THE PERSIAN LAND REFORMS

This and the following chapter are based on the book entitled *Persian Land Reform (1962-1966)* by Ann K.S. Lambton, Oxford, 1969. Its author made a thorough investigation of agricultural problems of Iran during her travel through all parts of the country several times. She was, therefore, very well qualified to discuss the problems of land reforms and she did discuss these problems in her book so thoroughly and so much critical insight that for a long time to come no one will be able to add much to her observations. It is because of this that I have no alternative but to summarise her views with some additions here and there.

The Land Reforms Law of January 1962

On January 1961 Dr. Ali Amini was appointed as Prime Minister of Iran. He belonged to the old bureaucracy. His methods were those of the old fashioned Persian diplomacy but since he was well trained in western techniques he brought new ideas to these old methods. He

was a deputy of the National Consultative Assembly in 1948 and later a Minister of National Economy in 1950 and under Dr. Musaddeq in 1951. From 1953-5 he was the Minister of Finance and in 1955, he was Minister of Justice and from 1956-8 he was an Ambassador in Washington.

In 1960-61 there had been a deterioration in the internal affairs of the country which was due to the neglect of the problems by those in authority. This was fully evident in the conduct of the election in 1960 and 1961 which were highly rigged resulting in generating unrest in the country and creating disturbances with the ultimate result that the government fell. Dr. Amini was asked to form a government but his appointment was perhaps not unconnected with the country's foreign relations.

Dr. Amini's cabinet included ministers who had links in past with Dr. Musaddeq and his Tudeh party. The minister of agriculture was young and dynamic Dr. Hasan Arsanjani. He was a widely traveled man and had sufficient experience of agricultural problems of his country. He was convinced that the agricultural reform was urgently needed in his country and no political reform will be successful without agricultural reforms.
The programme of the new government, though not different from the old one, had an intention of limiting land holdings. And on 5 Oct. 1961, a small team of officials from the ministry of agriculture was sent to carry out a land survey in the Maragheh area. On 11 Nov., 1961, the Shah issued a Farman to Dr. Amini ordering the government to execute if necessary in a modified form the land reform law of 17 May, 1960. On 9 Jan., 1962, Dr. Amini and some of his cabinet colleagues signed a bill amending the land reform law of 1960. The former differed from the latter in respect of the following:

1. It limited holdings to one village only.

2. It fixed the compensations to be given to the land owners on the basis of the taxation they had paid.

3. It allocated the land to the peasants cultivating the land.

4. It made membership of a cooperative society a condition of the receipt of land. The law of 9 Jan. 1962/12 Dāymūh 1340 together with the Additional Article of 17 Jan. 1963/2/ Dāymūh 1341, the regulation for the execution of these two instruments, a number of
military dome, and decision is the land reform
coercing under the law of 1399, 1397, toward
the legal basis of the land reform. It was intended
to break the political and social influence of
the land owning class, and secondly to bring about the
emergence of an independent peasantry free from the
domination of the land owning class.

The main provision of the law was to limit the
amount of land which an individual could hold to one
village irrespective of its size. Each village in Iran,
divided into 10 dongs (دُنْجَة), or parts, and under the
law, the landlord could select for his home village (نَهْر
in the village which he would retain, one whole village
or a number of parts in different villages, the aggregate
of which is not to exceed 3 dongs (٣ دُنْجَة). Any land in
excess of village was to be transferred by the landowner to
the peasants or sold by the landowner to the government
and by the government to the peasants cultivating it.

A village (نَهْر) was defined as a center of
population, and the place of residence and work of a number

1 Article

For the Persian term occurring here please see "glossary
of Technical Term".
of families who were engaged in agricultural operation in the village lands, and the income of the majority of whom came from agriculture and which was by custom recognised as village. The fact that the several villages might be included in one unit or in one registration area was the cause of much confusion and gave rise to many disputes between the parties.

The land reform council made the following decisions on 19 Jan. 1963:

1. If several Centres or group of houses, were included in one main registration unit, they were to be considered separate villages.

2. If one village and several were included in one registration unit, the villages and the were to be regarded as forming one village.

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1. Art. 2 note 3, Art. 1 para 10
2. The term is plural of (a cultivated field), and covers both a hamlet and the cultivated fields belonging to it and also a group of fields without any dwelling houses, which are cultivated by peasants living in a neighbouring village.
3. If each group of peasants residing in each of the several centres worked and cultivated several tracts of land, each centre was reckoned as a village. But if all the peasants in the different centres jointly cultivated all the lands included under main registration unit, it was to be treated as one village.

4. If a centre with separate name and nasaq (نق) was covered by a subsidiary registration unit (بادت خان) it was to be regarded as a separate village.

5. In the case of registration unit covering a having a separate name but with no houses, which was cultivated by peasants from another village, if this village and belonged to the same person and two were treated as one, the was to be regarded as part of the village in which the peasants lived.

6. An area covered by one main registration unit with a name and several subordinate plaks (پلاک) without names was to be regarded as one village.
Although the land owner was free under the law to choose which village he would retain, some limitations were, in practice, placed on his choice. On 19th Sept., 1962, the land reform council stipulated that a land owner could not retain part only of a village which had been his chosen village. The reform council again decided on 28 Jan., 1963, that the land reform organisations were to recommend landowners to sell to the government the villages which had grown and in which municipality had been set up and to choose some other villages as their "chosen" village. From the date of the passing of the law any transfer or sale by a landowner of land in excess of the holding was forbidden (Art. 4).

Certain categories of land were exempted from the provision of the law. These, called ستثنائات were as follows.

1. Orchards, tea plantations and woodland with some limitations.

2. All land worked by mechanised means at the date of the passing of the law.

3. Land which had been held on a leasehold tenure on
5 December, 1959, was subject to sale to the government until the lease expired. It was further decided on 19 Jan., 1963, that any lease concluded after 5 Dec., 1959, would be considered null and void. Thus there was no place for the middle man.

In the case of land constituted into a private or personal Waqf before 5 Dec. 1958, each of the beneficiaries allowed to continue to draw revenue from up to maximum holding permitted by the law of Jan. 9, 1962. Any land excess of this was to be sold and proceeds invested in other property under the supervision of Ouqaf.

The procedure of the transfer of the land was as under: on the decision of the land reform council to put the law into operation, the ministry of agriculture would announce in a newspaper twice that the land reform is to begin in a particular area. Within one month of the second announcement, landowners whose property exceeded the limit laid down in Article 2 of the law were required to declare particulars of their property to the authorities named by the ministry of agriculture. According to Note 3 to Article 1, Article 2 n. 1.
2 of the law of Jan. 9, 1962, in case of land under joint tenure, the land owners were to delimit their land and define the government's share within five days of the declaration of land reform in the area.

A cabinet decree issued on March 1, 1962, authorised the government to purchase the land offered to it by the land owners whose estates were not subject thus to transfer under Art. 2 of the law of Jan. 9, 1962. The land acquired thus by the government were transferred to the peasants living in the village. The price of such land was fixed by the department of agriculture on the basis of taxation paid. The land owner was entitled to appeal for the revision of price within a period of ten days. The landowner received the price of the land in ten annual installments. The land sold by the landowners to the government was to be handed over immediately by the ministry of agriculture at the price for which it was bought with an increase of ten percent to be paid to the central bank, to the people in order of preference in the following order.

1. The peasants living in the village who cultivated the land.

1. Musho meaning "joint tenure".
2. The heirs of peasants who had died within a year of the beginning of transfer.

3. Agricultural labours¹ who received a share in the crop from the landlord.

4. Agricultural labours² who did not own or provide an agricultural element and received in cash for the agricultural work.

5. Those who volunteered for agricultural work³.

In effect it means that the land subject to transfer went to the sitting or occupying peasants and that agricultural labourers would benefit from land reform indirectly.

The nature of land reform might have discriminated between the different classes of peasants but there were strong reasons for transferring the land to the occupying peasant. If the agricultural labourers were included in the distribution of land, it would have involved a change in the field layout of the village lands. It would have

¹ Barzigarán i.e. men who did not own or provide any of the agricultural elements
² كارزگران کشت بزرگ
³ Article 16.
involved delay and led to conflict in the village. Another
important factor not to transfer land to agricultural
labourers was that they did not have sufficient means to
cultivate the land. However, it is not easy to assess the
proportion of occupying peasants in a village to the
agricultural labourers.

Under Art. 16 of the law of Jan. 9, 1962, persons
living in a village not engaged in cultivation of land
were excluded from the categories of persons to
whom the land might be transferred. The land reform
council in its proceedings of March 31, 1962, stated that in
case of an agreement between the peasants of the village and
To include the latter among those holding a
share in the village ploughlands, there would not be
difficulty over their receiving a share of the land. It
was permissible by agreement " to revise and
change the (mashaq) of the village. Irrigated land
was to be transferred with the water rights from qanats or
rivers etc. belonging to it according to local customs.
Art. 19 forbade the fragmentation of the land transferred to
the peasants below a certain limit. In the event of
1. Division of the village land into plough land and
peasant holdings. masha is holding land jointly.
peasant living and his heirs unable to agree over the administration of the holding they had to sell it to another peasant who would be responsible for the payment of the remaining installments. In the event of a peasant not cultivating the land transferred to him in accordance with the programme laid down by the cooperative society, the latter had right to hand over his land to some one else (Art. 19, note 1). If a peasant failed to pay three installments for the land transferred to him with a valid reason, he would forfeit the land and the ministry of agriculture would transfer it to some one else.

Dead land or barren lands were also to be distributed under the law of Jan 9, 1962. The land reform organisation was authorised to sell for agricultural needs or stock grazing any land within the limits of a village subject to transfer under the law other than the land under cultivation, land on which building were constructed and the harim of qanat. The land reform council decided on Jan. 19, 1963, that the barren lands within village limits were:

1. Article 28
2. Article 6
3. Article 7
4. Land in medially surrounding qanats (Canal) paths or roads or pasture lands
to be bought by the government. Barren lands outside village limits could, with the permission of the ministry of agriculture, be bought by the landowner of the "chosen" village.

The price of barren and dead lands was to be fixed by the ministry of agriculture at the rate of 1/20 of the price of the nearest village bought by the ministry under the law of Jan. 9, 1960.

A council called the Council for Land Reform was to be formed to supervise the execution of Land Reform law of Jan. 9, 1962, under the chairmanship of the minister of agriculture. The decisions of this council were to be referred to an organisation called the Land Reform Organisation, the head of which was to be appointed by the minister of agriculture. The Land Reform Organisation was to have a head and a deputy head and was to consist of the following sections: statistics and information, technical services, law and registration, purchase and transfer, and administration.

The region in which the Land Reform law was in operation was to have a well equipped organisation for the
provision of seed, good seedlings, good livestock, and necessary facilities for credit etc. In transferred villages agricultural operations common to the whole village were to be carried out through cooperative societies.

The law made provision of the relations between the landowner and the peasant in private owned properties and Waqf land. These provision were also to cover the relation between the landlords and peasants in agricultural lands within the confines of a town.

Under the law a peasant engaged in cultivating the land in a village was to be regarded as residing in that village and no landowner had the right to turn him out of the village or to prevent him from cultivating the land.

Agricultural operations by the landowner on land either a. the disposal of the peasant or in which the peasant had acquired certain right were to be permitted only with the consent of the peasant and after the purchase of his rights.

1. Article 30.
2. Article 32.
3. Article 22.
4. e.g. of which he own the a'yan (اَيَان) tangible property.
5. Article 22 n. 1.
Tangible agricultural property (a’yan) was to belong to the peasant and he had the right to register his ownership but new a’yan could be created by the consent of the landowner.

Article 20 laid down the duties of the landowners and the peasants throughout the country. The duties of the landowners were as follows:

1) To repair qanats, and to pay the cost that needed.

2) To pay the cost of water from rivers and canals.

3) To pay the cost of water-distributing dams, tanks, and cisterns etc.

4) To pay the cost of irrigation by power operated pumps.

5) To provide suitable seeds in areas where this was the responsibility of the landowner.

6) To perform such other duties as might be laid down by future laws and regulations.

The duties of the peasant were as follows:

1. To carryout agricultural operations;

2. To provide suitable seed in areas where the provision of
seed is the responsibility of the peasant.

The joint responsibilities of the land owners and the peasants were as under:

1. To maintain qanats, wells, tanks etc.

2. To pay the cost of chemical fertilizers and pest control.

3. To pay the dues of village headmen, and other officials.

4. To maintain gardens, trees and public buildings.

5. To provide the officials of the ministry with information on the agricultural and social matters of the village.

Article 33 laid down that the differences between the landowner and the peasant about agricultural matters were to be submitted to a special committee for such dispute. A committee was to be set up in each district composed of the district governor, the head of the local department of justice, and a representative of the ministry of agriculture. But the system was found to be cumbersome so it was amended on Oct. 15, 1962, which reads: disputes between the landowners and peasants on matters relating to...
agriculture shall be referred to the officials of the land reform organization.

These were the main provisions of the Land Reform law of Jan. 9, 1962, which was drawn up with an understanding of local conditions and was thus pragmatic. It aimed at reform which would bring about change in social, political and economic conditions of the country. It was certainly an improvement upon earlier measures of distribution of Khaliṣeh or the setting up of village councils. The former had no effect on the relations of the landlord and the peasant and the latter namely the village council did not give responsibility to the peasant. The real control remained with the government official and the landlord. The law of Jan. 5, 1962 aimed at a major change in tenurial conditions by breaking the political, social and economic power of the landlord, and by making the membership of a cooperative society a necessary condition for the receipt of the land to give responsibility to the peasant for running of their own affair.

1. The word ending in has in جم فهم، is pronounced as خالص or Name in Iran. But in Khalisa and Nama.
The execution of the land reform law of Jan. 9, 1962, the additional articles, the peasants congress

The land reform law was signed on Jan. 9, 1962, and later on it was announced that it would be put into operation in Maragheh in eastern Azerbaijan; consequently, on Jan. 16 it was notified that the landowners should declare their holdings. The execution of the law of Jan. 9, 1962, came to be known subsequently as the first stage of land reform; while the execution of the Additional Articles passed on Jan. 17, 1963, came to be known as the second stage. There were some valid reasons for the selection of Maragheh as the first place in which the law was put into operations: Maragheh was one of the most fertile districts and had a large export of dried fruits. Moreover, natural conditions in this area were more favorable for agriculture.

With the beginning of the execution of the land reform law, the propaganda campaign was intensified beyond proportion. However, the reform gained some measure of support in urban areas. Even many of the smaller landowners
were in favour of the reform though their holdings was not so large as to bring them within the scope of Article 2 of the law.

The intellectuals, on the other hand were critical of the land reform. They argued that execution was hasty without having been given due attention to detailed planning. The left was also not favourable to reform. They wanted nothing short of collective farming.

The final distribution of title deeds to the peasants of Maragheh and some other area was made by the Shah on 23rd September 1962, and the landowners were advised to sell to the government the land which they were permitted to retain under Article 2 of the law of January 9, 1962. The land reform was extended to various districts of Qazvin in May 1962. These districts were poor because they had been neglected by the landlords. In May 1962 the law became operative in various districts of Gilan which was a rich rice-growing province. And in the same month some districts of Arak were brought under the land reform. A little later the law became operative in Kermanshah, Fars, Azarbaijan and Kurdistan.
When the land reform started many landlords refrained from submitting a declaration of their estates as required under the law. This they did so as to get the reform delayed and they could have their share of the harvest before selling the villages to the government. However, in order to avoid delay in the transfer of villages to the peasants supplementary regulations were passed by the council. These provided for the transfer to all the peasants of the village on a joint tenure of the scattered parcels of land which had been sold to the government in the same proportion as they held under the existing division of the village into ploughlands.

Upon the announcement of the operation of land reform in a particular region a group of officials from the land reform organisation was sent to villages to collect the relevant information and check it with information available from the local registration office. For this a meeting of men of the village was held in which the purpose of the collection of information was explained. Then the assembled villagers elected three men who would accept responsibility.

1 Article 2, n. 3 dated 7th August, 1962
2 ئەلەبەرە بەرگرە
3 حەمەنين چێل

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for the correctness of information. The collection of statistics proceeded satisfactorily. The second stage was the formation of a cooperative society membership of which was a condition for the transfer of land under reform. The formation of the society took place in the same way as the collection of statistics. However setting up societies and having them function properly is a difficult task specially in a country where the rate of literacy is low. Membership of cooperative society was pre-requisite for receiving land under the land reform.

The Land Reform Law of Jan. 9, 1962, was not concerned with all classes of peasants. It was restricted to those who actually held and cultivated a part of the village ploughlands. Those who cultivated land in the village which the landowner has retained as his 'chosen village, or land owned by small landowners, continued to cultivate the land on the old crop sharing basis or by payment in cash or kind.

On Jan. 8, 1963, a national congress of peasant was held in Tehran in which 4700 peasants from the different parts of the land drawn from cooperative societies, took part. The participants elected their own managing
committee. The congress was a great landmark in the change in their conditions. It diminished the role of the town community, which no longer remained the embodiment of the Persian people.

The Shih had addressed the congress on Jan. 9 and announced that a six-point referendum would be held for:

1. the abolition of landlord-peasant regime,

2. the nationalisation of forests,

3. the sale of shares in government factories to the landowners as compensation for their land,

4. profit-sharing for the workers in factories,

5. reform of the electoral law,

6. the creation of a Literary Corps.

On 17th Jan, 1963, the Additional Article to the Land Reform Act of Jan. 2, 1962, were issued. It comprised five articles meant to lessen the disharmony developing between the peasant in the village which were transferred.

1. The National Oil Co. and Government concerns were excluded.

بيه/الس

1,1
and the peasants in the chosen village as well as small landowners. Note 6 to article 1 laid down that in case of rice growing land, landowners could retain up to 75 acres while the land surplus was transferred to the peasants at a taxed price.

Article 7 of the Additional Articles concerned the charitable Ouqaf (عوامط). The Article laid down that the charitable Ouqaf were to be left to the occupying peasant for a cash rent for 20 years. It also laid down that personal Ouqaf would be bought by the government and divided among the peasants.

Article 4 of the Additional Articles extended the period for the payment of compensation to landowners laid down in the law of 9th Jan. 1967, from ten years to 15 years. This was done because of the financial difficulties faced by both the land reform organisation and the government.

Taking in view the situation prevailing in Iran before the land reform in Jan. 1962, the results achieved by March 3, 1963 were considerable. In the political field the power of the landowners were broken. However, the gulf
between the urban and rural population was still wide, but there were signs of the beginning of mutual understanding and respect. In the economic field the achievements were not so marked. The emergence of independent peasantry could not be possible without a rise in living standard. The problem of productivity remained to be tackled at a large scale. Besides these, many problems were still outstanding such as minimum size of holdings, scarcity of water and new legislation in the field of irrigation, soil conservation, agricultural wage policy, marketing techniques, political security and administrative reform.