

Dr. Billie R. DeWalt

PIA 2096 Spring 1997

CAPSTONE SEMINAR: International Property Rights: Land Tenure, Security and Reform



Office hours: Tuesday 3-5 and by appointment (Please call Christina at 8-7391 to schedule an appointment) E-Mail: BRDEWALT+@PITT.EDU

The late 1980s and 1990s have seen countries around the world devoting greater attention to neo-liberal reforms and structural adjustment that include opening markets, reducing or eliminating subsidies, privatization of state-run enterprises, and allowing national currencies to float. As part of this process, countries have determined that property rights can have a great impact on the development process. In some countries of Asia, there are moves to eliminate restrictions on accumulation of land. In Africa, there are recommendations that communal forms of landholding be replaced with private property. In Latin America, countries are retreating from their modest agrarian reforms by granting negotiable titles to individuals; they are also devoting considerable attention to titling former national lands and granting indigenous groups title to lands.

The principal policy questions to be addressed in this seminar relate to how land tenure arrangements, security of landholdings, and agrarian reform affect the process of economic development. The seminar will begin by evaluating theories and goals concerning how land, its distribution and type of tenure, can affect economic development. We will review the success, or lack thereof, of land reforms focusing especially on Asian countries (like Taiwan, Japan and Korea) and contrasting them with Latin American countries. We will address the questions of what were the positive effects of these policies and what could have been done better?

Students will be expected to write a major paper examining land tenure, security, and reform issues in a particular country. Beginning approximately half-way through the semester, students will formally present background briefings concerning the results of their research to date. Based on input from these presentations and further research, students will write a final report that will be due no later than 5:00 PM on April 18. No incompletes or extensions will be granted.

Course Requirements: This is a capstone seminar. The expectation is that, in this course, you will be able to put together a substantial amount of the experience you have gained in graduate school. My expectation is that during the course of this semester each of you will complete a substantial research project. Although there will be regular class

meetings, we will not necessarily meet each week. I expect to regularly meet with each of you individually. This is a course in which I expect to learn a lot from your research. While I have done substantial research on issues related to land tenure in several Latin American countries, the issues in other parts of L.A. and the world are often quite different. The comparative study of property rights is the objective of this class.

Your investigation of property rights issues in a particular country will require considerable independent research. I expect each of you to extensively use the Internet, World Wide Web, and other resources for identifying and getting access to materials. The Land Tenure Center library at the University of Wisconsin will be an invaluable resource, as will libraries that have extensive collections on countries not covered by the University of Pittsburgh. Because you will probably have to make extensive use of interlibrary loans, you should begin your research as soon as possible. During the course of the semester, each of you will be asked to present preliminary results of your investigations into the land tenure situation in particular countries.

Your course grade will be based on the following:

A) Attendance -- Based on previous experience, I have to make attendance a part of the course grade. Each of you will be allowed one excused absence. For each absence beyond one, I will deduct half a letter grade (e.g. if your work merits a B+, it would be reduced to a B).

B) Class presentations -- Because you will each be expected to share the results of your investigations with the rest of the class, 35% of the grade will be based on the quality of these written and oral presentations. Timeliness is important; you must hand in each paper on the date that it is due. Another 15% of the grade will be based on the quality of your participation in discussion of common readings.

C) Final paper -- The final 50% of your grade will be based on the quality of the final paper.

SCHEDULE: Because I want to find out about the country interests of each individual in the class, the list of readings for the class may be modified during the course of the semester. Each of you should already be well into the research on your country as soon as possible.

FINAL PAPER: Following are the Terms of Reference for your term paper in the Capstone Seminar. These are modified from actual terms of reference that I received in doing a background literature paper for the World Bank. I had one month in which to do the project on Mexico.

GLOBAL -- Each of you will choose a single country on which to focus during the course. From published and unpublished literature on that country, you will produce a review concerning the principal issues surrounding land tenure. The objective is to identify what are the most pressing issues concerning land that the country must confront. You will provide a report addressing the issues listed below. Your discussion of the issues should also include policy recommendations for resolving these difficulties. Your literature review will focus on the following issues:



A. Types of Land Tenure Systems. Describe the existing types of land tenure systems (e.g. communal tenure, private landholdings, corporate ownership, etc.) in the country. What are the legal (and other) frameworks on which these systems are focussed? Provide some historical information concerning how and why such land tenure systems exist.

B. Conflicts Concerning Land -- Determine what sorts of problems such tenure systems have created. What are the different interest groups focusing on land tenure issues and what are the bases of their conflicts and alliances? What is the balance between private and public interests in land? How are ethnic and tribal (i.e. indigenous) issues, gender issues, class issues involved in land conflicts?

C. Land Distribution -- What is the existing distribution of land (i.e. size of landholdings, extent of landlessness, etc.)? How has this changed over time? What are the historical trends in terms of land distribution?

D. Systems of Land Management -- Describe the existing systems of land management in the country and how such management is enhanced or constrained by the types of land tenure systems. Included in your analysis should be a discussion of what crops and other products are being produced, how these production patterns affect the natural environment, and what policies promote or inhibit good land management practices. These may differ by regions of the country so you should be prepared to specify how land management, conflicts, and arbitration methods vary within the country. If the type of land tenure system has affected peoples' willingness to invest in capital and other improvements, these should be fully discussed.

E. Informal and Formal Land Markets -- Evaluate the extent to which land markets exist and how these are affected by the different systems of land tenure. You should focus on rental, sharecropping, leasing and land sales. If significant regional differences exist regarding land markets, these should be specified.

F. Titling and Security of Tenure -- What is the status of land titling in the country? How secure do occupiers of land feel with regard to the security of their tenure? Are titled lands subject to taxation and is this an issue in the country? What are the existing systems of land taxation? READINGS: Reading assignments will present a framework for our subsequent discussions and provide you with important theoretical background for the writing assignments. In addition, by the second week of class each of you should do enough background reading in order to select a particular country on which you will focus during the rest of the semester. A good starting point to explore some countries is the book by Prosterman, Temple, and Hanstad, eds., Agrarian Reform and Grassroots Development: Ten Case Studies.

Common Readings for Week 1 -- These are short articles that provide a brief glimpse of property rights issues around the world. You should read them in roughly the order on the syllabus. All are available on reserve in the GSPIA library.

de Soto, Hernando 1993 The Missing Ingredient: What Poor Countries Will Need to Make Their Markets Work. The Economist September 11th-17th: 8-12.

Jodha, N.S. 1991 Rural Common Property Resources: A Growing Crisis. International Institute for Environment and Development Gatekeeper Series, No. 24.

Graham, Olivia 1989 A Land Divided: The Impact of Ranching on a Pastoral Society. The Ecologist 19 (5): 184-85.

Brooks, Karen and Zvi Lerman 1994 Farm Reform in the Transition Economies. Finance and Development December, pp. 25-28.

Prosterman, Roy L. and Jeffrey M. Riedinger 1987 Land Reform and Democratic Development. Baltimore: Johns Hopkins University Press. Chapters One and Two.

Binswanger, Hans and Klaus Deininger n.d. World Bank Land Policy: Evolution and Current Challenges. (mimeo).

Reading Assignment for Week 2

Carter, Michael R. and Dina Mesbah 1990 Economic Theory of Land Markets and Its Implications for the Land Access of the Rural Poor. LTC Paper #141, Land Tenure Center: University of Wisconsin.

Lipton, Michael 1993 Land Reform as Commenced Business: The Evidence Against Stopping. World Development 21: 641-657.

Bell, C. Reforming Property Rights in Land and Tenancy. The World Bank Research Observer, Vol. 5, No. 2 (July 1990), pp. 143-66.

Reading Assignment for Week 3

Billie R. DeWalt and Martha N. Rees 1994 The End of Agrarian Reform in Mexico: Past Lessons, Future Prospects. San Diego: Center for U.S.-Mexican Studies.

Jonakin, Jon 1996 The Impact of Structural Adjustment and Property Rights Conflicts on Nicaraguan Agrarian Reform Beneficiaries. World Development 24 (7): 1179-91.

Reading Assignment for Week 4

Yager, Joseph 1988 Transforming Agriculture in Taiwan: The Experience of the Joint Commission on Rural Reconstruction. Ithaca, NY: Cornell University Press. Introduction, Chapter 7, and Chapter 17.

Reading Assignment for Week 5

Ban, Sung Huan, Pal Yong Moon and Dwight Perkins 1980 Chapter Ten: Land Reform. Rural Development: Studies in the Modernization of the Republic of Korea: 1945-75. Cambridge, MA: Harvard University Press.

Burmeister, Larry 1992 Korean Minifarm Agriculture: From Articulation to Disarticulation. The Journal of Developing Areas. 26:145-168.

Scofield, Rupert 1990 Land Reform in Central America. In Prosterman, Roy L., Mary N. Temple, and Timothy Hanstad, eds. Agrarian Reform and Grassroots Development: Ten Case Studies. Boulder, CO: Lynne Rienner. pp. 139-177.

Recommended: Seligson, Mitchell 1995 Thirty Years of Transformation in the Agrarian Structure of El Salvador, 1961-1991. Latin American Research Review 30 (3): 43-74.

Reading Assignment for Week 6

Charles C. Geisler, 1984 "A History of Land Reform in the United States: Old Wine, New Battles". In Charles C. Geisler and Frank Popper, eds. Land Reform American Style. Rowman and Allanheld: Totowa, NJ.

Frederick H. Buttel 1984 "Agricultural Land Reform in America". In Charles C. Geisler and Frank Popper, eds. Land Reform American Style. Rowman and Allanheld: Totowa, NJ.

Reading Assignment for Week 7

Fandino, Mario 1993 Land Titling and Peasant Differentiation in Honduras. Latin American Perspectives 20 (2):45-53.

Lambert, Virginia et al. 1990 Ecuador Land Titling Project Evaluation. Bethesda, MD: Development Alternatives Inc.

Strasma, John D. and Rafael Celis 1992 Land Taxation, the Poor and Sustainable Development. In Sheldon Annis, ed. Poverty, Natural Resources and Public Policy in Central America. Transaction Publishers: New Brunswick, NJ.

Reading Assignment for Week 8

Binswanger, Hans and Klaus Deininger 1993 South African Land Policy: The Legacy of History and Current Options. World Development 21: 1451-75.

Shipton, Parker 1992 Debts and Trespasses: Land, Mortgages, and the Ancestors in Western Kenya. Africa 62: 357-387.

Bromley, Daniel W. 1989 Property Relations and Economic Development: The Other Land Reform. World Development 17: 867-877.

Reading Assignment for Week 9

Heath, John and Hans Binswanger n.d. Natural Resource Degradation Effects of Poverty and Population Growth are Largely Policy Induced: The Case of Colombia. Environment and Development Economics (in press).

DeWalt, Billie R., P. Vergne, and M. Hardin 1996 Shrimp Aquaculture Development and the Environment: People, Mangroves and Fisheries on the Gulf of Fonseca, Honduras. World Development 24 (7): 1193-1208.

Thiesenhusen, William C. 1991 Implications of the Rural Land Tenure System for the Environmental Debate: Three Scenarios. The Journal of Developing Areas 26: 1-24.

Recommended: Forster, Nancy and David Stanfield 1993 Tenure Regimes and Forest Management: Case Studies of Latin America. LTC Paper 147. Land Tenure Center: University of Wisconsin - Madison.

Reading Assignment for Week 10

Lastarria-Cornhiel, Susana, Dina Mesbah and Eric Shearer 1991 The Reform of Rural Land Markets in Latin America and the Caribbean: Research, Theory, and Policy Implications. Madison, WI: Land Tenure Center.

Reading Assignment for Week 11

Carter, M.R. and B.L. Barham 1996 Level Playing Fields and Laissez Faire: Postliberal Development Strategy in Inegalitarian Agrarian Economies. World Development 24 (7):1133-1150.

DUE DATES FOR WRITING ASSIGNMENTS

Writing Assignment for Week 3 -- Please produce a 4 to 8 page paper on your country that deals with the following issues. Be prepared to discuss your results in class. Due on January 22.

Types of Land Tenure Systems. Describe the existing types of land tenure systems (e.g. communal tenure, private landholdings, corporate ownership, etc.) in the country. What are the legal (and other) frameworks on which these systems are focused? Provide some historical information concerning how and why such land tenure systems exist.

Land Distribution -- What is the existing distribution of land (i.e. size of landholdings, extent of landlessness, etc.) in the country you have chosen? How has this changed over time? What are the historical trends in terms of land distribution? It would be very useful for you to produce a Gini coefficient of land distribution. I will provide you with a diskette that allows you to easily compute the Gini. If it is impossible for you to find data on land distribution, try to produce a Gini coefficient based on income distribution or some other alternative measure. If you can find village level data, it would also be interesting to see Gini coefficients for specific communities.

Writing Assignment for Week 5-- Please produce a 4 to 8 page paper on your country that deals with the following issues. Be prepared to discuss your results in class. Due on February 5.

Conflicts Concerning Land -- Determine what sorts of problems the tenure systems identified in your last paper have created. What are the different interest groups focussing on land tenure issues and what are the bases of their conflicts and alliances? What is the balance between private and public interests in land? How are ethnic and tribal (i.e. indigenous) issues, gender issues, class issues involved in land conflicts?

Writing Assignment Due Week 7. Please produce a 4 to 8 page paper on your country that deals with the following issues. Be prepared to discuss your results in class. Due February 19.

Titling and Security of Tenure -- What is the status of land titling in the country? Whether there is titled land or not, how secure do occupiers of land feel with regard to the security of their tenure? Are there taxation systems based on land ownership or occupancy in the country? What are the most important issues in the country concerning property rights and taxation?

Writing Assignment for Week 9 -- Please produce a 4 to 8 page paper on your country that deals with the following issues. Be prepared to discuss your results in class. Due March 12.

Informal and Formal Land Markets -- Evaluate the extent to which land markets exist and how these are affected by the different systems of land tenure. You should focus on rental, sharecropping, leasing and land sales. If significant regional differences exist regarding land markets, these should be specified.

Systems of Land Management -- Describe the existing systems of land management in the country and how such management is enhanced or constrained by the types of land tenure systems. Included in your analysis should be a discussion of what crops and other products are being produced, how these production patterns affect the natural environment, and what policies promote or inhibit good land management practices. These may differ by regions of the country so you should be prepared to specify how land management, conflicts, and arbitration methods vary within the country. If the type of land tenure system has affected peoples' willingness to invest in capital and other improvements, these should be fully discussed.

Writing Assignment for April 4

Produce a draft of your final paper, one that incorporates all of the elements that are specified in the original terms of reference on the syllabus. Deliver three copies of the paper by 5:00 PM on April 4. Each of you will be responsible for reading and commenting on the papers of two other students. These will be distributed in mailboxes on April 7. You should make written comments on these papers and hand them back to your fellow students by April 11. I will also make extensive comments on the draft of your paper so you will have an opportunity to make revisions before handing in the final version of the paper. The class discussion on April 9 will focus on the drafts of your papers. Your final paper will be due before 5:00 PM on April 18.