

1963

## THE LAND TENURE CENTER: ITS ESTABLISHMENT AND ACTIVITIES\*

by

A. Eugene Havens\*\*

LAND TENURE CENTER  
Author File

I am particularly pleased to be able to meet with you today and talk about the Land Tenure Center of the University of Wisconsin. My pleasure is for two reasons: First of all, given the time pressure involved in all of our schedules, it has proved difficult to find time to talk with you individually concerning LTC and its activities, philosophy, and results. Therefore, meetings such as this may provide us with an efficient means of contacting more of you in less time. Secondly, Monday, November 11th. marks 18 months of operation of the University of Wisconsin - AID contract. Therefore, we can talk more in terms of specifics which are based upon these 18 months of experience. Perhaps the next 18 months will prove to be even more successful if we can develop still more effective means of communication between LTC personnel and the Embassy Staff in the Latin American countries within which we are working.

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\* Presented to the Ambassador's Staff Meeting, Bogotá, Colombia, November 8, 1963.

\*\* Assistant Professor, Land Tenure Center, and Project Leader of Colombian Research Program.

One of the basic premises which underlies the LTC program is that wise decisions concerning development are best made when based upon research findings. The LTC is charged, in part, with carrying out research which will provide information for the allocation of resources in development programs. It is interesting to note that Dr. Soto, Chief of Basic Studies of INCORA maintains that Colombia does not lack studies, per se, but no one knows what became of the results of these studies already performed. If the LTC merely adds 20 more file drawers of information that is never disseminated, we have not lived up to one of our basic premises. And, in turn, if we do make data available to decision - making bodies and they add them to their already jammed file drawers without consulting them, the possible beneficial results of our program will be nullified. Therefore, I hope that we of the Land Tenure Center may feel free to call upon you from time to time for consultations, and, that you will feel free to call upon us for any information we may have which would be useful.

#### Brief History of the LTC

As most of you know, the Land Tenure Center is the official name for the activities carried-out by means of a contract between the University of Wisconsin and US/AID.

In September, 1961, the University submitted to AID a document proposing to establish an interdisciplinary research

and training program in the subject matter area of agrarian structure, land ownership, and tenure in Latin America. The contract grew out of the University's long experience and competence in land tenure matters, the need for information about critical problems of agrarian reform, and the willingness of AID to experiment with a small, integrated research and training program as a way of bringing needed research findings to bear upon controversial political decision.

Initial contract talks brought about the formulation of the basic premises which guide the LTC. These are:

1. The University's prime competence is in linking training and research. By this, we do not mean that training is entirely centered in the classroom and research is entirely located in the field. Instead, we attempt to provide the opportunity for country nationals to work in their own country in our research effort and receive functional training in research as well as an introduction to their own country at an important level --the community level. This, we feel, will leave behind a crop of trained, competent individuals which may help to shape the future of their country. We also recognize the importance of the classroom for training and therefore provide fellowships for both Latins as well as US students who wish to specialize in Latin American development.
2. Research in land tenure should be done at the community level. We recognize that international political pressures

may intervene in questions of agrarian reform and internal development. Yet we feel the vital question is, "How do people respond to changes in land tenure? How can they organize to make a reform effective? How do tenure problems at the local level effect the development of an enlightened public which can make their views be represented in national-level decisions?"

3. Problems of land tenure are interdisciplinary. One must not only look at the demographic relationship of man-to-land but must also assess the social climate and political overtones accompanying various tenure arrangements. For us, land tenure refers to the means of access to resources. Therefore, we look at land tenure in the broad sense and not in the restricted sense of merely evaluating parcelization programs or other means of redistribution. If land tenure refers to means of attaining resources then social, political and cultural structures must be taken into account since they vary from one land tenure pattern to another. Therefore, one encounters not only land economists but sociologists, political scientists, lawyers, anthropologists as well in the Land Tenure Center Program.
4. And, finally, but perhaps most important of all, whenever possible, LTC work must be done in close cooperation with a Latin Institution and with Latin technicians. This premise, is in relation to the points listed under premise number one; that is, training of Latins in their own country

is crucial. Furthermore, the Latin institutions we work with may be in existence long after the LTC disappears from the scene. If we assist in the development of these institutions we may be, in the long run, assisting in the development of the country.

In the development of the contract some 15 objectives were stated in proposal form. I shall not take time to detail each of these objectives but suffice it to say that the research program has been designed to furnish information on which to base program and policy decisions, information on how agrarian reform programs are working, and information about local and community organization. And the need for increased research facilities and personnel makes one of our objectives that of increasing the research facilities in Latin America. On May 11, 1962, at the University of Wisconsin, Mr. Fowler Hamilton, for AID, and Vice-President A.W. Peterson signed a contract establishing a program of "research and training with respect to making a comparative study and analysis of the economic, social, political, and administrative aspects of land ownership, Land tenure, and agrarian structure in countries and localities of Latin America".

Programs Established During the Last 18 Months\*

I. In Madison:

A. Training

The training aspects of the program are designed for

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\* As revision of the Progress Report presented in the October Newsletter.

students from Latin America and the United States who have a deep professional commitment to economic, social and political development and its relation to land tenure in Latin America.

Research specialists, who receive some of their training in Madison, will later be sent to the field for research, in many cases joining on-going research projects. In this manner, research and training can be linked and all available knowledge can be brought to bear on current problems.

B. Seminars

A seminar composed of faculty members from such disciplines as commerce, economics, geography, history, law, political science, rural sociology, Spanish, agricultural economics, and agricultural journalism, reviews all research proposals. Final approval for research and over-all direction of the Center is given by the executive committee, composed of selected faculty seminar members. We are also now in a position to offer similar seminars in Latin American Countries.

C. Background Studies

A number of background studies was prepared by Land Tenure Center research fellows last year based on library sources and previous experience in Latin America. The preparation of these reports served several purposes: 1) they were part of a graduate

training program acquainting fellows with the economic problems of Latin American agriculture with specific reference to land tenure, 2) they are intended to supplement on-going field research and to provide the background for framing new studies in the field, 3) a few reports of general interest will be further revised and may eventually be published by the Land Tenure Center as reference papers.

D. Discussion Papers

A discussion paper series based on seminars is under way. Three have been printed and two more are in process.

E. Library

A Land Tenure Center library, begun at the time the contract was signed, now has about 5,000 items necessary for research and background material on file. These materials are available for Latin institutions and in many centers such as here in Bogotá, materials are available.

F. Research Specialists

We are currently training 28 research specialists --10 from Latin America. They will be taking coursework toward their Ph.D. degrees in addition to preparing studies and proposals for the LTC.

G. AID - University Cooperation

First research results will be coming in soon --a

seminar, to which AID personnel and University staff members were invited, was held in late fall to discuss preliminary findings in the Bolivian program. This was the first of what we hope will be a constant interchange of ideas between AID and the University of Wisconsin. In addition to reviewing our research publications as they are printed, we feel AID may profit from hearing about the completed projects firsthand --from the researchers themselves. By questions they ask our researchers, AID personnel should be able to sharpen the ideas so that the publication as it is finally written speaks directly to the issues. We feel that a reciprocal AID-Wisconsin relationship would be mutually advantageous and must develop.

## II. Bolivia

Two anthropologists and two research technicians composed a research team dispatched to Bolivia from May 18-September 8. They studied progress made since enactment of the reform ten years ago. They studied the reform with respect to the objectives contained in the preamble of the original reform decree: reallocation of land; development of Indian communities; revision of agricultural labor relations; stimulation of agricultural development; conservation of natural resources; and promotion of domestic migration. The results of this study should be available in monograph form soon after January 1st.



### III. Perú

Richard W. Patch, American Universities Field Staff, now also on LTC staff, will coordinate our work in the Andean Area. He went to Peru briefly this summer and will soon write a discussion paper for the LTC on the impact of the recent elections on the possibilities for agrarian reform in the country.

### IV. Central America

George Hill, Visiting Professor, Land Tenure Center, working in collaboration with the Economic and Social Research Institute of the Central American Universities has begun the first field research project in Central America in the Coto-Brus River area of Costa Rica. The study site, located in the southwestern region of the country bordering Panama, is a recently settled frontier zone with extensive virgin forests and few roads.

In the late 40's when the proposed route of the Interamerican Highway led to the area, the Sociedad Italiana de Colonización Agrícola selected this region as a settlement site for a colony of immigrants. San Vito de Java, the colony that resulted, later attracted native agricultural regions of the country. Soon a rush of prospective settlers began. Many of these settlers invaded some of the newly established fincas, what remained of the public domain, as well as lands which were held in "reserve" for future development by the San Vito Colony.

While no actual census data is available, estimates lead Hill to believe that the number of families now in the area is at least 3,000 and may be even 4,000 or more. Each tenure group now settled in the area represents many specific and different tenancy problems and suggests research questions. What are their daily operations? How is the farm sold? How are farms inherited? What are the differences in earning capacities and levels of living among the various types of tenants?

In making its first land tenure study in the Coto-Brus River region the LTC has acted on a request made by the Costa Rican Instituto de Tierras y Colonización (ITCO). Current plans call for a study of current operations and past history of 600 farms, systematically drawn to represent all tenure classes existing in the area --owners, cash renters, share croppers, peones, colonos, day laborers and migrant families.

The first Central American study should be completed by January 1; another is already being designed.

#### V. Brazil

Thus far much of our research in Brazil has been done in cooperation with the Inter-American Agricultural Development Committee (CIDA) and the University of Rio Grande do Sul.

One of the projects of CIDA is to survey the land tenure situation in Latin America. Much of this basic work is

now completed. Since the basic objective of the Land Tenure Center is to carry out research showing the relations between tenure conditions and social and economic development, it is only natural that CIDA and the Land Tenure Center should cooperate closely to accumulate basic data necessary to such studies.

Now that he has finished his work with CIDA, he will continue to work in connection with the Instituto de Estudios Pesquisas Económicas, at the University of Rio Grande do Sul, in an intensive study of an old settlement which was colonized by German immigrants about one hundred years ago. The basic research questions for this study are: Why have these agricultural holdings developed characteristics of minifundio? What public investments --e.g. roads, marketing facilities-- have affected the development of this colony? What is the relative importance of the lack of other services, such as credit, health, and education, and how might these have been responsible for the present conditions found in this município?

Another Land Tenure Center research technician stationed in Recife (Pernambuco), Brazil, has been assisting in supervising the study of four municípios representative of the tenure conditions found in the Northeast. The study will include an analysis of a number of individual farm case studies. After more intensive study of Northeast Brazil, he expects to prepare a Land Tenure Center re-

search paper, which should be completed by early 1964. Professor Belden Paulson, Department of Social Work, University of Wisconsin-Milwaukee, has carried out a summer project in northeast Brazil designed to suggest whether economic and political unrest can with proper organization and leadership training, be changed into a movement toward development within a framework of democratic institutions. Professor Paulson's study centered around: the patterns of community organization and control, the basic land tenure patterns and their relationship to economic and social change, and the patterns of community decision-making. A report should be available after January 1.

Also in Brazil, Juan Diaz Bordenave is currently in Recife studying the information-seeking behavior of farm people under different land tenure conditions. Robert Price, a lawyer, is currently on our staff studying the land reform law in Sao Paulo. The Brazilian constitution provided for taxation of rural lands and property transfers by states and for the taxation of urban land and buildings, industries, and professions by municipalities. A constitutional amendment enacted in 1961 transferred the taxing authority over rural lands from the states to the municipalities.

Possible research questions are:

- 1) The equality or inequality of the real property tax burden.

2) The influence that real property taxes may have on the growth or reduction in the number and extent of large yet unproductive land holdings under single ownership.

3) The relationships between land taxes on the one hand and the diversification and increase in agricultural output on the other.

## VI. Chile

A combination of the interests of the Institute of Economics of the University of Chile, and the location of the regional and country offices of the Food and Agriculture Organization and the United Nations Economic Commission for Latin America, in Santiago, reinforced our initial desire to locate a research center in Santiago, Chile:

Currently, almost every Latin American country has either passed or is considering passage of various agrarian reform measures. Each is peculiar to the country in question, but one study necessary to any such law is one in which benefits and costs of alternative courses of action will be spelled out specifically and made available for policy-making purposes. The particular alternatives which an LTC research team proposes to consider intensively are the various types or reorganization and restructuring of the agricultural economy necessary to achieve greater productivity, and the way in which increased productivity, and concomitant rises in income can be distributed. The completion of this study

should throw light on three very important questions: What is the present land ownership structure? What modifications of the present agrarian reform laws might be suggested? What effect will possible alternative land redistribution schemes have on total production, present levels of income, and the chances for more rapid economic development.

## VII. Colombia

One of the basic premises of the LTC program in that research in land tenure should be done at the community level. Therefore, a major portion of the research effort in Colombia is directed to an intensive study of community development as a variable in general economic and social development. As we all know, the rural sector of Colombia has become more aware of the larger social system, it is still not effectively integrated into the planning and development of programs designed to bring about basic social and economic reforms.

As a result, local and departmental development committees and programs in large numbers have been created throughout Colombia. In an attempt to coordinate and aid these local self-help committees a Division of Community Development was established in Colombia in 1960 under the Ministry of

Government.\* Although certain groups and individuals have questioned the effectiveness of community development programs in terms of their contribution to the overall development program, the basic fact remains that these programs have become, to some extent, institutionalized in many agencies interested in change. Therefore, it is logical to expect that considerable resources will be diverted to these programs for several more years. Insofar as these statements are true, a need exists for an evaluative study of these programs in order to determine the social and economic factors which contribute to their success or failure. This is the basic purpose of the present project. More specifically, the purposes of the present project are:

1. To estimate the quantity and quality of social and economic change due to the community development movement.
2. To determine the characteristics of more successful projects.
3. To determine the characteristics of less successful projects.
4. To outline the functioning of the change agencies in

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\* It should be noted that the term "acción comunal" has come to be an indication of community development in general. It is unfortunate that the División de Acción Comunal has become identified as an agency for change, itself, instead of a coordinating agency. The present study is concerned with community development programs of all type of change agencies, such as: Federación de Cafeteros, FANAL, etc.

typical projects.

5. To evaluate the coordinating function of the Division of Community Development (División de Acción Comunal).
6. To determine the degree of contribution of foreign experts and members of the Peace Corps.
7. To determine the degree of growth in capacities for leadership and organization in rural locality groups.
8. To estimate the degree and quality of active participation by members of locality groups.
9. To determine if the movement has endowed peasant locality groups with more voice and representation in municipal, departmental, and national affairs.
10. To make the research findings obtained through this investigation available to interested agencies and assist with recommendations for improving the work of community development programs.

Methodologically, the study falls into two parts. The first consists of the study of the División de Acción Comunal and other change agencies as social systems. Its purposes and norms are used as criteria for evaluating its actual performance, and its relations with national institutions are considered within the framework of the total society. This analysis will be carried out by the following processes:

1. Analysis of the previous projects undertaken by the change agencies. This is being accomplished by an intensive study and analysis of the files maintained in the offices of the División.



2. Determine the coordinating role played by the Division with (1) other change agencies, and (2) with other governmental institutions.
3. Determine the internal structural arrangements of the División de Acción Comunal in terms of (1) recruitment, (2) communication channels, (3) boundary maintenance, and (4) facilities and obstacles which enhance or impede the attainment of the goals of the organization.

The second, or main part, will be realised by means of field studies in nine municipios representative of the more important groups which have had experiences of programmes of some form of community development, and other equivalent groups which have had no such experience.

The field studies aim to observe, characterise and approximately measure changes in I) material culture and technology II) systems of human relations such as leadership, groups representation, contact with official agencies, etc., and III) attitudes and values about the possibilities of improvement. Approximate measurement is achieved by comparing equivalent locality groups in a given municipio with and without the experience of community development, and by comparing conditions observed with those reported before intervention.

The unit of analysis for this part of the study will be the community which will be generally defined as a municipio containing the experimental and control groups. The experimental group will be a vereda, caserío, etc. that has experienced

active community development and the control group will be one that has not experienced community development. The control variables (characteristics to be matched) will be (1) same cultural region, (2) sharing of the same public services, (3) common religious organization, (4) common market, (5) similar or identical land tenure patterns, and (6) the same macro-structure with the micro-structure being affected by the community development in the experimental group.

The cultural regions to be considered are (1) Atlantic Coast, (2) Pacific Coast, (3) Antioquia and Caldas, (4) Tolima and Huila (particular as a violence zone), (5) Valle, (6) Cauca and Nariño, (7) Cundinamarca and Boyacá, (8) Santanderes, (9) Llanos, and possibly (10) the Guajira.

As of today, the following field studies have been completed:

1. Cereté, Córdoba which is a region of latifundio with relatively low degrees of participation in local self-help programs.
2. Tenza, Boyacá which is an area of extreme minifundio with a strong ecclesiastical structure which displays varying degrees of participation in community development programs.
3. Candelaria, Valle which displays an active community development program.
4. Barranquilla. A study of in-migration which was accompanied by the invasion of rural lands surrounding the city.

Studies are in progress in Chocó, Antioquia, Llanos Orientales, Cauca and in Barrancabermeja. The latter being a study of problems accompanying the exploitation of the public lands included in oil concessions. In order to carry out this research programs we now have 26 colombians employed to assist in the various stages of the research program.

In addition, Mr. Ronald Tinnermeier, of the LTC staff, is studying directed and spontaneous settlement in Caquetá. This study should be ready for publication next summer.

Antonio Posada, an LTC visiting professor (agricultural economics) is studying the impact of CVC (a public corporation similar to TVA) on land resources in the Cauca Valley.

Charles Anderson, Assistant Professor, Department of Political Science at the University of Wisconsin, is analyzing the political and administrative process involved in the formulation, ratification, and implementation of the Colombian agrarian reform program. The Colombian study will be part of Professor Anderson's larger research project, politics and economic change in Latin America.

LTC will supply two research people to do research in connection with the new IAIAS training center at Bogotá. One of these research staff members, Carlos Montañez, has already been engaged.

Lastly, we are attempting to locate a lawyer to work with Mr. Posada in Cali to study legal aspects of water rights, zoning and, in general, the structure of CVC.

RESEARCH AREAS OF CENTRAL CONCERN TO THE LAND TENURE CENTER\*

The University's contract for research and training on land tenure problems (AID/repas-3) necessarily began with a period of development which concentrated on the tasks of identifying research needs, establishing priorities, and developing and mobilizing resources. This process will continue, but the experience of this initial eighteen months offers both a basis and an opportunity to focus the program more sharply and to establish with more precision the criteria to guide future activities.

At its meetings October 15 and 22, the executive committee reviewed Land Tenure Center work to date and listed the areas in which needs are greatest and the chances of productive research might be best. The committee's enumeration, which follows, does not represent a new set of objectives, but refines and draws selectively from the full list included in our proposal of September 25, 1961, added by amendment to our contract early this year. It provides a basis, given limited resources, for the comparative evaluation of proposed future programs and extensions of on-going projects by the staff of the Land Tenure Center.

The listing of research priorities is, in fact, a listing of six crucial questions that have come up repeatedly as our research program has developed and evolved.

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\* This is a modification of Appendix I of LTC Memorandum B dated January, 1963.

1. What is the effect of various types of land reform on productivity and what is the economic and social significance of existing--or proposed-- land tenure systems?

In its broadest sense, this involves an analysis of such mechanisms as how present institutions function, what determines tenure status, what changes in credit and marketing and what rate of economic development are necessary for a successful land reform (i.e., to prevent return to pre-reform conditions), what are the consequences of economic development--past and prospective-- on agricultural commercialization (change in farm size and investment in farming), and what role is played by tenure, credit arrangements, security of title and market structure in this transformation of agriculture.

2. What are the major problems in administering land reform laws?

This includes legal concepts, administrative procedures, and group pressures on administrators.

Included in this analysis would be a study of the important legal concepts that have been stated but not always defined in land reform laws--such terms as "land use fulfilling a social function", "inefficiently cultivated land", etc. It is of vital concern to know what these concepts mean in practice and whether they are useful for purposes of administration or whether, because they are difficult to define or ambiguous, they lead to arbitrary and discriminatory action or create loopholes making law evasion easier. As important is a study of the extra-legal manner in

which land conflicts are resolved through customary practice.

It appears that the administrative tasks of a land reform agency are quite different when the laws are used to legitimize what peasants have already done or when reform is instituted from the top.

This is one of several reasons why an analysis of administrative procedures at the local level should be interesting. It would include an investigation of the ways provided for expression of local opinion, the extent to which officials exercise local discretion in adapting reform to local needs, the procedures for expression of grievances and appeal, etc.

Group pressures on local and national administrators should be an object of study, including the roles played by landlords, campesino federations, peasant leagues and sindicatos (rural local organizations should especially be studied in areas where they seem to have played--or may still play-- a decisive role: Venezuela, Northeast Brazil, and Bolivia. Worthy of investigation also is the apparent emergence of these movements in Perú).

3. How have settlers in new areas, just opened for colonization, developed institutions and organized for land distribution?

The areas of the Alto Beni, the Chapare, and, to a lesser extent, Santa Cruz have just recently been opened for migration from the Altiplano and valleys of Bolivia. The Interamerican Development Bank has committed itself to make loans to these areas, but little is known about the development of community

credit, marketing and extension institutions through which people can be reached.

In certain areas, spontaneous settlement (in Colombia, as well as elsewhere in Latin America) and large scale migration (especially noteworthy in parts of the Andean area) are increasingly significant aspects of land policy. An analysis of the factors producing these movements both from the "push" and the "pull" side is needed. An investigation of successes and failures of spontaneous settlements and an investigation into squatter security would yield valuable information.

4. How does taxation function as an instrument of land reform or, more broadly, as a factor in agricultural development?

Any study of taxation should concentrate heavily on tax incides: little is known about what taxes most Latin American farmers pay, yet this may be crucial to the execution of an agrarian reform program. Also needed in this regard are studies of taxation by economic sector, tax administration, crop taxation, fiscal instruments like marketing boards, etc., the role of taxation for incentive purposes, and the use of tax receipts as instruments for change.

5. What is the role of regional organizations in the establishment of a land reform program?

Comparative studies might be important here; students of this movement might well explore and analyze the key principles involved in the operation of TVA in the United States along with examining closely public development agencies in Latin

America. The role of such public development organizations as SUDENE in Northeast Brazil and, on a slightly different level, CVC in Colombia should be closely scrutinized; and, while a direct comparison to TVA would probably be inappropriate, comparison of one public development agency to another within Latin America might be extremely informative.

6. What role is played by communications in the process of land reform and agricultural development?

How can needed technical information be placed in the hands of new land owners who previously have had little involvement in any kind of managerial or marketing decisions? How are the procedures and issues of land reform communicated to and among rural people and discussed or evaluated by them? What are some of the elements of rural social structure which have a significant influence on these problems of communication? Such questions would seem to be of vital concern to successful achievement of the goals of land reform in economic development: better distribution of income creating a wider range of economic opportunities, combined in some measure with better utilization of the country's unexploited resources.

This, then, is a resume of the Land Tenure Center and its activities. As you can see, the LTC is an experiment in subject matter contract research rather than university-to-university contracts. We feel that research conducted by established members of several disciplines in cooperation with existing Latin American institutions is one of the many keys to social and economic development.