

How Much Land Does a Man Need?

By Mahmood Hasan Khan

Well, the answer is 6ft x 3ft! That is how Leo Tolstoy's story of Pahom, a landless peasant, ends. Pahom was hungry for land. He said to himself that "if I had plenty of land, I shouldn't fear the Devil." The Devil was listening. He thought all right: "We will have a tussle. I will give you land enough, and by means of that land I will get you into my power." The Devil followed Pahom in his lust for land to the lands of Beshkirs. There Pahom eventually died of exhaustion—his claim to land depended on how much area he could cover on foot in a day—and was buried in a grave measuring 6ft long and 3ft wide.

Land is Nature's bounty to be held in common. Why should it be any body's personal property? A person should have the right to the fruit of his/her labour on land. For millennia, in almost all societies, land was owned and managed by communities. With the passage of time, the claim of absolute ownership passed on to monarchs who assigned the right of usufruct by various modes of tenancies. The private right of property in land is of recent origin and has evolved through wars and conquests. (Private lands have depended for production on serfs, slaves, and family and wage labour.) We are familiar with the arguments against the common property right in land and in favour of the private property right. They were offered in England by William Forster Lloyd in 1832 in the context of the enclosures. In our own time, Garrett Hardin, an ecologist, developed Lloyd's arguments further in his article titled "The Tragedy of the

Commons" (Science 162, 1968). But we have evidence that if the land held in common is managed through well-defined and well-enforced rules, it avoids the problem of exclusion and negative externalities. On the other hand, while the private property right in land may induce greater efficiency, it comes at a high social cost.

The issue of land reform in a system of privately-owned land is raised because of the high concentration of landownership and the tenuous rights of tenants: a large proportion of the land area is owned by a small proportion of the households and a large proportion of the population either owns a small proportion of the land or is landless. The lack of access to land through ownership forces the households to one or another form of tenancy or wage labour in or outside agriculture. The consequence for the small landowners and the landless is a constant struggle against poverty; the landless households often suffer the most since they are at the bottom of the totem pole. The political economy of land reform is quite complex and controversial since it involves land redistribution in some form. The conventional land reform programme involves transfer of land from private landowners to the landless and the near-landless tillers of soil. In other words, the government transfers land from one set of individuals to another to reduce land concentration and to alleviate poverty.

But there is an alternative approach to land reform for sustainable de-

velopment: let the community buy out the privately-owned land. The buyout can be done in two ways. One is modelled on the Land Reform Act of Scotland (2016), in which the government requires that the privately-owned land can be sold to communities only and, for the public good, it can also force a private owner to sell part of his/her land to the community. The community (of tenants or residents) will hold the title to the purchased land. The government of Scotland has established a Land Commission and a Land Fund to purchase the land and to help the owner-community to manage it on a sustainable basis. The government uses taxpayer's money to purchase the land, etc. The community is responsible for managing the use of land based on well-designed plans. In the second approach, communities establish voluntary trusts to purchase the privately-owned land on sale in the market and then manage it. Several such trusts have been functioning in the United Kingdom and the United States for years. (In both approaches, communities can establish their own tenancy arrangements.) The tentative results in Scotland show that the system is reducing the concentration of land and allowing access to increasing number of the landless residents/tenants. In the case of the voluntary trusts, community ownership and management of the land has been beneficent to the environment, protects the resource base and is quite efficient.

I want to focus on Pakistan in this context. Landownership in Pakistan is highly concentrated. Can this assertion be supported by facts (num-

bers)? There are two problems in this regard. First, the government does not allow access to the data for landownership from the provincial land records. Second, the land records are incomplete or unreliable. Besides, the government's numbers would show us the titles of individual landowners and the area they own. Many of these individuals belong to the same household and some titles are fake. Consequently, the real extent of land concentration is far greater than what the official data would reveal.

Luckily for us, the agriculture census data on landownership are a good proxy for the data from land records. According to the agriculture census of 2010, one per cent of the landowners (with holdings of 20 hectares and more) had almost one-third of the area and over two-thirds of the owners (with holdings of less than 2 hectares) had less than one-fifth of the area. Since we do not have the data from the 2020 agriculture census, we cannot be sure if the concentration of land has changed in the last decade. My guess is that it has not. We also do not know the number of landless rural households, who may be tenants or wage workers, but they must be in millions. We do know that the large landowners have a lot of clout in the rural communities and, through their alliances with the urban elite, they also carry much weight in national affairs. Their role in society serves them well but at a high cost to the landless and the near-landless peasants.

The story of land reform in Pakistan is a sad one. At its inception, the country had a quasi-feudal (jagirdari) agrarian system, in which a tiny fraction of the population owned most of the land and a vast proportion of the tillers were either (landless) sharecropping tenants or owners of tiny and fragmented

landholdings. The owners of large landholding dominated the social and economic life in the rural areas and the nation's politics. The tenancy reform acts of the early 1950s did not alter the status quo. The land reform acts of the Ayub and Bhutto regimes, to redistribute land and to improve the rights of tenants, were faulty in their design and poorly implemented. We have good evidence that they made little dent in the concentration of land and in the fragile rights of tenants. In addition, the two governments and their successors have pursued policies on prices, subsidies, and taxation favouring disproportionately the owners of large landholdings. The data on poverty in Pakistan show that three-quarters of the poor live in the rural areas and most of them belong to the landless (tenants and wage workers) or near-landless households. A vast majority of the migrants from villages to towns and cities are also from this class of households.

When there is so much land in the hands of so few and there are so many with no land or little of it, what are the options for land reform in Pakistan? Well, we do not expect any legislation that would set a limit on the amount of land a person can own—pleaders of the Sharia argued successfully before the courts that it was un-Islamic, hence unconstitutional. So, why not adopt a buyout policy to transfer the land from private hands to communities of the landless tenants and others? We can take the Scottish approach, requiring the sale of private land to the community only. Or we can use the voluntary-trust approach to acquire land for communal use. A close study of the two approaches shows that the first one will reduce land concentration and alleviate poverty more quickly and effectively. The government can pass legislation forbidding the sale of pri-

vate land between individuals and, for the public good, and allowing the government to force a private owner to sell part of the holding to the community. The government's Land Commission in each province should be involved in the transactions and in the management of the communal land. The provincial Land Fund should use taxpayer's money to finance the purchase of land. The holders of the community land should pay the Land Fund a mutually agreed rent at the end of each calendar year or after each crop season.

The good news is that there are Community Organisations (COs) and their clusters, called Local Support Organisations (LSOs), in almost every part of Pakistan. These institutions have been nurtured and supported by a network of rural support programmes in the last 30 years or more. The COs and LSOs should be registered with the provincial Land Commission and act as agents for the purchase and management of land on a community basis. The COs and LSOs should give precedence to the landless tenants and the near-landless owners from among their members to be holders of the community land. These landholders will have the responsibility to make plans and use the land according to those plans. The functionaries of the Land Commission, the Land Fund and the COs and LSOs should provide whatever support or guidance the community needs to utilise the land on a financially and environmentally sustainable basis.

Will it work? Take one step at a time. Try it as an experiment (i.e., pilot project) in a few districts? But do the homework first. Review and study the experience of the required buyouts in Scotland and the experience of buyouts through voluntary trusts in the U.K. and U.S.A.