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AGRARIAN REFORM & ECONOMIC GROWTH
IN DEVELOPING COUNTRIES

PAPERS FROM A SEMINAR ON
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FACILITATING AGRARIAN REFORM THROUGH THE
INTEGRATION OF LAW AND ECONOMICS

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The central thesis of this paper is that, regardless of approach, agrarian reform encompasses legal as well as economic problems. In fact, the reform of agrarian structures is basically the improvement of pertinent agrarian law to facilitate, and not to hamper, the attainment of specified economic adjustments. The proposition follows, therefore, that joint legal and economic research is essential in the reforming of agrarian structures to the extent to which they are related to economic growth and development or to other societal objectives.

A parallel thesis in two parts is that (1) in the United States, limited experience in cooperation between economists and lawyers on agrarian reform problems, whether in this country or abroad, does not place us in a favorable position to accept fully our responsibility and (2) our research methods on law and economics are ill-adapted to research on land problems in most of the newly developing countries. If so, many of our highly developed research techniques may need to be adjusted significantly to meet the research needs of other countries.

In our consideration of facilitating agrarian reforms through the integration of law and economics, I hope that we shall not lose sight of three factors: (1) That social science has become highly segmented and specialized, (2) that law and economics are not the only social sciences that need to play a part in the reform of agrarian structures, and (3) that some integration of the social sciences seems essential, particularly interdisciplinary research in law and economics.

The Encyclopedia of the Social Sciences encompasses anthropology, social work, history, economics, political science, psychology, sociology, statistics, law, and education. Many of the social sciences are further subdivided. For example, we hear frequently of production economics, distribution economics, welfare economics, institutional economics, conservation economics, industrial economics, labor economics, and agricultural economics. The assumption can be stated without fear of substantial contradiction that law is equally segmented and specialized. This kind of specialization has its advantages, but it has also some disadvantages. Specialization permits intensive probing in depth in a minute subject-matter area, but it often loses essential integration.

Although other social sciences have their unique roles to play, the greatest apparent need in agrarian reform for integration of the social sciences involves law and economics. The "agrarian reformer" needs to be capable of synthesizing the results of research supplied by various social sciences -- of building into a new agrarian system the concepts evolved and the relationships established. It would take an unusual person who could do this if his academic training, research experience, and viewpoint were restricted to one of the social sciences. For a crash program to meet the present emergency, the agrarian reformer can seldom be found in one person. Agrarian reform must be carried on for a while by a team representing at least law and economics and preferably some of the other social sciences. We may be able eventually to train a few professional personnel with the hybrid analytical and synthesizing vigor that may come from the blending of two or more of the social sciences.

Agrarian Law and Economic Development

The land system and associated laws of the United States are built largely on the common law of England. The common law represents slow adjustment to new conditions over the centuries with an occasional cataclysmic change establishing in statutory form relationships that have proved beneficial in actual practice or inserting new relationships with little evidence of their probable results. Both types of change in agrarian structures in the United States are so common in our national experience that it can be said that we are indeed early agrarian reformers. We can be justifiably proud of those phases of our national heritage that involve changes in our

land system. Our domestic experiences with agrarian problems and their solutions should be of value to us as we seek to assist others. Their value will depend upon our ingenuity in adapting them to solutions of the problems of other countries.

The archaic land system was one of the reasons that many settlers of the United States left Western Europe. When they arrived on these shores they began immediately to make significant adjustments in the decaying feudal system that they brought with them -- both of government and of land. By the time of our Revolution, many undesirable characteristics of our land system had been eliminated and others were ripe for revolutionary change.

The idea of a landed gentry had largely given way to sole proprietorship in family-sized farm units. The concept of economic and political equality was becoming widely accepted. The attempts to establish manors in Pennsylvania, Maryland, and the Carolinas ended in utter failure. Some of the Dutch patroonships of New York survived the Revolution, but they were largely swept away during the rent wars of the 1840's. Primogeniture and entails were rapidly disappearing and were finally outlawed. The concept of equal devolution became firmly established. By the time of the Revolution quitrent had disappeared almost entirely. Land taxes for public purpose supplanted the quitrents and the various feudal incidents that survived the early colonial era. Surveying and recording were regularized and firmly established.

In those days, we did not shrink from making substantial reforms in our land laws. Revolutionary action on agrarian structures was rationalized as easily as were the revolutionary changes in the form of government. The two tended to complement and supplement each other.

More than 10 decades later, after the turn of the 20th century, when farmers were having difficulty in obtaining adequate credit on reasonable terms to fit their needs, Government stepped in and reformed the agricultural credit system. The reformation was truly revolutionary. Note some of the changes, many of which involved changes in law, that have been made in the agrarian credit system in a few decades, beginning with the Farm Loan Act of 1916:

1. The length of the term of farm real estate loans has been increased from 3 to 5 years to 30 to 40 years.
2. The amount of the purchase price that is loaned on a purchase money mortgage has increased from 50 percent or less to 65 and as high as 100 percent.
3. In the last few years, low-equity financing, averaging less than a 20-percent downpayment, has expanded rapidly in many of the better farming areas -- the installment land contract is competing favorably with the purchase money mortgage.
4. Interest rates have been reduced and equalized as between various sections of the country and as between agriculture and industry.
5. The principle of amortization of farm loans was introduced, fully accepted, and firmly established.
6. Deferred payments and permissive prepayments permit the annual cost of credit to approximate more closely the income of the farmer than in earlier years.
7. The capabilities of the farm family -- husband and wife -- have been introduced as a criterion for a farm loan; this criterion is rapidly becoming as important as is the proportion of the downpayment for the lender's "security cushion" in farm loans.
8. Supervised credit has been established and is becoming accepted by many farm lenders and borrowers.
9. Publicly insured loans for the purchase of farmland and other credit innovations are being experimented with successfully.
10. Federal and State moratoria laws and debt composition activities were used when many farm loans became delinquent because of low prices and bad weather.

These innovations were established largely by National and State legislation, tested and supported by the courts, and usually effectively administered by the executive branch of the Government. The relationships between the law on agrarian structures and economic performance

seem clear. Two questions can be raised, however: (1) Would not these revolutionary changes have been more effective if based on legal-economic research? (2) Would not research point the way more adequately than essentially no research to further adjustments needed in this phase of our agrarian structure?

Less spectacular evolutionary adjustments have been made through educational processes. This possibility arises only when existing agrarian structures leave latitude for individual action. A high degree of freedom to fashion relationships best calculated to meet the needs of the parties is a basic characteristic of our agrarian structure. As a consequence, much progress has been made in reforming many agrarian relations; for example, in landlord and tenant lease agreements, in arrangements between mortgagor and mortgagee, in the intergeneration transfer of farmland, in various types of coownership, such as partnerships, corporations and trusts, and in many other arrangements. Unless adapted to their unique needs, efforts to use our educational processes in less developed countries, might well meet with disastrous results. Reforms suited to our needs may not be the ones that will solve their problems, that is, remove existing defects from their agrarian structures.

Experience in the United States with reforming agrarian structures would indicate that reform should not depend upon improvement in only one aspect of the system. A multiple approach is likely to be more effective in most of the less developed countries. We may gain some insight by considering the role of (1) agrarian legislation and (2) innovations by private parties. It is within the framework of the role of government and private action in reforming agrarian structures that the suggested research, training, and service program of integrating law and economics will be outlined.

The legislative branch of the Government establishes the law -- the legal framework within which parties are supposed to act, in other words, the formal part of agrarian structures. The judicial branch interprets the law when there is a difference of opinion as to what is the law. The executive branch puts into effect the reform program. It may be law-forming as it interprets the meaning of that part of agrarian reform legislation which it is called upon to administer. It may create what is sometimes called administrative law in issuing orders, rules, and regulations under which legislative action is effectuated. The action of private parties may give force and effect to improvements in the agrarian structures envisaged by the legislative, judicial, and executive action of government. It may also show by example and experimentation the strengths and weaknesses of the present agrarian system and how adjustments can be made to attain desired goals.

Agrarian Legislation.--Few people have escaped the guilt of saying, "There ought to be a law against that." The typical citizen and some land reformers think that all that is necessary to correct an undesirable situation is to pass a law. Few things could be more in error. Yet, the role of law in the reform of agrarian structures is primary. This may sound like double talk. The law sets the bounds within which public and private action takes place. It may confirm or codify customary practice or it may lay down entirely new relationships. Agrarian law is so fundamental that it demands our most diligent research, the highest academic training coupled with wide experience, and meticulous, time-consuming service in its reformation.

Effective legislative action is not easily conceived and put into proper form. If it deals with economics, as it does in agrarian reform, it must be based on sound economic analysis -- it cannot originate and end in the legal mind, however capable. This is true because agrarian legislation is concerned with economic conditions that affect the production, distribution, and consumption of wealth measured largely in terms of goods and services -- the material means of satisfying human desires.

To the extent that agrarian law is the fundamental framework for the ordering of human behavior related to agricultural production, it involves not only economics but others of the social sciences. Similarly, to the extent that economics is concerned with institutions affecting the production, distribution, and consumption of agricultural products, it involves necessarily the law -- the legal framework that conditions the making of economic decisions. This is the heart of the connection between law and economics in facilitating agrarian reform.

In this context, law controls or guides economic action by the will of society. The action of each person in regard to agricultural land and its products is subject to the wishes of his fellowmen within given limits. Economics may assume that man is free and without restraint to maximize the use of scarce resources in the satisfaction of human wants. In other words, economics may assume law as given. Yet the basic idea of agrarian reform assumes that

law is a flexible tool, a device available to society to facilitate the maximization of human satisfactions.

The conflict between law and economics, if any, arises from the purposes and processes of the two disciplines. These differences seem to be at their maximum in the purposes and processes of research, training, and service in the area of agrarian reform.

The typical economist of the United States who works on agrarian reform in other countries, and who trains foreign nationals for work on agrarian reform in their own countries, apparently assumes that if relations can be established among the various economic elements in the situation, the politician-statesman can enunciate the desired policy and the legally trained technician can develop laws that will effectuate the declared policy. Nothing could be further from the truth. The economic analyst needs to work with the policymaker in formulating the best possible policy -- the analyst needs to interpret the meaning of his findings. He needs to consult with the lawmaker to obtain reasonable assurances that the proposed legislation will accomplish the economic objectives. He can see more clearly than anyone else the connection between the agrarian system and economic performance.

Even if the economist succeeds in getting the best possible statutes, his task is only half completed. He needs to work with the judicial and executive branches of the Government to obtain the best possible interpretation of the law and the most effective rules and regulations in putting the law into effect. He needs to study the effectiveness of the reforming law to determine whether established goals are being reached; and if not, the adjustments that need to be made.

Economics, which is concerned with the principles that guide men in making decisions regarding the use of resources, needs to be integrated with law, which is concerned with adding certainty -- security of expectation -- so that decisions concerned with relations among men will be carried out as agreed upon. The major controls that flow from the legal system arise from the necessity of assuring a degree of certainty in the decision-making process and of security in the protection of resources that are used by those who do not hold complete ownership in them. This includes all of us, for none holds completely all rights in a piece of land. Societal reservations are ever present. The law permits the fuller attainment of expectations by providing a framework in which relations among men are controlled whenever one party fails to meet the standards established in the law or under the law by mutual agreement. The law gives us the means of predicting the incidence of public demand which must be used to secure such expectations. But complete certainty is neither desired nor attainable. Some flexibility is needed in the agrarian system, but flexibility may result in too much uncertainty. Completeness of certainty must be balanced against the desired degree of flexibility.

One problem in integrating legal and economic research, training, and service in agrarian reform arises from the slow development of the land law over centuries of trial and error in many of the less developed countries. Much of the law has not been formalized into written statements. It remains local custom and tribal folklore, passed from father to son by customary practice and word of mouth. In some situations, this customary law exists side by side, and may be subject to the more formal law of the original colonial countries, whether of common or civil law persuasion.

Economic research sponsored by the United States usually proposes to test the adequacy of these laws to meet economic goals by modern analytical devices that may be foreign to the local culture. It seems obvious that legal analysis is essential for comprehension of variables in the law that may need to be tested in economic analyses. The joining of legal and economic research seems essential for maximum effectiveness.

Judicial Decisions.--Adjustments in agrarian structures need to be drafted in light of the functioning of the judicial system. Adequate information on legal content and processes may well come largely from purely legal research. This research demands the same careful rigorous analysis as does economic research. In addition, some insight as to probable future judicial decisions, particularly on new legislation, might well be gained through a comprehensive knowledge of the cultural-educational status of the probable participants. But more of this later. Suffice it to say here that any hastily drafted legislation intended to reform agrarian structures is likely to be poorly conceived and may well do more harm than good. The agrarian reformer does not have a 50-50 chance of being right -- there are so many opportunities of being wrong and so few changes that will meet the demands of the situation.

The legal and economic aspects of agrarian reform are more likely to be in conflict in arriving at decisions brought before the court than in drafting the original legislation. This is not a derogatory evaluation of the court process. It is simply a judgment of the relative necessity, if not the opportunity, of bringing the science of economics to bear as fully upon judicial decisions as upon legislative enactments.

If this condition is recognized, the resulting problems are soluble. Economic analysis is just as appropriate and just as essential to good judicial decision-making as it is to good legislative enactment. This means that economic analyses made after the legislation has been enacted need to meet judicial needs in deciding controversy as adequately as they meet legislative requirements in the drafting process. It also means that economic and legal research must be joined in both processes. Legal-economic research needed to obtain proper interpretation of the legislation might well be more difficult than the interdisciplinary research necessary in the legislative process.

From another viewpoint, legal-economic research on agrarian reform is not a one-shot affair. It cannot be done in a short time and then abandoned. We can seldom move into a country with a research team, do the research, and move out within the year. It must be a continuous process -- not only to guide the original reform legislation and to furnish information essential in the subsequent judicial process, but to keep under constant research surveillance the operation of enacted laws and the functioning of judicial processes. This is necessary to discover weaknesses and remedy them immediately and to keep agrarian law adjusted to emerging conditions. It would seem that economic growth and development may be so rapid and that technological change may be so great in many countries that past processes to keep the law in harmony with economic change may be much too slow, particularly in the countries of sustained economic development.

Executive Action.--Integration of legal-economic analyses is essential also at the point of administrative decision-making. The problems are only more urgent and more numerous. Those who administer the law need insight into the relationship of law and economic achievement. The administrator must have legal-economic assistance in interpreting the law as it is applied to a wide variety of economic-cultural situations. He must be able to measure in legal, as well as economic terms, the results of his administration of the reform law and of any subsequent changes.

In our country, the administrator may well employ an economic analyst to measure, albeit crudely, economic achievement. He may also employ a lawyer to assist on certain legal matters. But it is seldom that the lawyer and the economist form a research team to help keep the program up to date. As a consequence, some well-conceived programs become archaic and fall into disrepute. It is little wonder then that new programs must be developed to take their place or to meet the evolving situation. Legal-economic research is needed to guide executive action, regardless of how appropriate may be the legislation and how wise the subsequent judicial decisions.

Private Action.--The role of government in the reform of agrarian structures may be strengthened and supplemented by appropriate voluntary private action. In fact, private action may reach more effectively many problematic situations than could public action. Since private action is voluntary, although it may be encouraged by the spending power of government, it can be most effective only when it is constantly supplied with a generous flow of the results of legal, economic, and interdisciplinary legal-economic research.

Research on the problems of private action to encourage private agrarian reform seems to be a prime requisite. It is complicated by the fact that many of the relations among and between private parties, and perhaps between private parties and government, are established by oral or written agreement. If private action can be speeded up through research so it will not lag behind economic requirements, the need for agrarian reform by government will be greatly diminished.

The experience of the United States in improving private arrangements regarding the control and use of land offers insight into possibilities that may be adaptable to other countries. Consider improvement in landlord-tenant leasing agreements, farm mortgages, installment land contracts (recently), and intra- and inter-family arrangements for the transfer of rights in land, to mention some of the areas in which private action has been effective. The speed and completeness with which private parties have adopted innovations in credit arrangements that proved successful under the tutelage of government is another example.

It seems clear that research is essential to furnish private parties with answers to the questions that confront them as they strive to improve the agrarian arrangements under which farmland is held and operated. It is suggested that legal-economic research would furnish more adequately the needed information than would nonintegrated research of the two disciplines.

Reference to the reform of agrarian structures in the United States does not suggest that the land system of each country is as subject to change under the fundamental laws of that country as in the United States. Changes in the agrarian structures of any country need to be adapted to that country's legal system, economic and social problems, and its stage of socio-economic-political development. Attempts to impose the land systems and ideas of other countries -- our own, for example -- usually are ill-advised.

Problems of Integrating Legal and Economic Research

In order to evaluate and resolve the problems associated with the integration of legal and economic research, training, and service, the subject needs to be viewed from both domestic and foreign viewpoints.

Domestically, economic analysts have traditionally taken agrarian law -- the whole agrarian institutional structure -- as given. The tacit assumption has been that agrarian arrangements are fixed. They are infrequently variables in economic analysis. Some agricultural economists have scoffed at the idea of considering law at all -- of consulting or working with a lawyer on any research activity. Similarly, many lawyers have shied away from any cooperative analytical undertaking with agricultural economists. Custom, jealousy, and intellectual suspicion take their toll.

Before economists and lawyers try to work together on agrarian reform abroad, they need to have experience in working together at home. One might count on the fingers of one hand, those economists who have worked on agrarian reform in other countries and who have also had experience on a domestic interdisciplinary research project with lawyers. Their counterpart in the legal profession is equally, if not more, scarce. Additional interdisciplinary legal-economic research, training, and service on domestic agrarian problems would better qualify our personnel to serve other countries.

Although this conclusion appears to flow from the previous description, two other observations would seem to clinch the proposition beyond any reasonable doubt. In our past agrarian-reform efforts in cooperation with other countries, we have been generous in sending agricultural economists to help. The prime requisite often seems to have been a willingness to go whether or not trained in the specific subject-matter or having had actual experience in other countries. Perhaps my knowledge of the number of lawyers that our government has sent to other countries to cooperate on agrarian reform is meager, but I can think of only two who have had such assignments where the reform has been based on legal and economic research.

Another factor that is affecting agrarian reform adversely is the infrequency with which legally trained personnel come to this country to study, whether formally or informally. If this continues to be the case, the prospects of facilitating agrarian reform through integration of law and economics are dim indeed.

How can lawyers and economists work together, if lawyers are not encouraged to participate in intellectual interchange with other countries? How can integration of law and economics be attained abroad?

A matter of equal importance is the attitude of American representatives regarding agrarian reform in less developed countries. In the last two decades, there have been examples of official representatives in other countries standing against agrarian reforms. In some instances, their actions were in consonance with the "official-position" or with their instructions. In others, it was opposed. Our position needs to be made clear. Our policy needs to be in conformance with our position and our actions need to support our policy.

The legal-economic hybrid may not yield under the best conditions as earth-shaking results as did the intellectual cooperation among physicists and chemists that produced atomic energy. But in the world of tomorrow, agrarian reform will lag as sadly as did the development of atomic energy before the two disciplines joined hands, unless we find ways and means of accomplishing interdisciplinary research in the social sciences.

Adjustments in agrarian institutions may never be as dramatic as the breakthrough in the physical sciences. Social processes are slower and less spectacular -- and rightly so. Yet, in our effort to integrate legal and economic research, training, and service, we need not fear that a hybrid will result with characteristics of a Missouri mule -- with neither pride of ancestry nor hope of posterity.

Many researchable problems of agrarian reform are at the national level. Our experience in dealing with some agrarian problems, however, has been largely on the State rather than the national level. After all, most of the land laws in the United States are State laws. Also, much of our research has been concerned with maximization within the farm firm for those who control and use land and related resources. Emphasis is still in this direction, although not so exclusively as in the past. Much agrarian reform research must deal with national and State levels, not with unique problems of the farm firm. This is particularly true of research on agrarian reform that might result in action by government. The research designed to encourage private action may well be focused with the viewpoint of the farm firm in mind.

A major problem for a team of interdisciplinary researchers is to answer the questions, What is agrarian law? Where is it found? Is it the "law on the books" that might be found in the library, or is it the "living law" as it is practiced at the grassroots in everyday decision-making? The legal researcher usually goes to the books to find the grist for his analytical mill. The economist usually goes to the field to obtain the data for his analysis. The essence of the problem may be stated as follows: What legal variables should be in the economic analysis? What library research might well be done to answer this question? How can the lawyer discover the living law through field analyses? The case-method, library, legal approach of the lawyer is in sharp contrast to the statistical, field-survey method of the economist. The former tends to ignore economic consequences, at least at the national level. The latter assumes law as a constant and therefore tends to ignore it at any level. Joining or integration of the two may not be easy, but it can be exciting.

From another viewpoint, it is doubtful whether the research methodology, legal or economic, that has been developed in and is applicable to analysis of agrarian problems of an affluent economy is usable without substantial change in the less-developed countries. Although the general theoretical-philosophical framework of economic analysis is applicable in any setting, the availability of economic facts is different; the agrarian problems are dissimilar; the catalytic agents for economic development and growth are unlike; and the institutional framework within which change must take place is not comparable. An understanding of the relationship between legal-economic institutions and economic performance and the role of sophisticated economic analysis in policy formulation and action programming is likely to be largely lacking, except in a few favored countries. Also, the time available in which to do economic analysis, measured in terms of our processes, is limited. Agrarian reform in many countries has a flavor of urgency. It cannot wait until long, time-consuming, complicated research projects are completed. Complicating the matter still more is the inadequacy of the existing staff and facilities for the task. Failure to adjust research procedure to the situation in which urgency is compounded by inadequacy would likely be costly.

In the less-developed countries, there is not time to sponsor research that will produce classics for legal and economic literature. We need to concentrate our research largely, if not exclusively, on narrowly conceived practical research about troublesome, everyday problems. We need to be prepared to tolerate research that may seem to be somewhat superficial, so crucial are the issues and so urgent is agrarian reform. The matter of urgency complicates the integration of law and economics.

Another problem of interdisciplinary research is failure on the part of researchers to recognize the essentiality of interdisciplinary inquiry and timidity in taking positive action to bring about such research. The failure to take action may arise partly from the apparent difficulty of integrating ideas of liberty, security, justice, equality, freedom, and such concepts with the ideas of maximization, efficiency, association of costs and benefits, conservation, and economic growth. Yet legal and economic objectives are inseparable in real life. A share of our painful present arises from our planless past which permitted, and even encouraged, the dissociation of societal goals and economic analysis. This has caused our research to bear less fruit than it should. Intellectual leadership in research involving the scientific method has fostered specialization within the social sciences. Integration of the findings of the various social sciences and subdisciplines became the domain of the politician. The most fruitful integration of most research can be accomplished only when scientist, statesman, and politician are combined in the same person. Such an individual is rare indeed.

A problem of integrating law and economic research is to discover ways of showing how the law of a country, from the highest constitutional-statutory law to the lowest customary practice used in daily decision-making at the grassroots, affects economic performance. Tracing the relationships and measuring their consequences are tedious. To carry the analysis a step further, what types of institutional adjustments are feasible, and at what speed can we expect economic adjustment to take place? The writer holds that these questions require the unique abilities of scientists trained in more than one of the social sciences -- as a minimum, in law and economics.

Participation in Legal-Economic Research

It is suggested that in building a program of legal-economic research on agrarian reform, our midwestern universities might well focus attention on three areas already referred to (1) research, (2) training, and (3) service.

Research.--The proposed research program would need (1) to ascertain the research needs of the respective countries, (2) to establish some criteria by which priorities of research could be determined, and (3) to plan and conduct as many studies as feasible on the relationships of legal institutions to economic achievement or performance -- economic growth and development.

These matters can be worked out only in consultation with representatives of our Government and of the other governments that request aid. Influential in this decision-making process would be the availability of personnel and facilities at home and abroad. The urgency of the problem would be an important criterion.

As we have seen, trained personnel with adequate experience are limited. A first step would be to give special training in agrarian reform to well-qualified lawyers and economists of the United States. A next step would be to bring to the United States as many foreign students as possible who would become specialists in agrarian reform. We need also to grasp the simple fact that short-time assignments in a strange cultural-political complex seldom permit sufficient study and maturity of judgment to warrant recommendations of positive action on as complicated a matter as agrarian reform.

A cadre of full-time, well-trained, and widely experienced (on agrarian reform) personnel may be needed to develop the research program. Much of it could be done with the help of graduate students working on their theses and dissertations. The research would need to have both short-time and long-term aspects. It would seek to determine how existing agrarian structures impede (or facilitate) the adjustments necessary to economic growth and development. It would analyze the effectiveness of past and current reform programs, including the original problems, the remedial action taken, the obstacles and how they were overcome, major accomplishments of the program, and in retrospect its strengths and weaknesses.

The research program might well include an analysis of the major land systems of the world. It would outline in detail the land system in the United States and how agrarian reforms were brought about in this country including an analysis of failures and successes. The research program would provide for detailed analysis of the consequences of the major tenure forms found in the world and outline as specifically as possible those factors that tend to impede or to accelerate reform.

The research program would try to determine the extent to which the benefits of land reform accrue to present landowners. To what extent does it affect adversely, or is costly to, certain persons or groups? The program could furnish at least gross estimates of the various costs and benefits to private entrepreneurs and units of government. It is the association or dissociation of costs and benefits over time that will motivate owners and controllers and users of land resources to maximize production for domestic consumption and for export. Research should prevent any reform in agrarian structures that would establish a basis for the dissociation of costs and benefits, at least in the long run.

The research program would make that which is economically desirable also legally feasible, furnishing the basis for the prevention of some uneconomically desirable things from becoming legally feasible.

A welfare economist whose experience has been in an affluent society might need to make significant adjustments in theory and in the conceptualization process when researching in a

less developed economy. In the first wave of reform, it may not be possible to make some of those affected by the reform better off than before and to leave none worse off. Research could well show how to reduce to the minimum any adverse effects and how to maximize benefits to the most disadvantaged and to the total society.

The research needs to be concerned with whether it is advisable for the reform program to be pitched at the national level or perhaps on a State, provincial, or regional level. Information could be made available through research as to whether more rapid progress in agrarian reform would be made by less dramatic change that is tailored for local application than with broad sweeping adjustments designed for widespread use. National legislation that will not be carried out locally or that can be administered only ineffectually, could be eschewed. So far as possible, agricultural reform needs to involve adjustments in the "living Law" that are operationally feasible at the grassroots where decisions are made and carried out. Good research would show great discernment on this matter.

In the past, research studies have emphasized analyses of agrarian reform in only a few selected countries. An effective research program would include studies of comparative law in several countries with similar or contrasting conditions of cultural, religious, and physical resources, among other variables. Thus, the research program needs to be intercountry as well as interdisciplinary. The present organization of international agencies should make such studies easy to organize. Intercountry analyses need to be easy to plan and execute.

In some countries, research might be largely descriptive at first. But it would need to reveal how the law operates and how legal services are rendered at the lowest level of government. How are agrarian relationships of the man at the bottom of the socio-economic-legal totem pole safeguarded? The research could cut through the tangled web of economic pressures and legal procedure to show how the rights of the most humble citizen are protected. To whom does he go? Where does he seek advice? What is the process of obtaining, or making certain of his rights?

Some of the research might well be historical in approach and method. Emphasis would be on past land-reform processes -- whether ancient, a century or so ago, or more recent (even current). Study would be made of the strengths and weaknesses of the action program, and the pitfalls that need to be avoided before modern agrarian reform can be executed successfully would be observed. We can ill afford to permit ourselves the luxury of making the mistakes that others have made -- resources are too scarce, time is too precious.

Training.--We have alluded to the need for training United States specialists in agrarian reform, to work in other countries, as well as technicians from other countries, who would go home to contribute to the improvement of agrarian structures there. The importance of adequate personnel trained specifically in land reform would be difficult to overemphasize. Research and training in agrarian reform need not be restricted to an increase in the number of graduate students who can be handled by the existing staffs of our universities. The training might well encompass research method and procedure -- theoretically, conceptually, and actually.

The student of agrarian reform who comes to this country for specialized training cannot get it by studying our experience in agrarian reform and the highly developed statistical processes in the United States. Neither can he acquire the necessary kit of research tools if his research experience is centered on United States problems. Possibly, his research will not be concerned with agrarian structures, and it may not be centered in the section of the United States most like that of his home country. Neither can he accumulate the necessary knowledge if his academic training is confined to typical undergraduate and graduate courses. Special courses, informal seminars, personal consultation (almost tutoring), student papers, theses, and dissertations need to be a part of the academic offerings. The special courses could be directed specifically to training in agrarian reform. The informal seminars could encourage free exchange between foreign and domestic students on agrarian reform. The preparation of student papers, theses, and dissertations could add to the student's ability to communicate to others the results of his research.

All of the training except the formal courses would focus the student's attention on his own country. He would not spend his valuable time on studying, for example, problems of farm credit, marketing, or linear programing in the United States, as important as these problems are.

At the end of his academic experience, he would have the opportunity of returning home to develop a formal research project on some domestic problem. He would be guided in this

research-training experience in his own country by his major professor or someone acceptable to the professor. His research-training experience would result in information and findings on agrarian reform of direct value to his country. The research methods he learned should be useful to him in his native country. And perhaps of equal significance, the United States professor who supervises his research could acquire deeper insight into agrarian problems in other countries.

Institutions of higher learning in the United States cannot expect to render maximum assistance to our Government and to foreign countries so long as their personnel know little about the land problems of other countries. For example, we have had no experience in our past of accommodating indigenous agrarian structures to those brought in from other cultures. We cannot visualize accurately how indigenous tenure can exist side by side with imported ideas from other lands. We find it difficult to conceive of legal and economic analysis when so little basic data is available. Where does one start? What research method does one use? The typical specialist in agrarian reform in the United States needs considerable retooling before he is ready to train effectively his colleagues from the less developed countries and before he can make the training aspect of the program contribute the maximum to the research phase.

Service.--The results of research conducted by trained researchers need to be used effectively if the program is to be of value. If the researcher is to be effective in agrarian reform, he must come out of his comfortable academic ivory tower and participate in policy formulation, action planning, and execution of programs.

His unique services can be made available in many ways. Conferences, symposia, and workshops can be planned and executed in strategic parts of the world. Consultation with responsible officials at home and abroad may be effective. Under proper circumstance, the researcher might offer a short course in agrarian planning. He could render valuable service in keeping agrarian planners up to date intellectually.

In Retrospect

Whether you are a lawyer, an economist, or other social scientist, you may agree that the integration of law and economics is essential to the most effective reform of agrarian structures. Yet you may go home from this seminar and divide legal and economic analysis of agrarian problems into additional specialized subdisciplines and even narrower research projects, subjectmatterwise. The current emphasis on domestic research to attain immediate answers to specific problems tends to force us in that direction. Our past experience tends to minimize the amount of pressure necessary to "incline the twig" in the direction of specialization.

I do not feel assured that we possess as yet either the vision, the will, or the experience to do an effective interdisciplinary research, training, and service job on agrarian reform.

We may need to develop a subdiscipline or an essential core of knowledge that would become known as agrarian reform. Considerable versatility in integrating law and economics may well prove necessary before the greatest service can be rendered and the greatest progress expected. Even if we join legal and economic research, we may well find that specialization within agrarian reform on a geographic or cultural basis may be necessary. So we could be charged with combining law and economics, then subdividing the hybrid to attain maximum usefulness.

We need to prevent, in the rapidly developing countries that we try to assist, the almost exclusive specialization in law and economics that presently exists in the United States. Specialization may be necessary for efficiency and effectiveness. But it should not be pushed to the point at which interdisciplinary research is actually prevented or is made as difficult as it is in the United States. In many countries, the attainment of this objective may well be easy, if we cooperate effectively with the local intellectual environment. For in some countries, law and economics are not as completely separated as they are in our country. They are somewhat joined together in what might be thought of as political economy.

It is in this phase of our program that an agricultural economist and an urban-oriented lawyer can make the gravest mistakes. We need to be conscious of the tendency for scholars trained in the United States, whether domestic or foreign, to promote specialization beyond its greatest usefulness. We need to plan each step in our research, training, and service program

to promote close working relations between lawyers and economists, and also other social scientists. To date, we might well be accused of requiring that the social sciences be kept separate and distinctive, with no hybridization.

The future is bright with hope and expectation. It is less dark than the emphasis on problems may have implied. We have again set our hands to the plow. Let us turn the furrows straight and deep in every effort to make the reforming of agrarian structures bear good fruit to the various peoples who seek a better way of life and a place of equality in the family of nations.