

## LAND TENURE SYSTEMS IN JORDAN

*We are indebted to the Counsellor of the Legation in London of the Hashemite Kingdom of the Jordan for affording us an opportunity to print in full this detailed and authentic account of the system of land tenure in Jordan. This information has not previously been published in this country and has been specially compiled by the Director of Lands Department in Jordan, the most competent authority on the subject. The article has been contributed to rebut the statement by the Honourable William O. Douglas (reported in our March-April issue under the heading "To help the backward areas", page 35) that "the mark of government of the landlords, for the landlords, and by the landlords is heavy on the country to the east of Israel . . ." The country to the immediate east of Israel is the Hashemite Kingdom of Jordan.*

The Hashemite Kingdom of the Jordan comprises an area of about 96,500 square kilometres of which about 5,500 square kilometres comprise the territory now known as the West Bank of the Jordan and which was prior to 1948 a part of Palestine. Of this area, approximately 11,500 square kilometres of land are considered under present conditions cultivable and the rest consists of desert or non-cultivable land, grazing land and forests.

The numbers of towns and villages in Jordan are as follows:—

	Towns	Villages
East Bank ... ..	17	468
West Bank ... ..	11	325
	28	793

A population census has not been undertaken for Jordan as yet, but it is estimated that the total population is about 1,370,000 persons, of whom 465,450 are Palestinian refugees in receipt of United Nations relief. The total number of persons who were entitled to vote at the last elections in 1951 was 342,712 persons.

### Land Tenure

The Land Law in Jordan embraces the system of tenures inherited from the Ottoman Regime before its occupation by the British Forces in 1918, and is identical in every respect to the system of land tenure applicable in that part of Palestine which is now known as Israel.

The Land Tenures consist of various modes of user, but the majority of the land in Jordan is held under two distinct tenures, commonly referred to as "Mulk" (meaning allodial or private land), and "Miri" (meaning feudal or State land). "Mulk" land is held in absolute ownership over which the holder exercises almost unfettered freedom in regard to its use and disposition. This category of land is to be found in Municipal areas. "Miri" is a conditional usufruct tenure of land held by grant from the State. The holder or possessor is a usufructary whose tenure resembles a leasehold, subject to certain limitations on the use and disposition of the land and to the payment of certain fees. The interest is indeterminate, assignable and hereditary.

"Miri" (usufruct) land may be held jointly by two or more co-sharers so long as the shares are defined. There are two kinds of joint holding: ordinary partnership, and village or clan partnership (commonly known as "Masha"). In the case of ordinary partnership, the land need not necessarily be distributed for purposes of cultivation periodically. In the case of village or clan partnership ("Masha"), the land is distributed periodically for cultivation, which means that a usufructary cultivates sometimes in one locality and sometimes in another. Each

shareholder has a definite share which can be freely acquired or disposed of.

### Settlement of Title to Land

The settlement of title to land, initiated in 1933, is about to be completed in all the cultivable lands of the East Bank which was previously known as Trans-jordan, and operations are due to commence this year in the West Bank to complete the work started by the ex-Palestine Government in 1928.

### Land Holdings

Feudalism does not exist in the Hashemite Kingdom of Jordan in any form. There are, however, a number of large landowners, but even these cannot be described as feudal lords. The following table of individual area ownership regarding the East Bank taken from the Government Statistical Abstract for 1951 (pages 74-77), will make the position clear. Government holdings are included:—

	Percentage of owners	Percentage of land owned
Less than 100 Dunums*	85.01	36.32
From 100-200 Dunums	8.70	17.00
From 200-300 Dunums	2.78	9.40
From 300-500 Dunums	2.02	12.12
From 500-1,000 Dunums	1.05	11.03
From 1,000-2,000 Dunums	0.32	6.15
From 2,000-5,000 Dunums	0.11	4.75
More than 5,000 Dunums	0.01	3.23
	100.00	100.00

\* 1 dunum=1,000 square metres; 4.05 dunums=1 acre; 1,000 dunums=1 square kilometre.

Figures for the West Bank are not yet available, but it may safely be stated that the number of large landowners is negligible.

The land taxation systems in Jordan are the same in principle as the systems now in force in Israel. These consist of:—

The Urban Property Tax in Municipal Areas.

The Rural Property or Land Tax in rural areas.

The Tithe, which is supposed to be equal to one-tenth of the produce, is still payable in a part of the East Bank, but this is being gradually abolished and replaced by the Land Tax as settlement of title operations are completed in this area.

### The Urban Property Tax

The Tax is payable by the property owner and is a percentage of the annual value of land and building. The annual value is calculated from the rent of built-on property. In the case of vacant land, the annual value is six per cent. of the estimated capital value. The valuations are made by assessment committees composed of two official and one non-official members. Official inspectors may examine the work of assess-

ment committees and request them to revise the valuations. Valuation Lists are posted and notices of valuation are sent to the owner, who has a right of objection and appeal against the valuation. There are measures for annual revision to cover cases where the annual value of property has increased or decreased by 20 per cent or more since the last assessment, and for quinquennial revaluation. The rates of tax are 8 per cent of the annual value for house property and land and 10 per cent for industrial buildings in which mechanically-driven machinery is used.

Properties belonging to the State, and to foreign States for use as Legations or Consulates, religious, charitable and educational institutions are exempt from payment of the tax. Exemption from tax is also granted in cases of extreme poverty and where house property is damaged.

#### Rural Property or Land Tax

At present two different Ordinances apply in Jordan; the Rural Property Tax Ordinance in the West Bank—inherited from the Palestine Government, and the Land Tax Law in the East Bank, but it can be said that the principle in the incidence of the tax in both cases is the same. Measures are, however, being taken to combine the two laws into one legislation.

Land is divided into categories arranged according

### OIL IN ALBERTA—By Miss Strehel Walton

Alberta is the most westerly prairie province in Canada. Up to a few years ago, it was known for its wheat growing. That is changing very quickly, though it will probably always be a great wheat producing province. It is very sparsely settled, like all of Western Canada. One can stand almost anywhere in the province and look upon miles of wheat which stretch further than the eye can follow, with not a building in sight.

This huge province is also very rich in natural resources. Underneath the wheat fields are vast reserves of oil, gas and coal, and it may be many other minerals, for it is not explored to any extent.

At the present time this part of Canada is becoming known for its great exploration and development of oil, and what interests us as Georgeists is the way the government is handling the oil.

Away back in 1887 the land laws were made for this part of the country by the federal government, and when there was set up a provincial government it took over these laws. At that time there was almost nobody living in the province and when men began to take up land to farm they were not given anything but the surface rights. The mineral rights were retained by the government, except for some grants to the Canadian Pacific Railway and the Hudson Bay Company. These grants amount to about 10 per cent. of all land, and the government still holds the 90 per cent of all land, consisting of about 147 million acres.

When an oil company wants to explore for oil in Alberta, it goes to the government instead of a private person and gets a grant to explore on a certain amount of land. Each company is allowed a reservation of 100,000 acres to explore for three years for which it pays the government a fee of \$250 for each

to the estimated productivity of the soil, and in some relation to the net annual yield.

The Tax is payable by the owner, whether the land is used or not, at varying rates, ranging in the West Bank from 4 fils\* to 40 fils per dunum or part thereof on land used for the cultivation of cereals, and from 50 fils to 80 fils per dunum or part thereof on fruit plantations except bananas which pays a tax of 1 dinar and 120 fils per dunum or part thereof. In the East Bank, however, the rates vary from 14 fils to 51 fils per dunum on land used for the cultivation of cereals and from 200 fils to 400 fils per dunum on fruit plantations additional to the tax payable on the land.

The site of the village built-up area is taxable at the rate of 320 fils per dunum in the West Bank, but is exempt from taxation in the East Bank.

Non-cultivable and grazing land and forests, which are normally State or communal lands, are not taxable.

State-owned property, legations, consulates, and property owned and used by religious, charitable and educational institutions, are exempt from taxation. Exemptions are also granted in cases due to unavoidable natural causes or a fall in the value of crops.

Owners who develop their land by planting trees thereon, are exempt from the higher rate of tax for varying periods ranging from one to ten years.

\* 1,000 fils=1 Jordan Dinar=£1 sterling.

20,000 acres explored, and a deposit of \$2,500 for each 20,000 acres to guarantee that the exploration will be carried out. When the company finds the part it wishes to lease for drilling it is allowed only an acreage of blocks of nine sections, and a section is a mile square. The government puts up for auction the rest of the land which has been made very valuable by the exploration. This is to keep any one company from monopolising large tracts of land. The companies pay a rental of \$1.00 per acre per year, and the lease runs for 21 years. When oil is found they pay the government a royalty at about the rate of 12½ per cent of oil produced.

The farmer who owns the surface land above the oil legally has nothing to say whether the oil is drilled or not, but for the use of a few acres of land he receives about \$1,200 the first year and about \$300 to \$400 each year following.

This is a tremendous development for Alberta and Canada. We can't use all the oil that is being produced. Pipe lines are being built to carry the oil and gas thousands of miles to the U.S.A. and to Eastern Canada. This is only the beginning, and though the government got \$125,000,000 in the last three years, amounting to \$135 for every man, woman and child in the province it expects in two or three years the revenue from oil will pay all expenses of Alberta government. As readers may be aware, the natural resources of Canada in other minerals besides oil, such as iron, nickel and coal are tremendous, and just beginning to be explored. If it is possible to meet the expenses of one province from the oil revenue, what could we in Canada not do for ourselves and the whole world if we had the good sense to take all revenue from our natural resources for the people to whom in justice they belong.