a startling rate of
natural resource exploitation; deforestation currently occurs at the equivalent of 300 football fields every hour.

The WTO believes it is better for countries to buy food at the international market with money obtained from exports rather than attempting self-sufficiency; this paves the way for monoculture and contract farming while creating a precarious reliance on imports for basic food commodities. International trade is a natural phenomenon, but a significant degree of autonomy must be maintained; dependence on imports for basic needs such as food is dangerous. Strengthening agricultural self-sufficiency is especially important to developing countries that do not have the resources to sustain expensive food imports long-term.

Monoculture of cash crops in Indonesia has caused landlessness and has made small-scale farmers dependent on expensive agricultural inputs such as high-yield seed varieties, chemical fertilizers, and pesticides, which are often imported. Furthermore, these farming methods compromise ecological integrity and, as has been witnessed in Bangladesh and Indonesia, can lead to large-scale environmental degradation.

The repercussions of IFI interventions in developing countries, namely greater exploitation and inequality, illustrate the danger of imposing a capitalist model upon semi-feudal systems. International trade policies and programs in Indonesia, which were aimed at strengthening the position of agricultural exporters, proved to be overly discriminatory and served to weaken the bargaining position of local farmers. Large corporations were expected to develop farmers’ institutions, but instead they exploited them by creating crop-buying monopsonies while forming cartels to raise the prices of their own products.

To accompany market liberalization, IFIs seek to impose the use of modern technology on agrarian societies. If this is not implemented diligently and judiciously, it leads to growth in rural unemployment. In Indonesia, the imposition of modern technology achieved just this, most notably among women, who were evicted from the land and became a pool of cheap labor for multi-national corporations—the same corporations that benefited most from the technology.

The deregulation that IFIs press for must not be carried out too hastily. Without a prior improvement in infrastructure to accompany the dismantling of para-state apparatuses, marginal areas will be alienated. This was seen in sub-Saharan Africa, where only those farmers close to urban centers benefited from the influx of private trade.

**Commercialization of Land and the Last Great Global Land Grab**

In addition to the globalization of trade, there are new, powerful commercial pressures for landless and marginalized farmers to contend with. Catalyzed by soaring food prices in 2008 and compounded by worldwide financial uncertainty, import-reliant, often oil-rich countries have begun scrambling to secure food sources for their domestic markets, in what has been called “the last great global land grab.” Concurrent with this is the rampant growth of subsidized biofuel production to
meet ambitious renewable fuel targets in the West, and the inception of carbon trading, which places a commercial value on standing forests and rangelands. Extractive mining and “ecotourism” add to the perilous predicament for vulnerable landless and marginal farmers.

The scramble for land often occurs in countries with a weak legal framework where farmers are not protected by secure land tenure systems. This results in the fertile land of the world’s poorest countries becoming privatized and concentrated, creating a direct threat to food sovereignty, local production, and rural livelihoods. The increase in biofuel production is certain to intensify competition for land between indigenous forest users, land-poor farmers, agribusinesses, and financial speculators.

It is clear that potential foreign investment should be carefully analyzed to assess the full impact on the community as compared with the investors’ financial interests before any deals are made. Sound investment should be accompanied by skills and knowledge sharing with local communities to establish foundations for long-term cooperation. The exploitation of natural resources for the sole purpose of shareholder gain is unsustainable.

The new REDD (Reduced Emissions from Deforestation and Degradation) scheme, which will offer developing countries financial incentives for preserving biomass stocks in standing forests, is an opportunity for states to define forest tenure and create community-based benefit-sharing mechanisms. Similarly, sustainable tourism can be used to reinforce community governance over biodiversity as a conservation strategy.

Land reform is a pressing issue shared by many developing countries that are shackled by entrenched inequities in land access and ownership. Highly unequal land ownership breeds social tension and political unrest and inhibits economic growth. While each developing country faces its own particular land related issues, some common themes prevail: the lack of political will to formulate and implement effective land reform, entrenched inequitable power structures, exclusive legal systems, poor dissemination of information, and the age-old millstones of corruption and excessive bureaucracy. Across the board, authorities are seen to be rich in rhetoric and poor in deed.

The rising discontent among landless and small-holder farmers has forced open an ideological debate between neo-liberalism, centralized elite domination, and pro-people policy making. The majority rural poor have begun to find their voice, and Nepal’s civil war will act as a warning that their land grievances can quickly turn to violence.

Today, the worldwide financial crisis is threatening aid from the West and causing the demand for exports to shrink. Both factors render the billions of dollars of potential investment from multinational corporations and food-hungry, oil-rich nations enormously tempting to impoverished states. Governments must not be lured into exclusive market mechanisms that generate ever greater inequalities and create a profoundly negative effect upon community governance, food sovereignty,
and peace building. Effective redistributive land reform, ensuring secure tenancy and ownership systems for marginal farmers, must occur in poor agrarian societies before opening their doors to global trade. The primary responsibility of all governments is to protect the basic human rights of their citizens, paying special attention to the poorest and most vulnerable.

Land reform is beginning to emerge from the vortex of market-led ideology to find itself at the epicenter of topical discourses on poverty alleviation, sustainable rural development, conflict transformation, food security, and fundamental human rights. IFIs continue to push reforms that consolidate and authenticate inequity, but land rights organizations are now enjoying a higher profile with increasing solidarity from a wide variety of state and non-state actors.

It is abundantly clear that the best approaches to land reform are those that integrate security, livelihood, resource management, and community empowerment. Land reform must redistribute land widely enough to preclude any dominant land-owning class and be accompanied by a support structure to sustain productivity. The expansion of rural markets that will follow will generate growth and this will lead to stable peace and national development. All eyes are on Nepal to see if the Maoist government seizes the unique chance to institute such an innovative, rational, and scientific process of land reform.

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