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***LAND REFORMS IN ASIA: LESSONS FROM THE PAST
FOR THE 21st CENTURY[^]***

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Abstract

This paper explores the political and institutional dimensions of agrarian reform experience in Asia and the relevance of this experience to future development. It begins with an analysis of the Northeast Asian experience and then looks at the positive contributions of 'partial reforms'. The last sections of the paper consider particular aspects of land reform relevant to the Asian development agenda, including 'demand-led' movements, the central role of property documentation to systems of taxation and finance, the new thrust of World Bank advocacy for 'market-friendly' reforms and the reasons why a modern corporate community has an interest in actively endorsing redistributive reform. The conclusion outlines how land reform relates to other pressing problems of social and economic development and discusses the kind of modern political coalitions that might be supportive of revitalised attention to problems of reform.

Introduction

It seems appropriate on the eve of the millennium to recall and underline just how pivotal land reform has been to the Asian development experience of the 20th century. In this period of emerging markets and rapid industrialisation it is easy for urban dwellers and members of the corporate community to forget the role both agriculture and land rights have played in the recent past and the continuing importance of the rural economy to current and future development efforts. Taken as a whole by the mid-1990s, 69 percent of Asia's population still lived in rural areas and 67 percent of Asia's workforce still depended on agriculture as a principle source of income.¹ If we think about how much of the service and manufacturing sectors are directly related to agriculture the sector assumes even more importance to any debate about future growth and development. When we focus on the challenge of reducing and eliminating poverty, as we must if we are concerned with development, we need to remember the majority of the region's poor still live and work in the rural areas. Much of urban poverty is driven by the exodus from the countryside in search, often in vain, of opportunities for improved income and a better quality of life.

Redistributive land reform played an important part in the rapid growth experiences in South Korea and Taiwan after World War II and an equally central role in the communist victories in China and Vietnam. It could be argued that redistributive land reforms in China played an important part in why that country achieved vastly superior performance in the reduction of poverty than did India the

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¹ Estimates are based on 1990 and 1995 data (Asian Development Bank, 1996 and World Bank, 1997). Population figures are based on 35 Asian countries while agricultural labour force figures are based on the seventeen Asian countries for which data were available (but these 17 include 96 percent of all those of working age in Asia). Of course these figures are heavily influenced by China and India.

country to which it can be most meaningfully compared.² A generation later new redistributive reforms in China and Vietnam heralded their gradual transformation to market economies and sparked a rapid rise in agricultural productivity. The reforms that underpinned the rise of capitalist economies in Northeast Asia have too often been forgotten or dismissed as irrelevant to the rest of Asia and the developing world as measures achieved only through US intervention and a unique combination of historical circumstances. While those reforms were conditioned by historical circumstance, they nonetheless hold valuable lessons for the future, as do the partial land reforms in parts of India and the Philippines.

The economic case in favour of redistributive reform is today almost iron-clad and recent econometric analyses have confirmed what older country, cross-country and village level studies had discovered long ago. In situations of capital scarcity and labour surplus there is an inverse relationship between the size of farm and the productivity of land and labour in agriculture (Berry and Cline, 1979 and Besley and Burgess, nd). Even in high value crops, long thought to be most efficiently farmed through modern plantation arrangements, there is evidence that with the proper support productivity can be matched or surpassed by small contract growers (Hayami et al, 1990). Many agribusiness companies have begun to realise that their comparative advantage lies in processing and marketing rather than managing on-farm production and they have opted for small grower and contract schemes. Opposition to redistributive reform on the basis of arguments about population density on the land or the irrelevance of reform to the plight of landless labourers does not disprove the case for reform but only underlines why a redistributive agrarian reform programme must be part of a wider development strategy.

While the economic case for reform appears solid, the political dimensions of redistributive reform in the Asian development experience have been at least as important. There is a strong case to be made that it was the redistributive reforms of Northeast Asia and the socialist countries that underpinned long periods of social and political stability through the legitimacy accorded to states whose authoritarian governments might well have not achieved legitimacy otherwise. Redistributive reforms in the capitalist economies of Northeast Asia contributed to fundamental institutional transformation in these countries allowing political coalitions that were apparently more conducive to development than in many other parts of the developing world to consolidate and maintain power for decades. It was also largely for political reasons that the Western development community purged redistributive reform from their lexicon of development policy.

As professional economists relearn the lesson that poverty need not accompany growth and that growth and redistribution are not incompatible, redistributive agrarian reforms have regained credibility. There is a greater openness toward land and agrarian reform among the international development agencies

² In 1990 the percentage of the rural and urban population in China in absolute poverty stood at 11.5 and 0.4% respectively, as against 33.4 and 20.1% in India in 1987-88. Table 6, 'Poverty and Inequality Indicators', Asian Development Bank, 1996, p.10.

today than there has been for the past forty-five years. Ironically this appears to be happening at a time when broad popular movements for land redistribution appear to be on the retreat and national governments seem preoccupied with creating the conditions to attract capital into local stock markets which turn primarily around urban service and industrial activities.

In this paper I explore the economic, political and institutional dimensions of reform through an analysis first of the Northeast Asian experience, by focusing on South Korea. I then look at the positive contributions of even partial reform through a brief discussion of the Philippines. The last sections of the paper consider particular aspects of land reform relevant to the Asian development agenda for the 21st century. These include the continued importance of mobilisation on the ground, or 'demand-led' movements, if reform is to be adopted successfully and the central role of property documentation to both future redistributive land reforms and current possibilities of elaborating developmental systems of taxation and finance. I then briefly review the possibilities and problems presented by the new thrust of World Bank advocacy for 'market-friendly' or 'negotiated' reforms. In doing so I consider some of the negative aspects of partial reforms and what might be done to get the most out of reform under severe constraints on programme scope and implementation. Finally, I return to the reasons why a modern corporate community has an interest in actively endorsing redistributive land reforms and its associated measures. In the conclusion I outline how land reform relates to other pressing problems of social and economic development and discuss the kind of modern political coalitions that might be supportive of a revitalised attention to problems of land reform and might endorse the kind of state intervention necessary to make reform work.

Land Reform was central to the Asian growth experience

Since the financial crisis hit East Asia in July 1997, it has become less popular to look to the rapid growth experience of Northeast Asia for lessons for the rest of the region and other parts of the developing world. However, despite the problems that have emerged in the models of state-market relations practised in East Asia, the accelerated periods of growth and development in the region since World War II still hold precious lessons for the rest of the world. Agrarian reform was central to the development experience in two of the East Asian newly industrialising countries, South Korea and Taiwan. Considerable mythology still surrounds the interpretation of that experience coloured by the ideological polarisation of the Cold War period. In fact, the whole history of discussions and debates about agrarian and land reform strategies and policies in development circles has been heavily influenced by contrasting political programmes and objectives both within developing countries and in the development aid agencies of the North.³

In South Korea, agrarian reform carried out in the wake of the Korean War, laid the internal basis for subsequent development. The redistribution programmes after 1950 combined with private sales, changed the structure of land tenure in the

³ This theme is thoroughly explored in Putzel (1992).

country.⁴ Land redistribution was accomplished swiftly after the Korean War and the new pattern of land distribution lasted over time. As Table 1 shows, while almost 50% of farm households were tenants in 1945, twenty years later no more than 7% of farm families were tenants.⁵ The area of cultivated land under tenancy had fallen from almost 65% in 1945 to only 18% in 1965 (see Table 2).

The most striking effect of the reform was the equality in the distribution of land that resulted. In 1944, 2.9 percent of farm households owned 64 percent of land with an average holding of 26 hectares. Table 3 shows that by 1956, 51 percent of farm households owned 65 percent of land with an average holding of 1.1 hectares. In terms of equalising land distribution, the reform was clearly a success.

Table 1: South Korea Owner-Tenant Ratio (% Farm households)

	<u>1945</u>	<u>1947</u>	<u>1964</u>	<u>1965</u>
Full owner	13.8	16.7	71.6	69.5
Owner-Tenant	16.4		14.8	15.5
Tenant-owner	18.2	34.6	38.3	8.4
Tenant	48.9	42.1	5.2	23.2
Labourer	2.7	3.1	---	8.0
				23.5
				7.0

Source: Ban Sung Hwan et al, *Rural Development* (Cambridge: Council on East Asian Studies, Harvard University, 1980)

Table 2: Ratio of Owner to Tenant (% of Cultivated land)

	<u>Pre-land reform (1945)</u>		<u>Post-land reform (1965)</u>	
	<u>Owner</u>	<u>Tenant</u>	<u>Owner</u>	<u>Tenant</u>
Paddy	30.5	69.5	85.0	15.0
Upland	44.2	55.8	80.0	20.0
TOTAL	36.7	63.3	82.0	18.0

Source: Pak Ki-hyuk, "Economic Effects of Farmland Reform in the Republic of Korea," in Sein Lin, ed., *Readings in Land Reform* (Taipei, 1972)

⁴ The initial land reform carried out by the American Military Government covered only a small percentage of the cultivated area that had been owned by the Japanese. While the government of Syngman Rhee passed a land reform law in 1949, reform was only implemented in an accelerated fashion when landowners and political authorities became convinced by the invasion from the North that a capitalist South Korean could only be preserved by pacifying the land-hungry and highly mobilised rural population (see Putzel, 1992, chapter 3).

⁵ Whang (1982) puts the figure at 2%.

Landlords, as a “class”, were wiped out by the reform. In addition to land distributed through the government programme, there were widespread sales of lands to tenants. There was a strong incentive for both landowners and tenants to come to an agreement outside of the government programme. Landlords were not eager to dispose of their land through the programme, as the bonds they received in exchange for their land represented a fraction of the lands productive value.⁶ The tenants, on the other hand, had to pay the government 30% of their harvest each year for five years, which, under wartime conditions, represented a heavy burden. Landowner and tenant often struck an agreement, which allowed each a better arrangement than what the government offered.⁷

Many landowners were ruined by the reform. Most bonds were used for investment in industry, but for the majority of landowners, the low value of their bonds did not allow them to make worthwhile investments. Only the biggest landowners and big businessmen, who had substantial capital reserves, profited by buying up the bonds at their low market value (Rhee, 1980, p.339).

Table 3: Distribution of Land Before and After Reform

<u>Period</u>	<u>% of Household</u>	<u>% of Farmland</u>	<u>Area (ha)</u> <u>per household</u>
Pre-Reform(1944)	48.6	0.0	0.0
	48.5	36.6	0.8
	2.9	63.4	26.0
Post-Reform (1956)	42.8	17.6	0.3
	51.1	64.8	1.1
	6.1	17.6	2.6

Source: In-Joung Whang, "Administration and Land Reform in South Korea," *Working paper* 8301 (December 1982) Korea Development Institute. p.30.

The Syngman Rhee administration's primary concern was in ensuring grain collection and keeping the redistribution from depleting the government's revenues. The government's policy to keep down grain prices also contributed to these goals, as well as contributing to the ruin of the former landowners (Ban et al, 1980, p.239). While the majority of farmers who owned no land or amounts of land less than 3

⁶ The government did not redeem the bonds paid to former landowners on time, nor were the landowners allowed to use the bonds for collateral on loans. Therefore, the value of the bonds on the market declined sharply. A bond, with a face value of 30 *sok* of rice, sold on the market for the won equivalent of only 3.5 *sok* (Ban et al, 1980 p.289) (6.9444 sok = 1 Metric Ton. This was the volume measure used for grain until 1955).

⁷ "Land yielding 20 sok of rice a year provided the landlord with a 30 sok bond actually worth only 3.5 sok. If the former tenant got his land through government procedures, he had to pay the government 6 sok a year for five years. Even if the second through fifth year payments are discounted at a rate of 30 percent, the present value of that 6 sok a year for five years is 19 sok. Between 3.5 and 19 sok there was a lot of room for landlord and tenant to gain at the expense of the government." (Ban et al, p.290).

chungbo benefited enormously from the reform, landowners as a whole were much worse off.⁸ One source has estimated that landowners received compensation worth from one-sixth to one-quarter of their former assets (Ban et al, 290).

Although the reform achieved greater equity in land distribution, there is considerable debate over its economic impact. Some authors have described South Korea's reform as a failure in economic terms. They argue that it did not improve the situation of farmers because conditions were too burdensome. Farmers had to pay for the land within five years which prevented any improvement in their income position. They often had to borrow at usurious rates to make payments to the government. The prices received for farm produce were kept low while farm expenses climbed quickly (Pak, 1972, p.353). The government provided virtually no support programmes (credit, inputs, extension services) to farmers until the 1960s.

Rhee Sang-woo argued the reform was a "failure" because landlords were not compensated in full and, because the financial burden on farmers was worse than before redistribution, the programme was a major factor in the fall of the Rhee government (Rhee, p.346). A common criticism of the reform was that the low retention limit prevented the modernization of Korean farming and the application of economies of scale. Even Ban, et al, who generally demonstrated the effectiveness of the reform programme seem to underestimate its overall contribution to economic development. They argued that the transformation of agriculture in Korea only occurred as a result of rapid industrial development.⁹

They suggest that the South Korean experience illustrates that efforts to relieve the plight of the rural poor must wait until progress has been made in industrial development:

A study of Korea's experience also suggests that direct efforts to help the rural poor may be difficult to achieve prior to a major and general development effort. In the 1940s and 1950s, with the notable exception of land reform, the Korean government's ability to implement rural development programs was extremely limited (Ban et al, 1980, p.10).

However, the "notable exception" - land reform - was a major endeavour to "help the rural poor" and perhaps a necessary condition, at least in South Korea, to achieving a successful "general development effort". It is true that the conditions imposed on farmers were burdensome; however, even while they were paying for their land they enjoyed a bigger income than before the reform. Land rents in Korea in 1945 averaged 60% of the crop, while farmers had to pay only 30% of their yearly harvest to the government after redistribution.

⁸ 1 chungbo = 0.992 hectares.

⁹ "Agriculture, therefore, has not in any way led Korean economic development. Korea is, in contrast, a model of how an industrial revolution can precede and help bring about an agricultural revolution rather than the reverse." Ban, et al, 1980, p.12.

Grain prices did remain low and agriculture faced unfavourable terms of trade almost until the 1970s (Ban et al, 1980, pp.239-243). This accounts for the relatively slow pace of increase in rural incomes during the late 1950s and 1960s. While farmers' incomes were greatly expanded by the initial reform, further increases had to wait until the economic take-off of the 1970s.

It is also true that the South Korean government did not provide any substantial support services to the farmers until the mid-1960s. One conclusion to be drawn from this fact is that it was land redistribution that was central to the improvement of farm incomes and not productivity programmes. One of the reasons South Korean farmers were able to survive without these services was that they inherited a relatively advanced production structure from the Japanese.¹⁰

It is irrefutable that land reform permitted a sharp increase in the income of the majority of farm households. Ban, et al, stated that the top 4% of households suffered an 80% decline in income, while the bottom 80% enjoyed a 20% to 30% increase in income. The reform established the basis for a relatively equal income distribution in rural South Korea. By the mid-1970s, the top 10% of farm households earned about five times that of the bottom 10% which Ban, et al, claimed was roughly the same differential as in the People's Republic of China. While the data in Table 4 would indicate that the income of the top 10% was almost 8 times that of the bottom 10%, it does not take into account household size. The top group had 80% more people per household and 50% more workers than the bottom group. Adjusting for this, Ban, et al, argued that the differential was in fact 4 or 5 to 1 (Ban, et al, 1980, p. 290, 306-308).

Table 4: Distribution of Farm Household Income (1963-1974) (%)

<u>Farm Households</u>	<u>1963</u>	<u>1967</u>	<u>1970</u>	<u>1974</u>
top 10%	31	24	--	25
top 20%	44	40	39	41
next 40%	36	40	40	40
next 30%	17	17	18	16
Bottom 10%	3	3	3	3

Source: Ban Sung Hwan et al, *Rural Development* (Cambridge: Council on East Asian Studies, Harvard University, 1980), p.307.

As Table 5 shows, by the mid-1970s South Korea had achieved a remarkably low level of income inequality in both rural and urban areas (with inequality prevalent only in the business sector). The equal distribution of rural assets brought

¹⁰ Koreans enjoyed none of the benefits of this improvement during the Japanese period. During the 1920s and 1930s, per capita grain output actually declined while exports to Japan nearly doubled. But as the Japanese war effort intensified, their need for food and agricultural raw materials increased. This led them to undertake a programme to expand agricultural production in South Korea. They introduced new seed varieties and chemical fertilizers throughout the rural areas. They also undertook irrigation and land reclamation projects (Ban, et al, 1980, pp. 7,163,284,309).

about by land reform laid the foundation for the success of productivity programmes when they were introduced in the late 1960s and 1970s (Wang, 1987. P.67). It ensured a relatively equal distribution of the increase in income provided by the productivity programmes as well as by the government's action to improve the terms of trade for agriculture in the 1970s.

While Ban, et al, were correct to underline that South Korea's rapid economic development was largely the result of the expansion of export-oriented industry, land reform made a major contribution. There were three major ways in which the reform clearly contributed to later economic progress.

Table 5: Rural, Urban and Business Inequality (Gini coefficient)

	<u>1967</u>	<u>1970</u>	<u>1974</u>
Rural Income	.357	.296	.322
Urban Income	.315	.273 ^a	.259
Business Income	.570	.636	.733

^a 1971

Source: Edward Mason, et al, *The Economic and Social Modernization of the Republic of Korea* (Cambridge: Harvard University Press, 1980), p.411.

First, the reform created a stable economic and political environment in the countryside, which allowed the Rhee and Park regimes to focus efforts on the industrial sector. Land reform not only undermined the radical peasant movement, but created a popular support base for the dictatorial regime in the countryside. For many years, the Korean government refused to reorganise electoral districts, which gave more sparsely populated rural districts as much weight as densely populated urban districts.¹¹

Second, the reform was essential to the expansion of access to education in the countryside. Traditionally, a high value was placed on education. Much of the farmers' increased income was spent on sending their children to school. With the rapid expansion of rural incomes in the 1970s, middle school enrolment rose sharply. Most of the cost of expanding education was paid for by families themselves and represented very little strain on the national budget.

The rural sector was able to provide a skilled labour force to the rapidly growing industrial sector. Table 6 shows that, while 63.1% of the labour force worked in agriculture in 1963, by 1986 agriculture employment accounted for only 23%. It is unlikely that the industrial sector could have expanded as rapidly as it did, if the rural sector had been unable to provide an educated work force.

¹¹ The government maintained tight control among farmers through the rural cooperatives. By the mid-1970s, over 90% of all farm households were members of the cooperatives and depended on them for credit and inputs. But there was little that was "cooperative" about the National Agricultural Cooperative Federation which was a centrally controlled and directed bureaucracy (Ban, et al, 1980, p.272).

Finally, by increasing incomes in the rural sector, the reform contributed to the expansion of the domestic market, which was particularly important during the early period of import substitution. Of course sustained growth during this period also owed a great deal to US foreign assistance.

Table 6: Distribution of Employment, 1963-1986 (000s and %)

Sector	1963		1976		1986	
Agriculture, forestry and fishing	4,837	(63.1)	5,601	(44.6)	3,662	(23.6)
Mining	57	(0.7)	65	(0.5)	187	(1.2)
Manufacturing	610	(8.0)	2,678	(21.3)	3,826	(24.7)
Construction	193	(2.6)	529	(4.2)	889	(5.7)
Social Overhead & Services	1,965	(25.6)	3,683	(29.3)	6,941	(44.8)

Source: Edward Mason, et al, *The Economic and Social Modernization of the Republic of Korea* (Cambridge: Harvard University Press, 1980), p.111. 1986 figures are from *The Far East and Australasia 1988*, 19th Edition (London: Europa Publications, 1987), p.561.

The contribution of lower inequality resulting from redistributive reform to the overall development of South Korea was recently underlined by Mehrotra, Park and Baek (1997). It increased savings and investment of the poor with important consequences for health and education - two key components of human capital formation. It promoted macroeconomic and political stability, making it easier for the state to practice fiscal prudence and maintain its legitimacy in the eyes of the population. Lower inequality also facilitated labour productivity in a kind of trade-off in terms of labour tolerance for fairly oppressive working conditions. Finally, land reform increased domestic demand, so important to early industrialisation.

Land reform as an institutional transformation

Taiwan's land reform in the early 1950s, while differing in that it was implemented by what was effectively a "foreign" occupation force, had a similar social, economic and political impact as the reform in South Korea.¹² In fact, one of the sharpest distinctions between the earlier development experience of these two NICs and the Southeast Asian countries which experienced rapid growth in the 1980s (Malaysia, Thailand and Indonesia) was the fact that the former launched their periods of accelerated growth on the foundation of relatively equalising land reform programmes.¹³

Of course the need for redistributive land reform differs from country to country depending on the extent of landlessness, the importance of agriculture and rural livelihoods as a source of employment and income, densities of the rural population on the ground and so on. However, often overlooked is the fact that

¹² For a comparative assessment of the reforms, see Putzel, 1992, chapter 3.

¹³ This comparison is explored in greater detail in Putzel, forthcoming.

redistributive land reform was largely eliminated from mainstream development thinking and policy debates for *political* reasons. Within development policy-making circles in the United States, advocates of land reform as a solution to rural poverty and instability in post-war Japan, Taiwan and Korea had to fight an uphill battle to get their ideas accepted. In the mid-1950s, the US development assistance agencies pointedly rejected further endorsement of redistributive programmes in favour of programmes that would raise agricultural productivity without the messy and communistic meddling with property rights implied by redistributive land reforms. Subsequently, the US only endorsed comprehensive redistributive reforms when a case could be made that such reforms were necessary to US national security interests.¹⁴

Redistributive land reforms are difficult to implement as they necessitate the transformation of property rights, which are at the institutional core of a state. Comprehensive reforms have only been implemented in the wake of revolutions, or with the ascendance to power of radical parties committed to reform (the initial reforms in China and Vietnam, reforms in Kerala and West Bengal), or when pro-capitalist elites perceived a threat to the state so dire that they were prepared to go along with basic institutional change (South Korea and Taiwan in the early 1950s and South Vietnam in 1969), or when socialist elites (after 1978 in China and Vietnam) realised rural livelihoods depended on reinstating the small farm and the incentive structure it provides to growth, and that this was central to continued support for their regimes.

As the South Korean case demonstrated, the redistributive reform had profound institutional consequences. Landless households that had experienced extreme insecurity achieved a considerable degree of security with important social, economic and political consequences. Redistributive reform ensured that even in a non-democratic setting farmer and rural interests achieved considerable attention in national policy-making, at least during the formative years when agriculture and rural areas in most developing countries were decidedly neglected. A necessary prerequisite of reform was a mobilised and to some extent organised rural population whose organisations then were rallied to the state and contributed to its future stability. While land reforms were fundamental to the experience of rapid growth in the East Asian countries, the failure to readjust land systems in later years has proved to be extremely problematic.¹⁵

Positive lessons from partial land reform in the Philippines

In the catalogue of land reforms in Asia, there have been many more partial and half-hearted programmes than comprehensive ones. Perhaps the most notable case is that of the Philippines where land and agrarian reforms have been on the policy agenda at least since the 1930s. The “Comprehensive Agrarian Reform Programme”, or CARP, passed in 1988, is the most recent of these programmes. My

¹⁴ The case for this assertion is made in Putzel, 1992.

¹⁵ For a brief retrospective of the historic role of land reform in Japan and its latter day legacy (see Takahashi, 1993, pp.95-107).

own detailed studies of the reform show it to be comprehensive only in name.¹⁶ Nevertheless, even this experience holds valuable lessons for other developing countries, particularly seen in light of the more far-reaching reforms in the NICs.

Perhaps the most prescient characteristic of land reform in the Philippines is the insight that reform will continuously re-emerge on the policy agenda for as long as a significant percentage of the population resides in the rural areas and depends on agriculture-related activities for their income. The principal reason why the Philippines has never succeeded in achieving a transformative land reform programme is that political authorities and the elite interests backing them have never perceived far-reaching institutional reform as necessary to their survival. Nevertheless a mobilised and organised peasant movement has kept the issue alive and repeatedly brought it to the centre of national debate. With each wave of land reform advocacy and successive partial reforms, the “sanctity” of property rights has been whittled down. That is, each piece of land reform legislation has to some extent legitimised the principle of active state intervention in shaping, challenging and transforming property rights inherited from the past.

Of course, principles that may be drawn on in future reform efforts do little to alleviate the poverty experienced by people today. Somewhat more tangible has been the explosion of rural organisation both in the form of grassroots farmers and farmworker organisations and non-governmental service organisations. These groups have emerged both to struggle for more far-reaching policies and to seize whatever gains have been available through the partial reform efforts. In other words, the policy battle for reform as well as the organisational efforts surrounding the implementation of partial programmes has greatly expanded the associational base of the countryside. It has, in this sense, created a site of “social capital” formation and accumulation.

More tangible still has been the actual “pockets of improvement” permitted by partial reforms. President Fidel Ramos, upon assuming office in 1992, appointed Ernesto Garilao - a leader of the relatively conservative NGO, Philippine Business for Social Progress - as Secretary of Agrarian Reform. Garilao, personally committed to the goal of redistributive reform, was allowed to proceed with the implementation of the programme apparently in those areas approved by provincial Governors. In these areas there is little doubt that there have been important gains made by farmer communities. Garilao also promoted the participation of grassroots organisations and NGOs in programme implementation, though not all of the foreign assistance agencies involved in the programme have endorsed that part of his efforts (Putzel, 1998).

There has been significant progress toward the recognition of “ancestral domain” for so-called “indigenous communities” in the Philippines. The “Indigenous Peoples Rights Act of 1997” is an innovative piece of legislation with

¹⁶ A detailed analysis of this experience can be found in Putzel, 1992. This section draws heavily on that work and on Putzel, 1998b), pp.77-112.

an exceptionally progressive approach to ancestral domain.¹⁷ The legislation provides a mechanism for the recognition of ancestral rights over land mandated by the 1987 Constitution. It grew out of years of advocacy by indigenous peoples and their supporters, but most recently, initiatives by the Department of the Environment and Natural Resources and the Department of Agrarian Reform to establish guidelines for recognising the rights of indigenous communities over land (Prill-Brett, 1997). The law's most positive aspects relate to the facilitation of land claims, the adjudication of disputes and governance over ancestral domains by indigenous communities themselves, and the primacy accorded to their own institutions and concepts of ownership.

Specific provisions recognise not only domain in terms of physical environment but also "spiritual and cultural bonds" that communities have with the land. The particularity of communal and private rights evolved within each cultural community are also recognised. The law requires communities "to preserve, restore, and maintain a balanced ecology in the ancestral domain", a provision that might be seen by some as "ecological imperialism", but presumably this provision was endorsed by representatives of the indigenous communities themselves who have long adopted an ecological idiom in their advocacy.¹⁸ The law also accords particular rights to women and calls for the respect of international and national conventions on human rights within the ancestral territories.

Of course, it is likely that passage of the law was facilitated by its provision which recognised "existing property rights", but the law also provides a mechanism for "expropriation" where lands within the ancestral domain were "acquired illegally".¹⁹ It accords important powers to a new National Commission on Indigenous Cultural Communities/ Indigenous Peoples (NCIP), which is entirely appointed by the President, but "from a list of recommendees submitted by authentic" indigenous communities.²⁰ While this obviously leaves plenty of room for abuse by powerful people and the President's Office, it also leaves ample space for communities to organise and challenge the legitimacy of any Presidential appointee.

The principles of autonomy and institutional flexibility embodied in this law could serve as a model in attempts elsewhere in Asia to affirm ancestral domain. This may be important in parts of the outer islands in Indonesia, in parts of Malaysia and in Thailand's northeast, as well as in Burma in the future. However there is considerable resistance to recognising indigenous claims and institutions among the political elites of all these countries. Nevertheless, the principles of the Philippine act, which combine respect for indigenous communal rights with protection of certain "universal" rights, might be a useful point of reference for governing the commons in other countries.

¹⁷ "An Act to recognize, protect and promote the rights of indigenous cultural communities/indigenous peoples, creating a National Commission on Indigenous Peoples, establishing implementing mechanisms, appropriating funds therefor, and for other purposes" which came into force on 22 November 1997.

¹⁸ Maurice Bloch, on ecological terrorism, LSE, 14 March 1998.

¹⁹ "An Act to recognize...", Sections 56 and 64.

²⁰ "An Act to recognize...", Chapter VII.

Making the most of partial reforms – challenge for today

It may be that the time for major redistributive reforms in Asia has subsided for the moment, or that redistributive reforms can be implemented only in particular regions within the boundaries of the nation states. Nevertheless, the challenge facing policy-makers and the organisations of the rural poor is what can be done in the interim. The very real challenge facing the new Secretary of Agrarian Reform in the Philippines is how to ensure the most positive results are achieved in the last stages of the CARP under conditions of an extremely constrained reform programme. These questions are relevant to any new government that emerges in Indonesia and to Thailand as it attempts to rebuild its economy after the ravishes of the crisis.

A major study of the impact of CARP in the Philippines has demonstrated the limited gains from partial reform (Reyes et al, forthcoming). It found implementation slow, the persistence of share tenancy, agricultural workers have not benefited, small owner cultivators are not particularly productive and beneficiaries' income has not significantly improved. There are at least three lessons that emerge clearly from both comprehensive and partial reform experiences relevant to the partial reforms of today.

The first is that land reform must be demand driven. Land reforms were pursued by governments in the past in Asia because of the driving force of people's organisations (aided today by non-government organisations) on the ground working with the potential beneficiaries of reform to pursue their rights and improve their livelihoods. This has an important consequence, for instance in terms of the bargaining power of beneficiaries in the face of landowners. But it also has the most dire consequences in terms of the possibilities for making post-transfer communities of beneficiaries successful. The state has to concentrate resources where potential beneficiaries are organised and to favour conditions for their organisation where they are not. If reforms are to be regionally specific, then a major criteria in choosing the regions on which to focus should be political. Where are organisations on the ground powerful enough to ensure reforms are not side-tracked and resources depleted. While partial land reform may be conducive to the formation of social capital, as mentioned above, evidence from the Philippines suggests that there is no causal determination here independent of the agency of subjects on the ground.

Another lesson from the partial land reforms in the Philippines is that "support services" for beneficiaries, such as agricultural extension, credit and marketing services need to be the responsibility of the lead agency carrying out the land reform programme. If land is transferred without the accompanying measures that ensure new landowners have access to credit and to input and output markets, the possibilities for poverty reduction and income improvement will be severely limited. This implies the need for concerted attention to developing services that are friendly to small farmers. Existing agencies of government, like Departments of Agriculture, are almost always devoted to old models of production reflecting the social, economic and political power relations of the past and therefore geared, more often than not, to large-scale, capital-intensive production methods of asset-holding

entrepreneurs. Where support to land reform beneficiaries is conceived of as the responsibility of 'other Departments of government' land reform beneficiaries almost always lose out.

The third lesson of partial reforms concerns resettlement programmes. In countries where there is still a 'land frontier', or at least the perception that large areas of land not previously cultivated have a potential for agricultural development, there may be a tendency to see land reform primarily as resettlement. The transmigration programmes of the New Order regime in Indonesia were instigated in this way. There, like in the Philippines, resettlement has been the least desirable of land reform options since uprooting beneficiaries and creating entirely new communities requires enormous resources and takes a great deal of time to accomplish and to have a positive impact on income generation. Resettlement of farmers from Central Luzon to the southern island of Mindanao in the Philippines simply reproduced land tenure patterns of Luzon while creating new conflicts between Christian settlers and the muslim inhabitants who once made up the majority in those lands. Massive resettlement today usually means further encroaching on rapidly dwindling stocks of forest land and infringing upon the rights of indigenous peoples of the forest.

Documentation of property rights

One of the most remarkable features after literally generations of land reform in the Philippines is that there has never been a concerted effort to undertake a comprehensive accounting of who owns the land and to establish a reliable and durable system of landownership registration. The absence of a reliable system of ownership registration remains an important barrier to all future efforts to improve the distribution of ownership rights in the countryside and also to developing a modern agriculture and market based property system.

One of the advantages bequeathed Taiwan and South Korea by Japanese colonial authorities was relatively complete documentation of landholdings, which did much to facilitate reform implementation. Successive administrations in the Philippines have failed to undertake this challenge, despite possessing the legal authority to do so. The lack of a modern system of landownership documentation is also a problem plaguing Thailand. It has led to the kind of land scandals that forced Prime Minister Chuan Leekpai's former government out of office in 1994-95.²¹ Like in the Philippines, limited documentation of ownership bars the government from using land taxation as a mechanism to induce the most productive use of land or to raise government revenues for that matter.

The documentation of landownership is a necessary prerequisite to a wide range of institutional reforms in Asian countries. It should be favoured by both those who endorse a 'market-driven' approach to land redistribution, as well as those who favour a more redistributive approach. But it is also essential for another key reform measure, which perhaps could become more important in countries like the

²¹ I am grateful to Craig Johnson, for pointing this out.

Philippines and Thailand – a progressive land tax. In the Philippines, one of the central conditions for future positive action by government in the economy is improving the fiscal basis of the state. Local governments have a direct interest in clarifying landownership as the basis of a local tax regime.

The Philippines has never been able to implement a progressive land tax. There are two reasons why this is so. First, is the general problem of a weak system of taxation where rational actors in the economy simply do not pay their ‘fair’ or formally legal share of tax due to the well-founded expectation that their competitors or neighbours will not pay their tax. This is a pervasive problem that must be taken up in the future, though it has proven to be one of the most intractable problems in the country. Second, it is impossible to even begin to use a progressive land tax as an incentive to achieve more equitable and productive distribution of land without knowing who owns the land. A system of taxation that created an incentive for owners to sell land that is not productively (or appropriately) employed, once established, could achieve many of the objectives of redistributive land reform.

An enduring problem in making full use of agricultural lands has been the persistence of widespread absentee ownership of small plots of land by city dwellers. There seem to be very few urban middle class families that do not retain ownership of a small amount of land somewhere in the provinces as a kind of retirement security. This issue has been ignored entirely by successive administrations, no doubt for political reasons - the fear of a middle class backlash. Clearly, any attempt to put this land into the hands of those who would use it most productively (whether for agricultural, housing or other purposes) would require a two-pronged approach: (1) on the one hand, the consolidation of a more sound financial system in the country to provide attractive and secure retirement investment opportunities which could serve as a desirable alternative to absentee land ownership; and (2) a proper inventory of landownership. It may be the case that the government does not have the means to enforce fairly a progressive land tax at this time. But if it is ever to do so in the future it will need to possess accurate information on land ownership.

Agrarian reform today must be conducive to promoting investment in agriculture, as I argue below. This may mean working in partnership with agribusiness in some cases, or at least recognising the potential of commercial agriculture, while promoting social justice and an improvement in the condition of ordinary rural people - farmworkers and the landless rural poor. The creation of an incentive system where it becomes unattractive for anyone to hold on to land that is not used productively for the purposes for which it is most suited would necessarily have to be part of this process. This has implications for environmental conservation as well, since clarifying landownership could make it much easier to identify those responsible for natural resource conservation and those involved in its abuse. Documenting landownership is also central to financial sector reform, since land remains a key asset employed as security in lending throughout Asia. The continued obscurity and non-transparency of land ownership weakens banking systems across the region.

Mapping landownership is a formidable task and could not be accomplished without a serious commitment by government agencies at the central and local levels. However, in most of the Asian countries, there is bound to be considerable political support for such a measure. Conceivably, such a programme ought to be supported by central governmental economic departments and progressive minded officials in local governments – those who would wish to improve local fiscal authority and make their localities more attractive to investors. Progressive profit maximising corporations have an interest in such a process to clarify the ambiguity of property rights that often dampens investment enthusiasm. The majority of the rural poor and the organised small farmer, farmworker and landless poor and their organisations would be natural supporters of such a measure.

Market friendly, negotiated reforms

After years of being dismissed as a viable option in rural development strategy, over the past five years the World Bank has shown a new openness to redistributive land reform. The formula of reform being promoted by the Bank is referred to as ‘market-friendly’ land reform, or in a more recent and innocuous formulation ‘negotiated’ reform (Deininger, 1999). The revival of interest comes on the heels of new econometric work, which has validated what many have long concluded to be the case – redistributive land reforms can have a positive impact on both agricultural productivity and rural incomes. This change in tide within the World Bank offers both opportunities and some new dangers to those who would advocate redistributive reform as part of a comprehensive development strategy in Asia.

The Bank’s negotiated reform is being promoted as a ‘new’ measure, which can be achieved with a minimum of state involvement in a decentralised manner bringing together ‘willing sellers’ and ‘willing buyers’. Of course, for anyone who has studied the history of successful land reforms, there is nothing particularly new about their ‘market-friendly’ character. The foremost advocate of redistributive land reform in the US development assistance community in the wake of WWII, Wolf Ladejinsky, outlined, advised on and implemented a model of reform precisely in these terms.²² As discussed above, the most successful redistributive land reforms in the context of market economies based on private property – in South Korea and Taiwan – were accomplished, at least in part, through direct transactions between landowners and tenants. However, this was achieved only by establishing a political context in which both landowners and potential land reform beneficiaries realised that if they did not agree to a land sale at an affordable price, they would get a much worse deal through government acquisition and distribution of the land under a reform programme.²³

The advocates of negotiated reform have provided new World Bank support for the continuing reform programme in the Philippines. This is a positive development and may lead to increased foreign assistance for reform related projects

²² Ladejinsky’s work and legacy are thoroughly treated in Putzel, 1992.

²³ See chapter 3 in Putzel, 1992.

in the region financed by other multilateral and bilateral donors. However, the neglect of a rich corpus of earlier work on the politics and political economy of land and agrarian reforms, may prove problematic in understanding some of the limitations associated with formulas of negotiated reform.²⁴ While I discussed the positive attributes of the partial reform in the Philippines above, it also holds a number of negative lessons, an understanding of which may sound some warning signals to those who attempt to implement 'negotiated reform'.

Some of the problems of the partial reform in the Philippines relate to what I would argue are the basic dimensions of successful redistributive reform: speed, scope and compensation. The big debate lost by the advocates of more comprehensive reform after Corazon Aquino came to power in the Philippines in 1986 was over the timing of the reform programme. In the end the reform period was extended to ten years and in 1998 it was further extended. Prolonged reform implementation gave ample opportunities for the proliferation of evasive action by large landowners. Reforms in South Korea and Taiwan, like in Japan just after WWII, were carried out over just a few years - one of the central reasons for their effectiveness.

The reformers in the Philippines also lost the debate over retention limits for landowners. The final provisions in the CARP allowed landowners and their families to retain, on average, between 11 and 14 hectares or even more. Of course, by and large the programme hardly began to touch privately owned lands after ten years of implementation, but the generous land retention limits contributed to creating the general lack of urgency that coloured the entire programme. By contrast, as the figures reported above for South Korea demonstrated, successful land reforms in the NICs imposed and enforced low land retention ceilings. Also, related to the limited scope of the CARP, many exemptions and postponements were allowed for lands devoted to specific crops.

Land reformers lost the debate around compensation to landowners for those lands covered by the programme. Again, as the South Korean account testified, successful redistributive reforms provided something less than market-value compensation. This made the reforms affordable, both for beneficiaries and for the state, and as well ensured their *redistributive* content. In the Philippines, through various formulas to determine market value, the programme has not only over-compensated owners for generally poor lands, but also opened the way for widespread fraudulent transactions.²⁵

Beyond issues of speed, scope and compensation, it was clear from the start that the state would not bear down hard to implement the reform programme. The

²⁴ Neither Deininger, 1999, nor papers produced for the World Bank by Deininger and Binswanger (nd) and Deininger and Feder (nd), in the mid to late 1990s refer to the work of Herring (1983), Grindle (1986), El-Ghonemey (1990), Prosterman and Riedinger (1987) or others who have carried out extensive research on the politics of reform.

²⁵ These were thoroughly documented in, "Comprehensive Agrarian Reform Program: Final Audit Report, Covering the Years 1992-1993", prepared for the Presidential Agrarian Reform Council and approved by its Executive Committee in Resolution No. 96-63-01 (25 January 1996).

battle over this took place around the adjudication powers of the implementing agency, the Department of Agrarian Reform (DAR). Early drafts of the law would have accorded DAR significant powers of final decision over the acquisition of lands for redistribution. In the end, the law allowed full rights to landowners to appeal all decisions within the judicial system, which led to long drawn-out court proceedings effectively sabotaging programme implementation. In both Korea and Taiwan, concerted state action on reform implementation together with enforced low levels of compensation created a stimulus for extensive voluntary sales of land to former tenants. In other words, the institutional reforms were serious enough to change market behaviour. The Bank's formula for negotiated reform lacks any attention to the political and institutional dimensions of the market place which are likely to undermine serious redistribution without significant state intervention.

At the heart of any meaningful definition of agrarian reform, or land reform, is a notion of redistribution. In the Philippines, redistribution is occurring not from the "haves" to the "have nots" as in the reform programmes in East Asia after the second world war, but from public revenues spent by the government on beneficiaries in the context of (very imperfect) market transactions. One lesson of the market-based land reforms in Asia was that the transaction leading to land reform should not involve the beneficiary and the owner in direct negotiations.²⁶ This was a cardinal principle advanced by Ladejinsky in reforms in Japan and Taiwan, as he argued that the unequal balance of power between landowners and the landless would overly influence transactions in favour of the owners. What makes land reform different than a simple transaction in the land market is that it is a government programme committed to breaking the bonds of dependency between the owners of property and the landless poor. This can only be accomplished if the state steps between the previous owners and the beneficiaries and acts on behalf of the latter.

More importantly, as negative experience in the Philippines demonstrated, even market-based reforms require the shadow of the power of the state over negotiations to buy land to ensure that some notion of "fair market value" is arrived at relatively quickly to allow land transfer to proceed. This remains an important weakness in the market friendly models of land reform, where beneficiaries are thrown into negotiations with landowners who hold out for inflated prices on their land. A genuinely redistributive programme like that enacted in South Korea would go even further, defining land values through some notion of the productive value of the land while taking into account the manner in which the land was originally acquired as well as the contribution of beneficiaries to its productivity over time either as farmworkers or lessees of the land.

Nevertheless, the World Bank's enthusiasm for reform presents new opportunities in Asia. If these are informed by the lessons of past reforms and the

²⁶ Of course, this does not apply to lands owners might sell to the landless as a straight market transaction as a result of a conviction that they both can be better off than waiting for the government's programme, as happened in South Korea in conditions where the state made it clear reform would be applied universally.

state acts to ensure that transactions beneficial to the landless are actually carried out, then even this type of limited reform may make a contribution to poverty reduction and agricultural improvement.

Corporate interests and agrarian reform

In the Philippines, the most negative aspect of partial reform has been the depressing impact it has had on investment in agriculture. With an indecisive state programme, both those who farm the land as well as those who own it, have little incentive to expand investment. For large agribusiness corporations, there is increasingly a lack of concern for landownership. What is most important to the modern corporation is that property rights be clearly assigned. I discussed this above in relation to ancestral domain. Once modern corporations know who owns the land they can engage in contracts with the owners that are mutually beneficial. This in itself should have provided ammunition to the advocates of comprehensive reform, since much of corporate agribusiness could live with a redistributive programme. Instead, partial action has depressed agricultural investment, with a decidedly negative impact on poverty reduction in the rural areas.

Structural adjustment has opened the way for market-oriented approaches to development. Food crises in different parts of the developing world have clearly demonstrated the need for consolidating viable systems of agricultural production and income earning rural economic activities. Redistributive land reform as practised in non-communist Asia in the post-war period, or communist Asia over the last two decades (witness China, Vietnam, but also West Bengal and Kerala in India), involves major institutional change *conducive* to the development of market economies. Where applied in a comprehensive fashion it has achieved considerable equity and rural poverty alleviation, which has proven to provide a sound basis for sustained growth over long periods of time. Sustained growth in rural incomes is good for business in general.

There is every reason for the modern corporate sector to support redistributive land reform and ancillary measures like the documentation of landownership. A clear lesson of past reforms in Northeast Asia and the transition economies of China and Vietnam is that producers who have security on the land are more likely to invest in its conservation and improvement. Ensuring security of home and access to productive resources ought to remain central to any strategy to reduce poverty and promote development. As such these are measures any modern business actor should endorse.

Conclusion: Modern political coalitions and the state

The post-Cold War world offers new opportunities for the promotion of redistributive reform. It should spell the end of the kind of political polarisation that allowed authoritarians of the right and left to hide behind a world-wide contest between capitalism and socialism to perpetuate unaccountable governance and extended periods of unchallenged rule. The new political climate should be one

where the objective importance of rural organisation to development prospects is appreciated and the military doctrines of the past (brought into by the corporate community) that saw mobilised populations as inimical to development are finally put to rest.

New political coalitions are possible in this context, particularly since the transformation of agricultural production has meant that landownership and capturing land rent is less important than it once was to the accumulation of wealth. Old ideas on the left have to be cast away to make such coalitions possible, particularly those that refuse to see the creative potential of capitalist markets for human progress. Simplistic ideas that have recently surfaced in Thailand and elsewhere that idealise rural life and the agricultural community are not only unhelpful, but contradict the aspirations of most rural dwellers who aim to see their children enjoy the advantages of modernity. Negative anti-statism that has in recent years been endorsed both by neoliberals of the right and many in the community of non-governmental organisations must also be abandoned. Other forms of new thinking on the left are pivotal to shaping more just and dynamic approaches to rural development. Most of traditional thinking about rural development, including land reform, has taken male experience as the norm. Feminists and other scholars informed by a gender perspective have demonstrated the pitfalls of such an approach.

What is called for by the current context in Asia is the formation of new political coalitions united around the cause of developing modern market economies based on principles of growth with a concern for equity and social justice. Negotiated reforms will not work without a supportive state, just as financial markets and modern business need the regulatory framework only states can provide.

The Philippines experience demonstrates that reform is seldom accomplished in one episode. Each successive wave of reform is likely to subtly alter institutions, whittling away the myth of the sanctity of historically inherited property rights. In the Philippines, each round of reform has been based on an increased awareness that redistribution is an important tool both to redress historical injustices and to lay a sound basis for a market economy anchored in a system of property rights reflecting a social consensus about the public good. The same might be said for successive rounds of reform in the state of Kerala in India.

The state has a fundamental role in creating the enabling environment for this to happen. Development programmes that encourage and facilitate the self-organisation and education of people in the rural areas remain crucially important as the Asian experience demonstrates. To the extent that land reform is pursued, significant progress can be made only if a political consensus fully backing reform is achieved at the level of the state. As the Philippines experience has demonstrated, while half-hearted programmes can achieve “pockets of improvement” and perhaps improved possibilities for future reforms, this comes at the price of weak investment and growth in agriculture. However, it is also clear that land reform issues will emerge or re-emerge on the political agenda of the Asian developing countries for as

long as large proportions of the population reside in rural areas and depend on agriculture-related activities for their income.

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