

Land 'reform' as a tool of counter-revolution

IN 1961 Colombian politicians responded to international pleas for agrarian reform with the promulgation of what has been termed the most comprehensive agrarian reform in the Americas. As with previous reform laws, Law 135 was ostensibly a means of reversing the antisocial and uneconomic misallocation of land and labour. Yet, as with those previous reforms, the truth of their *raison d'être* has been more subtly based in the need to dilute, dissolve or channel agrarian unrest.

Inimical land tenure structures and misallocation of land have induced and maintained over the past half-century the problem of land invasions and its concomitant problem, title insecurity. These emanations of the traditional structure have proved one of the immediate impulses to reform measures throughout the present century.

Particularly in the 1920s and 1930s, occupations of idle lands involved privately owned properties and resulted in serious title conflicts which degenerated into physical violence. The crisis of confrontations between *peons* and landowners had extended by 1931 into the coffee-growing zones of Tolima, the great haciendas of the Valle de Cauca (where conflicts over the use of subsistence land were common) and the tropical pioneer zones, such as Santander, where peasant squatters came into conflict with those holding titles to the unfarmed lands.¹ It was as a serious solution to the rural problem of violence that Law 200 of 1936 was passed, ushering in the era of palliative agrarian reform and setting the basis for Agrarian Reform Law 135 in 1961.

The law had two basic aims: firstly, to clear up prevailing uncertainty about existing ownership and titles and, secondly, to give legal application to the notion that ownership of land carried the obligation to use it productively. Thus it was hoped to bring security of tenure to squatters with uncertain titles and thereby reduce the number and intensity of rural conflicts. As CIDA (Inter-American Committee for Agricultural Development) concluded, this provision in the law diminished violent con-

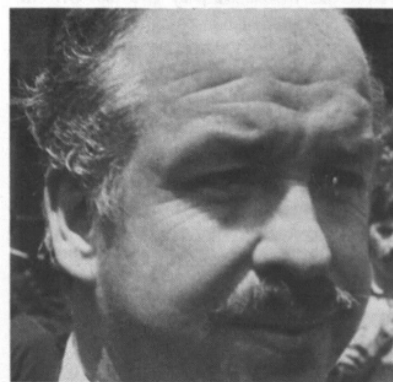


By
Chris
Baker

frontations between occupants and possessors. However, Article 6, which stipulated that all privately-owned lands that remained uncultivated for ten consecutive years were to revert to the State, drew most attention – and least application. This was the pragmatic, theoretical, 'lyrical' portion of the law; virtually no redistribution of land took place as a result of it.

As CIDA noted, it has been one of the laws most combatted by interest groups and a political party intent on conservation of the domain. Once the immediate problems and conflicts subsided, successive administrations, more conservative in nature, ignored or softened the more important provisions of Law 200. Thus a law passed in 1938 allowed that an estate would be classed as adequately exploited if for each hectare it had one head of cattle.

Even given the outburst of violence that broke out in 1948, the only manifestation of political anxiety about the problem of the land in the period 1944-57 were some proposed fiscal reforms, with the exception of limited colonisation activities. The explosive situation created in 1948 was much more a case of manipulated political sectarianism than agrarian in origin and thus posed



● Enrique Penalosa

no immediate threat to the power structures.

At the same time, the need for an increased food supply and the need for more rational use of available land resources was reflected in the idea that change could be more effectively brought about through incentives and penalties than through legislative fiat.

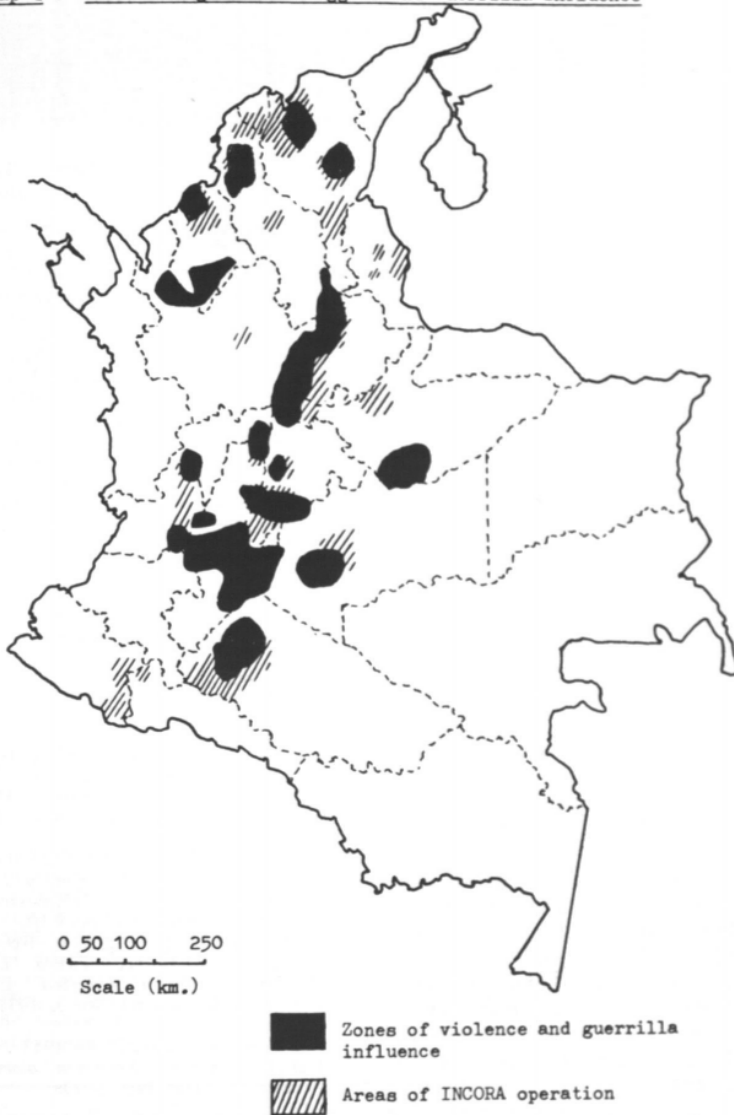
In the face of almost static productivity the military junta addressed itself to the problem in Decree Law 290 of 1957, which was to classify land into four categories and to stipulate that each landowner must cultivate at least 25% of his best-quality Type 1 soil, 15% of his Type 2 soil, etc. Landowners in default were to pay a supplementary property tax which was to increase up to 10%(!) of the property value after four years.² Like preceding laws and decrees, Decree 290 proved inoperative through the obstinance of an intransigent landed elite and the inefficacy of the reformist ideal within the national political structure.

Such mentalities were suddenly shaken two years later. It was President Kennedy who said "those who make peaceful revolution impossible make violent revolution inevitable." For a continent of traditional instability the impact of the unexpected Cuban revolution and land reform (May 1959) on Latin America was so potentially inflammatory that it brought about great changes in national and international agrarian policies in the Americas.

In Colombia, where the sectarian violence of the forties and fifties had so affected the mentalities of the traditionally fatalistic peasantry, the agrarian reform legislation of 1961 was so obviously devised to pacify the rural sector by the promise of large-scale reforms in anticipation of more unrest.

Indeed, a major reason for the creation of the coalition National Front government in 1958 was ostensibly to put an end to the rural violence, which, whilst it reflected a 'civil war' of political factionalism during much of the decade, essentially had arisen as a result of the economic and social system over many years and had gained its own autonomy. There can be little doubt that the pre-

Map 1 : Zones of Agrarian Struggles and Guerrilla Influence



Source : Gilhodès, P., 'Colombia' in *Guide to the Political Parties of South America*. Penguin, 1969, p.318

Gilhodès, P., 'Agrarian Struggles in Colombia' in Stavenhagen, R., 1970, op cit., p.404

vailing insecurity and lack of satisfactory land tenure conditions go some way to explaining the large-scale rural violence in Colombia.

Yet more important than this socio-economic background was the fact that La Violencia represented political sectarianism very much under the control initially of the two major rival parties. With their exclusion from office following the military coup of 1953 La Violencia lost its original *raison d'être*. Return to power became the first consideration, and coalition the easiest way to

achieve it. Unfortunately for the coalition, political sectarianism was transformed into 'autonomous' violence based upon radical philosophies through the frustrations and stresses of rural life.

Social isolation, individualism and traditionalism make it difficult for a peasantry to become a pressure group. We may speculate that the long-term violence impelled the peasantry to become such a pressure group, drawing them out of their traditional passiveness and instilling a feeling of solidarity as they organised

for a specific (and reorientated) purpose. With Cuba, land reform took on a new and meaningful dimension for all concerned.

Whilst the initiation of an agrarian reform would help to prevent a possible rural revolution or a recrudescence of violence on the pre-1958 scale, there were also political considerations of a more immediate kind – the success of Communists in the congressional elections of March 1960, particularly in areas of traditional social unrest.

Thus was passed in December 1961 Agrarian Social Reform Act No. 135, "to reform the agrarian structure by means directed towards the elimination of the unequal concentration of land."

If we define 'agrarian reform', in these terms, as the redistribution of private property, the programme realised in this field has been the most insignificant of the programmes initiated by the reform agency, INCORA. In the redistribution of lands purchased or expropriated by 1969, 5,347 beneficiaries had been settled on 69,000 hectares, only 1,194 of whom had received title, representing only 0.05% of all private lands held in Colombia.

The true reform activities of INCORA have always been limited to the clamour of organised *campesinos* to settle land disputes and to eliminating violence. Only here would INCORA actually parcel land. The first Director of INCORA, Enrique Penalosa, has said that very few land reform projects have been started in areas that have had no serious social conflicts.³ In this sense, we can see that the function of INCORA has been less to change the agrarian structure than to act as 'la contraviolencia'!

There exists a definite link between areas of INCORA operation and so-called 'areas rojas' (red areas) where communist guerrilla activities had actually reduced government control to a minimum. It has been estimated that at least half of the 40 INCORA projects in 1970 were works concerned with such areas and that almost 57% of all 'titulations' realised have been in these zones (see Map 1). The majority of credit disbursements and help to colonists have also been concentrated in and around the areas rojas, with the specific aim, apparently, of 'infiltration of the guerrilla areas by means of credits for promoting production and housing, and a lavish dispensation of promises'⁴ to gain the political support of sections of the peasantry, or at least to neutralise them.

Map 2 : Economic Regions in which the Predominance of Minifundios, Density of Population and Scarcity of Land Make Necessary A Change of the Economic and Cultural Structure



Source : INCORA., *Informe de Actividades en 1964*. Bogotá, 1965
Banco de la Republica., *Atlas de Economica Colombiana: Cuarta Entrega*. Bogotá, 1964

Map 3 : Regions in which the Majority of the Rural Population Lacks Sufficient Land for Subsistence



Source : INCORA., *Informe de Actividades en 1964*. Bogotá, 1965
Banco de la Republica., *Atlas de Economica Colombiana: Cuarta Entrega*. Bogotá, 1964

Certainly, the selection of Cunday as the first project of INCORA in August 1962 was dictated by such a purely political consideration – the invasion of farms by landless *campesinos*. Cunday is also an area of strong guerrilla influence. Likewise, the third project, Tolima No. 3 (also in Cunday) was “accorded top priority amongst all INCORA’s projects as part of a government-wide effort to rid the area of violence”.⁵

So, in this respect, the areas of the ‘minifundio dilemma’ have been sadly neglected. We are able to trace no

general correlation between those areas of INCORA operation and those where the agrarian structures exhibit the worst defects and greatest requirement for change (see Maps 2 & 3).

Once more the rural peasantry had been cheated by the clever deceptions of status quo motivations. Until we learn how to dilute or eradicate those motivations and the channels through which they command the economies of so many societies, rational reforms will be difficult if not impossible to implement.

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Dominican farm chief backs land value tax

OFFICIALS of the Ministries of Agriculture and Finance, the National Cadaster Office and the Agrarian Institute of the Dominican Republic expressed strong support for land value taxation in their country at an international conference held last January in Santo Domingo.

In his keynote address the Secretary of Agriculture, R. Hipolito Mejia, said: “The unearned increment of the land belongs to all Dominicans, while the private owner is entitled to proceeds that are the fruit of his work.”

The conference, co-sponsored by the Henry George School of New York and the Lincoln Institute for Land Policy, was the result of 15 years of work by Lucy de Silfa, the Director of the Henry George School in Santo Domingo, to get officials in her country to take a serious look at the advantages of implementing a system of full value taxation.

In June, 1980, Philip Finkelstein (Director of the School) met with Arlo Woolery, Director of the Lincoln Institute, at the World Policy Land Congress, and discussed the

LOUISE R. PULINI reports from SANTO DOMINGO

possibility of bringing experts in the field to present the case for land value taxation to the Dominicans. In November, Mr. Finkelstein met with Ms de Silfa, Mr. Mejia, and the head of the National Cadaster Office, Dona Altigracia Nanita de Espanol in Santo Domingo. There was mutual agreement to proceed with the conference.

A proposal prepared by the Center for Local Tax Research to do a feasibility study for the Dominican government was then drafted.

The first part of the conference was a training session at the National Cadaster Office. Archibald Woodruff, Mr. Woolery, Sein Lin, Daniel Holland and Martin Miller of the Lincoln Institute, along with the Henry George School delegation, met Cadaster officials and proclaimed that the current inventory on land by the Office was very successful in providing a sound and accurate basis for a land tax.

During the conference, the Dominican Congress tabled a proposal to tax urban property only, with land at 2% and improvement at 1% of their values. Most of the conferees agreed that a single tax rate for land only, both urban and rural, would be a more equitable and economically efficient tax measure. A proposal to analyse the implications and consequences of a pure land tax was left for consideration at the highest levels of the Dominican government. Support for the measure was expressed by the officials present.

Mr. Lin and Mr. Woodruff presented the history of full value taxation in Taiwan as a successful model of implementation for the Dominican officials to study. In Taiwan, land value, increments and vacant land are singled out for special taxes. The major differences between the Dominican Republic and Taiwan is that less than 0.5% of the population owns 35% of the land, in the Dominican Republic, while there is a narrower gap between the wealthiest and poorest in the country in Taiwan.