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Final Report
on

Land Tenure Systems Structural Features and Policies

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- Opinions and judgments expressed are the authors' only. FAO proposes the text as basis for starting the discussion among scholars and policy makers on the issues related to the subject of the study.

Table of Contents

Summary

- I. Introduction

- II. Land tenure systems in Syria and the labour market
 - 2.1. Historical background
 - 2.2 Public and private land. Land tenure in forest areas, pastoral areas, agricultural areas
 - 2.3 Land tenure policies and their evolution
 - 2.4 The land market
 - 2.5 Types of contractual agreements concerning land
 - 2.6 Agricultural employment and the labour market: landlessness and labour shortage
 - 2.7 Gender considerations in relation to access to land and agricultural employment
 - 2.8 Conflict resolution mechanisms

- III. Main findings from the field investigation
 - 3.1 Access to land: multiple tenure and fragmentation
 - 3.2 Employment and wages
 - 3.3 The land market in the selected areas
 - 3.4 Land relations in the land reform areas

- IV. Conclusions and follow up

- V. Recommendations

- VI. Project Profile

- VII. References and glossary

- VIII. Annexes
 - Annex 1 Organization of the field study and plan of work
 - Annex 2 Land tenure study. Guidelines for trainees
 - Annex 3 The field investigation: some results

SUMMARY

The first mission of the international consultant took place in November-December 2000. This permitted to discuss the land tenure situation in Syria with Government officials at central and Governorate level, with project staff, university researchers and with a selection of farmers. The contents and process of additional data collection in the field was agreed and plans were made for field work in three selected governorates.

The second mission took place in February/March 2001. It allowed to review investigations carried out in the field and acquire a better understanding of central level information. This report was elaborated during this second mission.

The field work was conducted under the supervision of two national consultants, Dr. Nouredin Mona and Dr. Mustafa Darwich, of the University of Aleppo and with the participation of eight trainees of the Training Centre run by project GCP/SYR/006/ITA. The field investigation was instrumental in providing essential information needed to prepare a policy relevant report.

The major conclusions of the study are:

Relations between people and land in Syria take a multitude of forms, evolved during the history of the country. Customary and formal legal systems play a complementary role.

Pressure on land is increasing in line with high population growth and is at the root of illegal occupations and conflicts between non cultivating owners of the land and would be cultivators. Better definition of rights and duties of each party is needed together with an increasing reliance on the informal conflict resolution mechanisms at the grassroots level.

The proportion of agricultural households without any access to land or fixed employment is growing. Such landless population may find relief in the labour market but is in insecure conditions and vulnerable to economic change.

The traditional labour organization system is efficient but few workers are registered as they work on very short contracts. Hence they are insecure. Most agricultural wage labourers, within Syria, are females, while their menfolk prefer to access foreign labour markets with higher wage rates. Effects on women of their income earning capacities are not well known, as no focused study has yet been undertaken on this subject.

The state has a very important role as an ultimate owner of a large part of the territory. The operation of much of the agriculturally useful surface is in private hands, but the state has final control and an important role of arbiter. This applies to land use rights in the badia as well as to coordination of land reform beneficiaries. Improved monitoring systems and further devolution of responsibility to the users of the land may decrease the administrative burden of the state, without impairing its ultimate function of control.

Land tenure issues as well as analyses of the land and labour market are very important but as yet little research has been conducted on them. Much more attention is needed to these issues as well as more generally to an analysis of socio-economic change in the villages of Syria.

The contents of this report are based on central level data interpreted in the light of local level information. The latter was collected within a limited time frame from selected villages. Therefore

sometimes interpretations given and conclusions drawn may be only locally relevant. The international consultant is aware of these limitations and takes full personal responsibility for any unwarranted interpretation or for any factual error.

I. INTRODUCTION

1.1 Background and objectives

Project GCP/SYR/006/ITA and more particularly its policy advice and strategy component aim at improved formulation and implementation of policies by the Ministry of Agriculture and Agrarian Reform (MAAR). This is to be facilitated *inter alia* by the conduct of policy relevant studies in selected areas, leading to the preparation of an agricultural development strategy.

The already completed studies cover a wide array of subjects from strategic crops to marketing. Others are in preparation. In this way important aspects of the economics of production and institutional support are being addressed. Within this context the study on land tenure systems is to contribute to the agricultural development strategy with an appreciation of the legal and social framework within which agricultural production takes place.

The country profile study prepared by project GCP/SYR/006/ITA provides, together with other project documents, information on the agricultural sector and its place in the economy. Such information will therefore not be repeated, unless essential, and this report will focus directly on land tenure and related issues only.

Basic data on land use and land holdings by size are available *inter alia* in the 1994 census of agriculture which contains data on holdings distribution by size and by *mohafadha*. However the census does not provide information on the tenure under which these holdings are operated.

The complexity of the subject, its very great local variation linked to types of agriculture and socio-economic background demanded an early decision on the most useful approach. The alternatives went from a blanket coverage of the land tenure related issues under debate in the country, but with limited depth, to a selection of critical areas only, with the possibility of more focussed but locally limited investigation. After consideration of the type of information existing at the country-wide level, and the difficulty to broaden it without lengthy and comprehensive surveys, the latter option was preferred. In this way the project may provide a more immediately useful input to the planning and policy making capacity of the Government in highlighting some crucial but imperfectly documented areas.

The conclusions and consequent suggestions for policy intervention may be biased by location specificities and the limited time frame. It is nonetheless hoped this report can be a useful platform for further study and debate on land tenure issues in Syria.

1.2 Study focus and organization

Initial discussions at the policy level in Damascus, in ICARDA and in selected Governorates were instrumental in the decision to focus on some critical areas and namely: i. tenancy and sharecropping systems, the evolution of the actual situation in comparison with the legal framework and the emerging problem of squatters on private land ; ii. regulations affecting land reform beneficiaries, *de facto* subdivision and sales; iii. market-led increasing size of operation in parts of the country; iv. extreme fragmentation of small scale operations and growth of landless agricultural households.

Field research took place in selected communities in the Idlib, Hama and Hasake Governorates where most of the above phenomena are present at different levels of intensity. All five agro-ecological zones are represented in the three said Governorates. This allowed to discuss in the field with farm operators, technicians and policy makers alike land tenure relations linked to the major cultivation patterns prevailing in the country. The set of issues related to land tenure in pastoral areas, relevant in more than half the Syrian territory was addressed in meetings with policy makers and researchers. In the course of the field research the situation obtaining in the *badia* parts of the Hama governorate was also discussed.

In section 2 the background and major issues present in the land tenure debate are outlined. These are looked at again in section 3 in the light of the field investigation's findings. Major conclusions, section 4, and recommendations, section 5, related to policy making and research needed, conclude the report.

Reasons for selection of the field investigation areas and organization of the study are given in more detail in Annex 1. The overall study was coordinated by the international consultant, assisted by two national consultants. Project trainees were assigned to participate in the field work. They were provided with guidelines, see Annex 2, in addition to receiving close supervision by the consultants. Annex 3 provides some further detail on the field investigation findings.

II. LAND TENURE SYSTEMS IN SYRIA AND THE LABOUR MARKET

By tenure we mean the bundle of rights an individual, household or community may have with respect to land, or water or other resource for that matter. It includes property rights but also use rights of a permanent or a seasonal nature. With land tenure we restrict the meaning to rights related to land, their origin and their operation.

A tenure system may include rights sanctioned by law, and rights sanctioned by custom. That is, beside formal legal systems following defined administrative procedures there exist also customary rules accepted by the majority of users. The two systems may sometimes enter in conflict with each other (FAO 1993).

Already in the sixties Demsetz (1967) stressed the importance of social consensus as a priority for recognition of property rights. In this sense the status of a good such as land is defined by its embeddedness in social rules. Interaction of formal and customary tenure systems is increasingly explained nowadays by concepts of social capital. This means, for instance, that presence or absence of a physical document of ownership, i.e. the legal sanction of the relation between a specific owner and a specific property, may be less important than the set of relations existing between different stakeholders, and between these stakeholders and the authorities.

The existence of a formalized systems of tenure side by side with customary institutions (*Urf*) apply in Syria, as in most countries. During the twentieth century the changes in land tenure have been substantial with the passage from Ottoman administration to French mandate and ultimately to the independent Syrian state. Each have left a legacy of institutions pertinent to access to land and acquired rights. But the last decades of the 20th century have witnessed even more changes in terms of land redistribution and hence power.

In Syria as elsewhere in the Near East redistributive land reform and public land distribution have been used extensively since the late fifties as measures to benefit poor farmers. This has, however, not prevented the growth of landlessness. The landless, defined as those agricultural workers not owning or renting land and without access to permanent employment, were estimated to represent in the Near East Region between 20 and 35% of total number of agricultural households according to the 1980 World Agricultural Census (cf. El Ghonemy 1996) and even more at present. In Syria their growth was slowed down by the redistributive policies of the Government in terms of support to the poorer segments of the population and more specifically with redistribution of land confiscated to large feudal owners. Landlessness is however now becoming a matter of increasing concern in many governorates and links in with the debate on the claims of squatters occupying land to which they have no title, and on legal tools to enforce property rights and property security.

2.1 The historical background

The legal systems that regulate land access and operation in a given country are the outcome of historical events.

The current land tenure system in Syria was, for instance, influenced by the mass peasant uprisings of 1889-90, during Ottoman rule, when the peasants wanted the reduction of the sheikhs share to land to one eighth, the parcelling out of the rest of the land to the peasants as well as the elimination of the right of the sheikhs to evict peasants.

It is also influenced by the historical role plaid by state and collective land. State land today is only a partial remnant of land under different types of state and communal tenure that existed up to the

end of the 19th century. Communal farming systems (*musha*) existed in wide tracts of the Syrian countryside until when, with the 1858 Land Code, hundreds of villages became ownership of Sultan Abdul Hamid's family and of a handful of powerful Syrian families. In this way the process was started whereby personal title of ownership to much of these *musha* lands came to be given to powerful absentee owners. In many cases in Syria as elsewhere in the Ottoman Empire tribal chiefs were transformed in private owners while tribe members became their sharecroppers (cf Lemel 1988). However, to this day *musha* land exists and is at the disposal of the communities for activities such as grain threshing or grazing as well as distributed to households for agricultural operation. The term *musha* is used in Syria today to refer to undefined or undivided land in general, as well as, in some cases, of divided and defined land, where individual households have a right The *musha* land system has many analogies with the open fields system common in much of Europe until the 18-19th century (cf. Ciparisse 1999).

As for state land, after the Turkish revolution of 1908 crown land became state land. Later, under the French mandate, state land came partly under the personal control of the sheikhs. In the *badia*, grazing areas were recorded as state land, with pastoralists' customary access rights.

Syria was under French rule between 1920 and 1945. During this time the peasants revolted again - in 1925-27. Many small-owners were in fact suffering under the weight of taxation, and the rural population at large was resentful of the extensive use of compulsory labour.

In the post World War II system the most important changes were brought by legislation which came into being during the union with Egypt: in 1958 both the Agricultural Relations Law (law no 134) and the Agrarian reform law (Law no 161) were enacted. In this way policies started to focus on the hitherto underprivileged peasantry which benefited from land distribution acquiring owners-like possession to the distributed land. On the other hand through the Agricultural Relations Law farmers obtained fairer shares of production in the case of sharecropping.

About 22 percent of cultivable land was confiscated because of land reform ceilings. This was only partially redistributed to farmers (see Sarris 1995). The allocation of this land is explained in section 2 and some related findings on the situation in the field are in section 3.

The Peasant Union (PU), formed in 1964, was to become the mass organization representing farmers' interests in this process. In 1974 the Peasant Union acquired further strength by its merger with the already existing co-operative system. By the 1990s more than 80 percent of Syrian farmers were estimated to be member of the PU. This included land reform beneficiaries, but also other small farmers, and herders in the *badia*, through their own co-operatives. In this way the PU represents a great variety of farmers operating either in public or private land areas.

Beside the PU, the Chamber of Agriculture, which separated in 1930 from the Chamber of Commerce, also represents the interests of agricultural producers with branches in all *mohafadhas*. Because of its historical background this organization is more representative of the interest of more substantial farmers and entrepreneurs. Together, the Peasant Union and the Chambers of agriculture became the mass organizations through which the voice of the producers could reach the Government.

2.2 Public and private land. Land tenure in forest areas, pastoral areas, agricultural areas

In terms of land use, and irrespective of whether private or public, the country profile (FAO 1999) reports that out of the total of 18.5 mill ha: 6.0 are cultivable land, 3.7 uncultivable, 8.3 pasture and

steppe, .5 forest. The first item from the tenure point of view is to a large extent private, while the second item, uncultivable land, is shared between private and public with a greater portion belonging to the public sector. There is some overlapping between pasture and steppe land on the one hand and uncultivable land on the other which explains some difference in the statistical breakdown in different sources. Communal pastures and forests are mainly state controlled.

In terms of property and tenure it is estimated that out of the total Syrian land area (18.5 mill ha) 62 percent (11.5 mill ha) comes under the general term of state land. The remaining 38 percent of the territory or about 7 million hectares are privately owned and operated. This includes cultivable as well as some uncultivable land.

Under the general term of state land are included natural resources and utilities for collective use, state land cultivated for agricultural purposes in state farms and similar enterprises as well as land distributed under various title or rented, under land reform and assimilated programmes. The difference between these various types of land from the point of management and from the point of view of individual rights to them, is so great that it is not unusual in Syria to hear that there are in the country three types of land: state, land reform and private. The first two do however technically fall together under the term state land, as will be illustrated further below.

Table 2.1 State Land and private land, year 2000 (million ha)

State land	%	Private land	%	Total land area	%
11.464	62	7.054	38	18.518	100

Source MAAR

It may be useful to stress that the breakdown in terms of land use and in terms of ownership (private or state) are only partially coinciding. In particular: cultivable land exists under both state and private control, some pasture have come under private control and even in the uncultivable land category including lakes, buildings, roads, many areas even if allocated to public use, are still nominally private.

Private land

Private land includes cultivated land, in rainfed or irrigated conditions, in addition to fallow and some uncultivated and uncultivable land. With increasing population and pressure on land the tendency has been for using all available resources and in a more intensive way: uncultivated land in private areas is almost stable (around .5 million ha) and areas left fallow are in sensible decrease since the late eighties.

Private land is used for crop and animal production in holdings owned, and/or operated, either by individuals or companies. It occurs under a variety of tenures and systems of management, with a predominance of direct operation by owners or through sharecroppers. On the other hand, crop and animal production is also taking place under different categories of what is defined as 'state land'.

State land

Currently in Syria the general category of state land includes:

- i. agricultural land rented or allocated to individuals, for instance to land reform beneficiaries, and which is privately operated;
- ii. state farms;
- iii. forest land;
- iv. pasture land in the steppe used by herders under traditional rights of access;
- v. state land used for roads or any other public purpose as well as uncultivable areas such as wastelands, rivers and lakes.

Lands under i and ii are used for defined agricultural production purposes and managed in the form of holdings, (i.e. each production unit irrespective of system of management and ownership is included under the total number of holdings in censuses and other statistics); item iii is managed by the state with limited rights of use by certain population groups; item iv according to some statistics accounts for as much as 55 percent (10.2 mill ha) of total land area, and close to 8 million ha according to more conservative definitions; it includes the desert and semi-desert area or *badia* to which mobile herders have traditional access rights, but also some marginal agricultural areas in zone 4.

The specifically Syrian definition of state lands warrants some further attention. Based on characteristics of access, legal delimitation of the territory and type of management, the first two categories above -rented or allocated agricultural land and state farms, tend to coincide with cultivable land under the category of registered state property, whereas all the rest falls under the category of unregistered open access and communal resources. Starting from the latter these categories can be defined as follows:

1. communal resources for general use of the population and not registered against an individual or collective name. Within this general category are included areas open to the whole population, such as lakes or rocky areas as well as pastoral areas. From the tenure point of view this would include open access areas as well as common property traditional access areas. From the land use point of view it tends to overlap with categories, iii, iv and v above, namely forests, grazing areas, public utilities and unproductive natural resources;
2. registered state property. This includes:
 - 2.1 areas registered under state property prior to the land reform of 1958, out of which some were distributed, with land use rights, or rented to individual operators; in the subsequent pages these areas will be sometimes referred to as original state lands (as opposed to the land reform areas expropriated from private owners and put under state control for reallocation);
 - 2.2 areas expropriated from private owners above ceilings defined by the land reform of 1958 and later amendments, and subsequently distributed, rented or transferred.

The area recorded under these categories is reported in table 2.2.

Table 2.2 Registered and unregistered state land (million ha)

1.Unregistered open access and communal resources	7.675
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2. Registered state land

Registered state property (not related to land reform) 2.399

Registered areas after confiscation through land ref. 1.390

Subtotal registered 3.789

3. Total 11.464

Source MAAR 2000

I will come back in section 2.3, dealing with policies, to the complex system that evolved over time in Syria to directly manage state land -as in the case of state farms, rent it out to farmers, allocate it to individual beneficiaries as ownerslike possessors, or allocate it for different types of public use. This has permitted to give direction and support to a large mass of small individual land recipients as well as to large scale public holdings. It however implies also heavy demands on public sector establishment for monitoring purposes.

The large share of land defined as ‘state land’ in comparison to fully private land highlights the importance of land use rights as opposed to full property in Syrian agriculture at large. In fact a simple subdivision of land into public and private reflects ultimate ownership but not different types of access rights.

A large but not precisely defined portion of agricultural activities, particularly with reference to grazing, but also to some extent to forest and crop production, takes place under communal tenures which stretch across public and private land. Migrant herders have traditional communal access rights to much of the *badia* areas and some communal rights exist in forest areas. Communal lands in cropping areas, the already mentioned *musha* land, exist nowadays at a much reduced level than at historical times and tend to be included in the overall category of private land, but are communally monitored and in some cases communally operated. Finally, land reform beneficiaries have many rights common to full owners, but also limitations due to their rights to possess but not to alienate.

The relevance of use rights, as opposed to property, is highest among pastoralists in the *badia*, which cover such a large proportion of the country, even if sparsely populated.

2.2.1 Stalemate in pastoral areas

Traditional communal access rights to pastoral areas have often come under threat. Pastoral areas are officially considered state land and the population use rights to them are not codified. Also, the border between land suitable or non suitable for cultivation, based on rainfall, is not rigid and there have been many attempts to extend the cultivated areas and to acquire private rights to formerly communal land.

Already in Ottoman times about 550 thousand ha of pastures were registered with individual titles (personal communication Al Hindi); this trend continued with creeping privatization in the course of the last decades. Lands with at least some agricultural potential were put into barley cultivation with erratic production.

The expansion of the land frontier has been particularly noticeable in the sixties. According to some authors (cf Ngaido 1997) in this period most of the arid zones pastures located in the 200 to 350 mm of rainfall were put under cultivation and came under private possession. The putting under cultivation of marginal land, mainly for barley, continued being the way for acquiring private rights up until the early nineties when legislation was enacted for the protection of rangelands ('decision' n.17 of 1992, and 'decision' n.27 of 1995). This legislation banned cultivation under both irrigated and non irrigated conditions in the steppe, but still recognized the private possession on the areas previously cultivated. This means that at present there are portions of the *badia* which are under private possession even if not open to cultivation but only to grazing. (In theory planting of shrubs and reseeded for grazing purposes is allowed but does not seem to be much practised)

For most of the rangelands communal rights are traditionally recognized by the users, who are at least nominally part of the country's cooperative system, but free riding cannot be legally sanctioned as communal rights are not officially recognized. The situation is particularly critical where pasture users come from different groups with sometimes conflicting claims. As these claims emerge from the customary system, government monitoring tends to ignore them. A greater role might be played by the cooperatives in sorting out local situations before agreements on grazing management programmes.

This situation was addressed at a workshop held in October 2000 under the auspices of FAO/MAAR project GCP/SYR/009/ITA with the participation of herder representatives and decision makers. It was decided that the role of cooperatives in identifying and implementing range management plans through a participatory process and inter-cooperative agreements should be enhanced. The need to involve national level authorities in the process was also stressed. Experimenting on these lines was still at the planning state in early 2001 and is due to start from the three cooperatives falling under project's GCP/SYR/009/ITA area of responsibility and neighbouring areas. The process includes also the difficult task of defining cooperatives' responsibilities in terms of territory, not a straightforward exercise among pastoral populations who hold different rights at different seasons. It will therefore mainly imply the definition of reciprocal rights and duties rather than a territorial demarcation. The experiment will also involve the discussion of management arrangements and the role of stakeholders (cf. Rae 2000).

2.2.2 Farming areas: land owners and land operators

Tenure in the cultivated areas is characterized by the importance of holders whose main occupation is not farming. This includes absentee owners as well as part time farmers with a prevalent non farming occupation. Census figures indicate that in 1981 more than one third (36.2 percent in 1981) of total holders did not have farming as a predominant occupation. In 1994 they had decreased to 28.6 percent, however in actual number they had increased from 148 thousand to 164 thousand (table 2.3). According to undocumented estimates this category can be considered to be mainly composed of absentee owners. However without some field investigation on a sample basis it is difficult to say which percentage is actually representing absentees and which operating farmers, even if statistically classified in other sectors in terms of their main activity.

Several waves of migration have swollen the number of absentees. In fact the latter include members of the urban middle classes with some agricultural property, but also relatively poor farmers unable to make a living out of agriculture and attracted by better opportunities in neighbouring countries or in the cities. Properties were in most cases given for cultivation on the basis of informal sharecropping agreements.

Finally, in the eighties increasing availability of infrastructure brought improvements to the basic livelihoods in rural areas. This took place for instance through electrification and improved road links. Such improvements permitted a gradual return to the villages of many holders as part time farmers who regularly commute to cities, even at substantial distances. Such a phenomenon is typical of all peri-urban areas in the country. Part-time farmers enjoy all the benefits of full time farmers in terms of government services and subsidized inputs.

The return to their home base of many part-time farmers may also be a partial explanation to increasing conflicts between owners and operating farmers where the former want to recover possession of their property and the latter are not willing to terminate the existing sharecropping or labour agreements. Hence the phenomenon of return to the land may have side effects on an already saturated land and labour market.

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Table 2.3 Farmers operated holdings and total holdings. Holdings with and without land, 1981 and 1994

Census year	Landed holders with farming as a main occupation	Landed holders with farming as a main occupation as % of total holders with land	Landed holders whose main occupation is not farming	Landed holders whose main occupation is not farming as % of total holders with land	Total holders with land	Holders without land	Grand total of holders
1	2	3	4	5	6	7	8
		2 as % of 6		4 as % of 6			
1981	261 386	63.8	148 106	36.2	409 492	76 199	485 691
1994	409 142	71.4	164 051	28.6	573 193	40 464	613657

Source: 1981 and 1994 Census of agriculture

To sum up, owner operators were more than seventy percent in 1994 while twenty-nine percent were holders whose main occupation is not farming. This category consists mainly of absentees, with different levels of participation in management, who operate through sharecroppers or hired labourers.

The number of holders without land was 8 percent of total in 1981 and less than 7 in 1994. Holders without land, in the census, reflect mainly livestock holders without a fixed land base, a likely underestimate of the total production units in the *badia*. This statistic cannot be taken as a proxy of landless farmers and is therefore of limited relevance for a discussion on access to land.

Concluding, with the practical disappearance of traditional large scale land owners families in the wake of the agrarian reform, Syrian agriculture is characterized mainly by small holders whose main occupation is farming, but also by a substantial number of small owners who do not directly operate their farms. These owners are often of farming origin themselves but have moved away from farming as they have entered other activities. They cannot be compared to the absentee owners of the past, who relied on a layer of intermediaries, because of their more direct involvement in management, and thus their greater potential in promoting innovation and investment. However, owners on the one hand and sharecroppers and tenants on the other increasingly compete for more control over the land they respectively own and operate. This is expressed in increasing conflict which calls for some improved regulations, for both social peace and investment promotion.

It is in theory possible to group households partaking in farm operations, and agricultural production in general, into many overlapping categories. These are:

- i. landed holders whose main occupation is not farming (mainly absentees);
- ii. landed holders with farming as a main occupation, i.e. owner-operators;
- iii. sharecroppers and tenants having a written or oral agreement with the owner of the land;
- iv. land reform beneficiaries and state land distribution beneficiaries -ownerslike possessors of holdings assigned to them and for which they pay a yearly fee up to concurrence of one fourth of the value of the assigned land;
- v. tenants on public land, renting in lands belonging to the old state land establishment or to the expropriated land reform areas not distributed to beneficiaries;
- vi. squatters on public land -a category of workers aiming at becoming legal tenants and for which regularization is on-going;
- vii. squatters on private land, who are mainly sharecroppers whose contract has expired and whose rights are awaiting arbitration;
- viii. labourers in state farms, joint ventures or larger private farms with a permanent contract, which is a very small category as most contracts are for short term casual labour;
- ix. landless and nearlandless labourers, mainly descending from small owner or sharecropping households with inadequate land base to redistribute to children.

However, these groups can be overlapping: for instance one household may be owner operators in one holding and sharecroppers in another. That is the groups are not discrete and also their interests often overlap.

From the management point of view, apart from absentee owners in category i., and categories viii. and ix. who are permanent and casual labour working under instructions, all other categories, ii. to vii., function as farm operating households with different degrees of independence from the ultimate owner of the land.

2.2.3 The evolution of agricultural holdings size. The geographical dimension

The number of holdings in Syria has been increasing side by side with population growth and consequent pressure on land. The notion of holding stretches across private and public land, it

includes a large number of small farms but also large scale state farms as well as commercial type joint ventures. Seven joint ventures with mixed private and public financing existed in year 2000 with a total of 7242 ha and an average of 1035 -affected by the largest unit which controlled 2462 ha. Nonetheless the bulk of holdings is small in scale and traditional in system of management with more than half, 56 percent, of all holdings having an area of 2 ha and below. See table 2.4

Table 2.4 Percentage distribution of land holdings by major class size

Size classes	% Distribution
Up to 1 ha	34
1-2 ha	22
2-4 ha	11
4-6 ha	12
6-10 ha	7
10-20 ha	9
20 and more ha	5

Source. 1994 Census of agriculture

Average size of holdings has been decreasing over time, but there is some discrepancy on the actual size levels reported in different sources, all derived from elaboration of census data. Area of holdings can in fact be measured in terms of total area, cultivable area, or actually cultivated area, and lead to different results. In addition the total number of holdings may or may not include holdings without land. However, in order to illustrate general trends, the direction and level of change is more important than precise average size. Hence, table 5/4 of the 1994 Agricultural Census, which summarizes provincial and intercensal changes, will be used. It will anyway be useful if greater transparency and consistency is achieved in the dissemination of census results as a tool for planning at all levels. The data derived on holding size evolution are summarized in table 2.5.

The situation is differentiated over the national territory. Against a decrease between 1970 and 1981 and then a levelling, there are examples of dramatic decreases as in the *mohafadha* of Sweida where average holding size decreased from 12.2 to 7.6 ha. On the other hand in the coastal region very small holdings were and continue to prevail: in Tartous for instance the already small average holding of 2.7 ha in 1970 only decreased to 1.8 ha in 1994, meaning that some sort of minimum threshold of operation had been reached. There are however also cases such as the Rakka *mohafadha* where an above national average of holding of 22.1 ha in 1970 increased to 27.9 in 1994, probably indicating some land consolidation.

Table 2.5 Average size of holding by Mohafadha in 1970, 1981 and 1994, ha

Mohafadha	1970	1981	1994
Damascus city	6.9	6.9	3.0
Damascus countryside	3.8	3.9	3.4
Aleppo	14.2	10.9	12.3
Homs	12.6	8.3	8.4
Hama	10.0	7.3	6.8
Lattakia	2.4	4.7	2.0
Deir-ez-zor	9.5	3.6	5.3
Idlib	6.7	5.2	5.5
Al Hassakeh	36.9	19.1	18.3
Al Rakka	22.1	22.8	27.9
Al Sweida	12.2	8.0	7.6
Daraa	13.2	9.9	7.0
Tartous	2.7	2.1	1.8
Quneitra	8.6	6.3	4.9
TOTAL	11.8	8.5	8.5

Source. Elaboration from censuses 1970,1981,1994. In Agricultural census 1994 T 5/4

Subdivision of holdings into a number of parcels and their geographical peeks are a connected issue. According to the 1994 census, tables 9 and 10, the total number of holders was 573 193, and out of these 90 percent were in the category ‘holders owning all land’. This majority category can be used to illustrate the situation of number of parcels per holding and variation within the territory.

The average for the whole country was 3 parcels per holding with a predictable minimum -1.1 parcels- in the very small holdings of up to .1 ha, and maximum of 4.6 parcels in the largest size class of 300 ha. There are however also peaks of 3.7 in the 6 to 10 ha category.

What is more noteworthy however is the geographical dimension: in Hama the average parcels per holding were 3, in Sweida 4, in Tartous 4.8; on the other hand parcels per holding were fewer in the North East (1.8 in Hasake and Rakka). In the areas where small scale mixed cropping is predominant fragmentation in several plots is, predictably, higher than in the grain areas of the North East. For instance in Rakka the average size of parcel was 14.1 ha with an average size of holding of 27.9 ha. In Tartous the average size of parcels is 0.37 ha and of holdings 1.80 ha (cf Faki 2000 table 17).

2.3. Land tenure policies and their evolution

A strong emphasis on legal structures is traditional in Syria as in other Mediterranean countries. The policy discourse is mainly presented or supported by a series of laws and decrees.

Policy evolution is also very much influenced by identification of issues by MAAR staff and thus by sectoral priorities. Positions expressed by the Peasant Union or Chamber of Agriculture are also reflected during this process. However a major responsibility is placed on the line ministries. Technicians both at headquarters and the field are often promoters of changes which are then reflected in legal instruments. These may emanate directly from Government, as it is the case with decrees or pass through the more complex process of discussion in Parliament.

Law 134 of 1958, usually referred to as the Agricultural Relations Law, gives the overall legal framework for all relations between employers and workers in the agricultural sector as well as between land owners and tenants. It includes two rather separate parts: a labour relations framework, chapters 1 and 2 or the first 160 articles, and a land owners-sharecroppers relations framework, chapter 3 to 5, articles 161 to 269. The first part follows international patterns of workers rights and labour protection rules. The second refers mainly to sharecropping agreements between operators and land owners. Discussions started in late year 2000 in the Parliament for introducing amendments to the law and make it more relevant to the current situation in the country.

The labour-employer relations described in the law comply with advanced international labour legislation, but they may not totally reflect the current employer/labourer relations in Syria where the percentage of labour contracts actually registered is low.

In the land related section the level of detail prescribed by the law, with reference to sharecropping and leasing regulations, is rather high and may not always reflect actual agreements prevailing in the field.

As for leasing, this is actually foreseen as a legal contract between the owner of the land and an operating farmer, see art. 161. There is no clear indication of limitations to enter into such agreements although they are not frequently used. One shortcoming may be identified in the duration, one year renewable, which is common both to renting and sharecropping contracts. This is not locally perceived as a problem as contracts are renewable. It is nonetheless likely to affect any longer term planning and may be at the root of insecurity for both partners.

The law, art. 172, also states that oral contracts are not valid after the enactment of the law, which may explain the many cases in which the occupier claims rights to possess the land. Agreements between owners and farmers are rarely registered and therefore the law functions only as a general frame of reference.

Arbitration committees exist for conflict resolution at the Governorate and higher levels. The committees include representatives of MAAR, Ministry of Social Affairs and Labour as well as farmers organizations. They are often asked to discuss cases where no contract exist and all information is circumstantial, presented by the parties themselves. The problem may thus not be in the letter of the law but rather in the lack of clarity and insufficient social control over the implementation of contracts.

Passing from the private to the public sector, law 252 of 1959 regulates state properties and defines the management of the state lands. Decree n 166 of 1968 defines the modalities for distribution of land to farmers as rights users. This legislation involves also distribution to needy farmers, with emphasis on directly operating households, and is closely linked to the land reform implementation system. There are however some differences: for instance application for ownership is possible after 10 years of registration in the case of original state lands and 20 years for a title of ownerslike possession in the case of land reform beneficiaries.

Law 161 of 1958 deals with land reform, the modalities for expropriation and for distribution to farmers. The ceilings for land property were later amended by a number of decrees, the latest of which is Decree n. 31 of 1980. The ceilings for ownership are related to land potential and take into account irrigation and rainfall. They go from a minimum of 15 ha in highly productive irrigated and tree cropping areas, 45 in well-irrigated areas, 55 ha in high rainfall (exceeding 500 mm) rainfed areas, and up to 200 ha in the marginal rainfed areas of the north east.

The land reform law gives the beneficiaries owners-like possession but no right of sale, and tied cropping systems. The size of distributed plots was related to size of households and was thus aiming at covering basic needs of the households. The holding was expected to remain one undivided management unit, but no mechanism for compensation between heirs of the household was foreseen. In fact the process of implementation has included several steps. In some cases the existence of a variety of decrees and amendments has brought to some difference in implementation at the governorate level. For instance it was reported that in the Idlib governorate law 66 of 1969 was applied in distribution to households, which was done irrespective of family size. In addition there was provision for compensation among brothers.

With respect to land ceilings established by land reform, according to some views the ceilings on maximum ownership by different types of land may come into discussion and possibly be removed. However, as of early 2001, they legally exist and exception to ceilings in operation are possible only for joint ventures. Ceilings apply to ownership and not to operation and therefore there is no legal obstacle to establishment of larger scale operations, except that the short duration of contracts for land leasing has implication for insecurity and high transaction costs. In fact contracts are automatically renewed, but are potentially open to frequent renegotiation.

2.3.1 The role of mass organizations in policy making and implementation

The Peasant Union (PU) with close to a million members, in most cases representing households - but there can be more than one member per household, is the most powerful and ramified organization of farmers. It represents both owners of land, non owning operators and agricultural workers. Its base units are the 'cooperatives' which can be established at the village level provided there are 30 members. Local cooperatives join in in a league at the *mantika* level. Above this level there are Peasant Union governorate and central federations. The central level of the PU participates to the highest level policy making in the Supreme Agricultural Council.

In year 2000 there were more than 500 cooperatives in Syria. One of their major roles in the villages is the collection of land reform beneficiaries' yearly fees, assistance to them in obtaining credit from the agricultural bank and access to subsidized feed. According to the government guidelines funds collected are to be locally invested for development projects and hence would have a role in promoting local rural development programmes.

The financial and organizational role of the cooperatives is complemented by the technical role of MAAR, through the extension branches mainly, in defining cropping plans. In this connection those farmers who are not land reform beneficiaries may find it equally useful to belong to the cooperative.

The PU is thus representing different categories of agriculturists and their families, from landholder to landless labourer. The relative weight in PU's membership of land reform beneficiaries and other farmers who do not fully own the land they operate make the organization particularly attentive to the problems faced by these categories. This is not however to the exclusion of more general concerns for all rural households.

The Chamber of agriculture with 400 thousand members, in 13 governorate level Chambers, tends to cater more for owners of the land and entrepreneurs in the agricultural field. Chambers of Agriculture are present in all governorates with a central federal office in Damascus. Membership is voluntary for anybody involved in agriculture, from land operators to equipment owners or agriculture-related shop owners. It caters for the information and research needs of this wide

membership and answers membership requests. Its major activities are information and assistance to private farmers and other agricultural entrepreneurs in promoting their productive performance. A number of sectoral committees, established at members' request, function at the governorate as well as at the central level. These committees meet regularly and highlight members needs. On this basis the Chambers representatives inform MAAR and the special agricultural committees within the Parliament of their desiderata.

There is a limited overlap between membership of the PU and the Chambers, i.e. farmers may be members of both organizations. In year 2001 a process of general elections at all levels was going on to improve representativeness of the Chambers' leadership.

The most important role of both PU and Chambers of Agriculture, in connection to land tenure, concerns conflict resolution and their intervention both informal and formal through the arbitration committees. They participate in the arbitration committees on land and labour relations at all levels as well in informal arbitration at the village level.

2.3.2 Land allocation: breakdown of state land (according to law 252) and of confiscated land (land reform law 161 of 1958 and decree 31 of 1980).

Since the late fifties 303 thousand ha of original state land have been distributed to farmers with a possibility of redemption after 10 years of registration. This took place mainly in rainfed, lower quality, land areas of zone 4.

In a similar way 554 thousand hectares were distributed to users out of the expropriated private lands following the 1958 land reform. These latter lands can be redeemed after twenty years of registration. Land reform distribution took place mainly in better agricultural areas in zones 1,2, and 3.

In both cases yearly fees *are* paid by the recipients . According to limited information obtained in the field beneficiaries of state land distribution, , obtain an 'ownership' title allowing sale and subdivision. This is not the case for land reform beneficiaries whose rights do not include sale and subdivision.

At any rate land distributed to operating farmers accounts for only part of the destination of the total stock of registered state lands.

Table 2.6 gives the breakdown of the total of registered state land, (cf. also table 2.2 in section 2.2 above), according to destination and type of users.

Table 2.6 Allocation of original state land and land expropriated according to land reform law

TYPE OF ALLOCATION	LAND REFORM LAND ha	% BREAKDOWN	ORIGINAL STATE LAND ha	% BREAKDOWN
Distributed to farm beneficiaries	554 744	40	303 444	12
Public sector (includes municipalities)	140 491	10	307 196	12
Sold	5 685	- -	444 812	19
Rented	448 094	32	490 584	20
Vacant wasteland	240 685	17	852 936	36
Total (errors due to rounding)	1 389 699	100	2 398 972	100

Source MAAR 2000

>From among original state land 444 thousand ha in addition to 6 thousand from the land reform areas were sold. These land were sold mainly to achieve a degree of stabilisation for farmers and to improve land exploitation through giving ownership rights. They were also in some cases sold to help in land consolidation and to farmers who were not able to obtain allocation under the general distribution rules. They have however a tied type of land use, and should still be considered in the broad category of ownerslike possessors rather than owners.

The current policies in the early year 2001 are in favour of allocating most of the total registered state land, i.e. land reform and original state land, to individual farmers. The structure and priorities for distribution used for land reform beneficiaries would apply also for future distribution.

As the table shows 40 percent of the land reform land was distributed to farmers. This happened mainly before 1974, at which time increasing attention was given to the needs of public organizations, for production as well as for research and development purposes. Redistribution to farmers started again, later.

The priorities for selection of land reform beneficiaries were: to be peasants holding Syrian nationality, residing in the locality where the land is available, not reaching the legal property ceilings with priority for anybody already operating the land open for distribution, additional priority was given according to poverty and number of dependants. In the case number of eligible farmers in a location was limited, distribution included peasants from neighbouring villages.

The law was to be implemented in a way to create small holdings not to exceed 8 ha in irrigated or tree crop areas, 30 ha in rainfed conditions with more than 350 mm, and up to 45 ha in rainfed areas with 350 mm or less.

One problem faced by land reform beneficiaries are the high transaction cost, involving also time and effort, to apply for final title. In any case, this refers to usufructuary rights and not to fully disposable private property.

Registration is the first step needed. (Apparently there are still some limited cases where this has not been completed). Applications for final title can be made twenty years after registration and after payment of the yearly dues.

The prescribed path seems to be fraught with difficulties. This is especially true because the share of the assets within the household of the original beneficiary, and his heirs, needs to be sorted out first.

Fragmentation of holdings is a serious problem in Syrian agriculture because of the traditional inheritance systems giving equal rights to each son. But the situation is further exacerbated in land reform areas where exchanges and sales between heirs are not permitted. Taking the example of Hama, in land reform areas the ceiling was put at 2.5 ha per household in 1968 when the distribution took place. It is now down to .4 (4 donums). The ceiling was based on existing children at the time of distribution, i.e. each member of the household counted in establishing the total household allocation. Each individual child had a theoretical share. This had abnormal developments. I will list only some examples: i. upon death of the father, his individual share of the total allocation was divided among all his children. Those who were already born at the time of the land distribution received their part of the father share plus their own share; those who were born after received only a part of the father's share; ii. the holding is eligible for inputs as one unit but the existence of separate beneficiaries is recognized; those who are no longer on the land get 20 percent of the production of their share as if they were giving their land to sharecroppers (brothers in this case); iii. according to the law women get their share like men. According to *'Urf* they do not. Hence the brothers usually occupy the sisters' land, unless the latter renounce their rights under social pressure; iv. It is difficult to apply for final title of possession which permits selling: this can only happen twenty years after registration which is itself sometimes not completed; anyway clarification of the individual rights within the household at this point has a high transaction cost; in the meantime there are limited transactions in the parallel market to sell shares of the land to other beneficiaries.

Full title acquisition in these conditions is not a close objective. In the meantime the beneficiaries pay fees to the state. According to limited information obtained in the field the process was easier in the case of original state lands distributed to farmers.

2.3.3. Original state land and land reform land. Distribution to beneficiaries versus renting

In addition to distribution to private beneficiaries and to public sector organizations, original state and land reform land was also destined to be rented out to private operators.

The priorities for obtaining land for rent are analogous to the requisites to become a beneficiary of land distribution. The complex system of renting, which includes *de facto* tolerated squatters paying fees is illustrated in section 2.5.2.

Table 2.7 State Land area distributed or rented versus number of households

Total state area rented out (000 ha)	Number of agricultural households renting state land (000)	Average area per household ha	Total area expropriated by the state and distributed to farmers (000 ha)	Number of agricultural households benefiting from distribution (000)	Average area per household ha
929	69	13	858	99	9

Source MAAR 2000

It may be underlined, as shown in table 2.7, that the overall magnitude of state land under rental agreements, 929 thousand hectares, exceeds the one allocated to distribution beneficiaries, 858 thousand hectares. Renting affects 69 thousand agricultural households as compared to the 99 000 households benefiting from land distributed. No breakdown was available of beneficiaries of original state land and land reform land.

2.3.4 State farms

State farms cover a large part of the public sector allocation and the new trend in policy is towards their privatization. Land allocated to state farms comes from two major sources: the first is original state property, the second is land confiscated from private owners following land reform.

As of 2001 a total of 112,420 hectares were in 12 state farms or an average of 9,400 hectares each. Ninety percent of this area comes from confiscated private land in excess of land reform ceilings. It is currently planned to redistribute this area to individual operators. It is expected that only about 10 percent of the area presently in state farms will be kept for demonstration and research purposes. This leaves about a 100 thousand ha which should be redistributed according to the same priorities as land reform areas i.e. privileging local, land-poor, directly operating farmers. If the average allocation per beneficiaries falls within the average range of the previous distribution (9 ha) and of renters (13 ha) this would mean at least 10 thousand beneficiaries.

After privatization of state farms the remaining area under state control is likely to be much less relevant than today for agricultural policies and production. In fact the remaining areas allocated to the public sector include extensive surfaces for non agricultural purposes, e.g. for military training.

2.4 The land market

The land cadastre, established in 1926 during the French mandate, is said to be relatively up to date, in terms of formal and registered transactions. However, the land market is largely informal, that is many transactions are not registered.

According to Seale (1988) it was the Turkish and later French attempts to set up a land register that were used by the local notables and sheikhs to register vast amounts of land under their name. Thus regularization programmes sometimes have unwanted consequences. This was also alleged to be the main reason for the already mentioned decline of *musha* communal land which had been up till then redistributed periodically to village households to give them a chance to access different qualities of

land. As already mentioned in section 2.1 some powerful families had come to legally own latifundia while the peasants became their sharecroppers. This is the situation which the 1958 land reform law and related legislation was meant to redress.

The current land market in Syria in theory only concerns fully owned private holdings as redistributed reform land is not open for sale since possession does not correspond to legal ownership. In actual fact, as will be recalled in section 3 and annex 3 when dealing with the field survey, there are parallel land markets regulated by custom also for land reform areas and for *musha*, collective, land. As there is no possibility of registration and the land remains collectively owned, what is transacted in the market are actually land use rights. These transactions are sanctioned by local social institutions and are invisible to the law.

The market for fully owned land is extremely variable because of the tendency to invest in land as a security and for social purposes. Namely, in some areas migrant remittances are said to inflate land prices. It would seem thus that land monetary value is only partly defined by production potential. Land prices are also affected by location in areas close to larger towns.

The figures in table 2.8 are derived from a limited number of observations. They may nonetheless be interesting as they show the great variation in the market. (Some more detail is available in Annex 3).

Table 2.8 Selected land market prices, (000) Syp per ha

Location	Irrigated	Rainfed
Hama Gov	80-700	8-400
Idlib Gov	400-500	150-350
Hasake Gov	150-300	100-120

Source Field Survey 2000/2001

The subdivision between irrigated and rainfed land in terms of prices does not reflect the fact that some rainfed land, sold at prices close to the irrigated one, is of high quality and in high rainfall (zone1) areas

Land for sale is costly because it is scarce. At any rate land purchase is not a preferred strategy for larger entrepreneurs, partly because it would absorb large capitals which could be invested elsewhere, but also because there is a history in Syria of a series of land ceilings under which expropriation took place without having the time to dispose of the excess areas. It may therefore appear safer not to own that much land, and put your capital elsewhere. Land purchase is on the other hand a preferred strategy for very small owners or landless households desiring a minimal security. However prices of land and lack of an adequate credit system discourage acquisition of property by many such potential buyers.

In such situations land markets easily become segmented with the poorer section of the rural producers participating into one market and the elites to another. Procedures tend to be costly and the institutions are unable to serve all sections of the rural population (cf. Riddell 2000).

Finally, market values of land are also affected by the potential for reclamation or development. In some potentially good areas such as in Hasake where the tendency is to convert rainfed areas to irrigation, investors are trying to obtain large plots in the size of 10 to 20 ha each in view of the investment for irrigation system and mechanical cultivation. This is reflected in price of land which is higher per ha in the case of larger plots i.e. consolidation pays.

As for land reform areas a land market cannot officially exist. In these areas sales are said to take place but mainly between brothers and other legal heirs to the holding. There are statistics in each governorate of beneficiaries losing their rights because of illegal sales. In these cases the holding is confiscated by the state and reallocated. However, this does not seem to be enough of a deterrent to sales. Limited information from Idlib and Hama suggest, in the tree-crop area, values some 30 percent lower than similar land. The differences in rainfed and irrigated areas are sometimes substantial, about 50 percent, but sometimes only marginally different (cf. Annex 3 table A 3.3). This may mean that prices are affected by the local perception of the risk involved in the transaction.

In fact, beside the risk implicit in these transactions, one should also consider that what is sold is not full property but rather rights of use. The differences in price do not therefore appear surprising. Some more in depth investigation may be useful to clarify the mechanisms of price setting. A regularization of these type of transactions, namely the ones between brothers is being discussed at some governorate level, and may result in the market movements becoming open and controllable. Such cases of innovative interpretations of the law would suggest a *de facto* legal decentralization adjusted to local needs, which is in line with the tendency currently prevailing in many European countries.

2.5 Types of contractual agreements concerning land

In spite of the existence of a detailed legal framework contractual agreements between owners of the land and tenants are often of a general nature and oral only. Specific clauses are not discussed and agreed.

Duration of contracts is set by the law at one year only, although renewable. On the one hand this signifies precariousness for the farmer who fears eviction. On the other, renewability tends to make these short and precarious contracts a continuing feature where the owner of the land fears usurpation by the tenant. Hence a vicious circle which leads to insecurity and conflict and diverts attention from production and investment.

But let us first look into the type of contracts we are dealing with and the specific forms they take in Syria.

It is possible to group the very many types of contracts involving land and labour into three main types.

The first occurs where an owner contracts in labour. The owner may be an owner operator and provide his labour together with the labour of his/her household in addition to hiring outside labour for operations his family labour would be unwilling or unable to perform. On the other hand there are also cases where the owner may not be providing any of his or his household's labour and he would be using hired labour only. For both types of owners contracts are negotiated in the labour market.

The second occurs when the land owner is not directly operating his land, but rather he is renting it out to an operating farmer. A contract is therefore negotiated in the land market. This group includes systems of land leasing and fixed tenancy where the rent, which may be paid in cash or kind, is fixed, i.e. does not vary with the output.

The third occurs when an owner enters into an agreement with an operating farmer whereby each will receive a portion of the product obtained. The two parts agree on the inputs to be provided by each including labour and other production inputs. These types of contract include all systems of sharecropping and involve both the land and the labour market.

In terms of risk the owner hiring labourers is facing the risk alone, as wages will not vary in relation to profits or losses. In the case of leasing the tenant faces the whole risk as the rent paid will not change with the product. In the case of sharecropping the risk is shared.

The situation of squatters, currently at the centre of the debate in Syria, does not fit in theory into any of the types of contracts described above since squatters are by definition illegal occupiers. However, in the traditional systems of access to land prevailing during the Ottoman Empire, and described by Lemel (1988) with the example of Turkey, there were traditional access rights for the landless to unused land. These were temporary agreements which could be equated to customary contracts, justified by the need to ensure subsistence for the whole community. These traditional access rights were extinguished with the formalization of individual rights.

The experience of the field investigation, illustrated in section 3 and annex 3, shows that tenure relations in Syria are rarely of one type only. Multiple tenure is common in the villages. It is not unusual for one household to operate one small piece of land in private ownership, be a squatter on another, and be a land reform beneficiary on a third. In this very complex and overlapping system I will try to give some general description of each component part.

2.5.1 Sharecropping

Sharecropping systems are extremely varied in Syria. According to the agricultural relations law different cropping systems in irrigated or rainfed area are supposed to correspond to different sharing agreements. In some cases the agreement concerns purely labour, such as in the case of the *muraba'a*, described in section 2.6. In other cases there is a mixture of labour, land and other inputs coming into play.

Sharecropping systems have evolved over time. They are common particularly in the better lands where there is an interest for investment by non operating farmers. They are rare in marginal areas, e.g. zone 4.

Table 2.9 summarizes the main types of sharecropping as given in the law.

Table 2.9 A selection of crop sharing stipulations between owner of the land and farmer

Type of agriculture	Share of owner	Share of farmer
Rainfed	20	80
Flood irrigation	33	67
Pump irrigation	20	80
Irrigated cotton	75	25
Rainfed cotton	40	60
Fruit crops	80	20
Vegetable	35	65
Olives	75	25

Source: Law n.134 of 1958 on Agricultural Relations Organization in the Syrian Arab Republic

The law's intention is clearly to establish a close control grid on as many type of agreements as possible. However these are all affected by local uses and a variety of inputs sharing customs which can hardly be all covered in a legal instrument.

In the actual operation of the system the shares of the owner and of the farmer vary widely over the territory and are even fluctuating year by year depending on anticipated market values of the main crops grown. In addition the share of the crops is closely linked with the sharing of inputs, which varies.

There are, therefore, many variations to the concept of sharecropping and its application. But, there tends to be a common pattern within a certain area and an accepted sharecropping market.

As mentioned, the relation between owners and operating farmers are valid one year, renewable. (The sharecropper in local terminology is usually defined as the farmer, I will therefore adopt this terminology for simplicity). In practice the more frequent system is sharecropping built on the following premises, with local variations:

the farmer provides his and his family's labour. If the farmer is fully responsible for all inputs he will pay a 20 percent share of the product to the owner of the land. However if the owner provides water and or other inputs he will receive a bigger share of the product, up to 60 percent. A 50-50 share is common when it is the owner who provides mechanical cultivation and fuel as well as fertilizer, but there is also some input sharing with participation of the farmer. When the farmer contributes labour only he usually receives 20 percent of the crop. This is the so called labour sharecropper who is very close to a pure labourer, with little participation in management. The only difference with a labourer is in the form of payment, which is variable and measured in terms of a share of the crops.

Shares are also defined by crop. In the case of Hasake, for instance, it was reported that sharecropping agreements, in terms of amount of the shares, are defined for each crop according to market expectations. The agreements are purely verbal without reference to the law, actually the shares for the sharecropper were said to be generally higher than those foreseen in the law.

Widespread land occupation was reported in several governorates, for instance in Hama. The so called squatters seem to be in fact mainly sharecroppers whose (yearly) contracts have expired and who refuse to leave. It is alleged that the tendency is to request a 50-50 share with all inputs paid by the owner. The latter are however said to be generally unwilling to adhere to this request. Sometime the compensation requested by the occupying farmer is even more substantial, and is to be paid in land.

Arts 173 and following of the land relation law regulate termination of sharecropping contracts. This however leaves some loopholes for continued occupation by tenants or sharecroppers whose contract has expired. According to the interpretation confirmed by Ajamiya (2000) the terminated farmer can return to the land if the owner has not been operating the land himself or with his family for a year after termination. This implies that the owner can only get the land back if he wants to operate himself i.e. he cannot change tenants except for grave negligence of the latter. This amounts to say that if the farmer is evicted on the basis of the owner wanting to return to direct operation and then he does not, the farmer can occupy the land, become a squatter and have a legal backing to do so. During local conflict resolution attempts it is not infrequent that the farmer requests a part of the land as compensation for work done and in exchange for returning the rest of the holding to the owner.

Some consideration needs to be given also to the nature of the landowners whose land is occupied. There seem to be few absentee land owners in the traditional meaning of the word, the current absentee is often a non operating peasant who has another job. Therefore the picture of a classical confrontation between absentee landlords and invading landless would be misleading, and the potential role of local institutions in guaranteeing agreements could be high as they all belong to similar social strata.

Finally, it is worth stressing again that there are many different connotations of sharecropping in the country. In Hasake, for instance, sharecropping duration is in general three years, in spite of the one year renewable timing according to the law. This longer duration underlines the fact that in Hasake the sharecropper is the stronger partner in the bargain, as he tends to be an entrepreneur trying to enlarge the size of his operation. The building up of more substantial land operation is done through taking land in as a sharecropper, in addition sometimes to land owned. The system has become known as ‘inverse sharecropping’.

In Hasake’s ‘inverse sharecropping’ the power role is reversed –hence the name. The owner of the land (the weaker party) provides only fixed capital inputs, i.e. physical structures such as wells, and land, whereas the ‘farmer’ or sharecropper provides all the variable inputs. The owner of the land gets up to 15 percent for irrigated land, with all inputs the responsibility of the sharecropper. The sharecropper is unlikely to occupy the land and become a squatter, as it happens in other parts of Syria since he is the one who actually decides whether he wants to continue with the sharecropping agreement and at which terms. The overall share is defined by agreements between the parties which are locally accepted and backed by social institutions.

2.5.2 Fixed rent tenancy (leasing)

Tenancies or leases, i.e. the renting of land by an owner to a farmer -against a fixed amount in cash or kind unrelated to yields, imply occupation rights for the farmer for a given period of time. The important issues involved are duration and security as well as the degree of permissible involvement of the owner in the management of the land once it is leased out.

The agricultural relations law indicates the legal framework for renting, in the same way as for sharecropping. However in Syria renting is common when the renting out partner is the state but rather uncommon when both parties are private.

In private areas it was reported that the few existing leasing agreements apply to rainfed rather than to irrigated areas. Some instances of leasing in pistachio plantations were reported to happen at a cost 1000 Syrian pounds per year per ha in the coastal areas’ mountain zone.

The lack of popularity of rent in private areas is mainly connected to risk and to perceived loss of control by the owner in favour of the renting farmer.

In principle, frequent presence is needed by the owner in the case of labour contracts and, for at least the major operational decisions, in the case of sharecropping. This presence is not necessary in case the land is rented out. However, the Syrian owner, even when living elsewhere and unable to participate in the day to day operations, tends to be reluctant to rent out his land. This may in fact be perceived as absenteeism and an opening for illegal occupancy, which is not easy to reverse. According to local perception and experience, when a contract involves only labour the ‘farmer’ is

easier to evict. It is less easy when it involves an agreed relation with land as it is the case with sharecropping, and it is most difficult in the case of land rented out.

It should be underlined that the common problem in all these cases is the lack of a written contract which makes provision of evidence of agreement difficult to prove during later conflicts. As a result, renting as a way to invest in agriculture by an entrepreneur wishing to increase his land operation without investing scarce capital in land purchasing, is unusual.

An exception is the situation of the so called ‘investors’ contracts popular in the Hasake area and the North East in general. Investors’ contracts are normally registered in the civil courts and do not come under the jurisprudence of the arbitration committees co-sponsored by MAAR and the Ministry of Social Affairs.

These agreements defy precise classification, and to some extent substitute a banking system, with a pawn-broker type of arrangement. An ‘investor’ is an entrepreneur having capitals that he cannot easily place in the official financial system and who does not want to immobilise his resources for too long, and thus enters into an agreement with an owner of land who needs credit. The investor may give the owner of the land a relatively large sum of money, for instance three times the normal amount for renting land, paying for 2 to 3 years in advance. In exchange he uses the land for this period. At the end of the period the owner has his land returned if he pays back the full amount of cash he has received. If the amount of cash advanced is closer to what would normally be paid for renting the land, then the amount the owner will have to return to the investor at the end of the period will be much lower. Only a closer look at the system could indicate what types of interest rates are involved.

The system is used in zones 1, 2, and 3, i.e. excluding the marginal rainfed areas. The ‘investors’ are often outsiders, e.g. from the Aleppo area, and register their contracts for a three year duration. There are variations in the total cash advance by the investor to the owner of the land, according to individual needs. In case the owner and the investor agree on yearly payments, the agreement is close to a normal lease, or when in kind, to local agreements of the ‘inverse sharecropper’ described in section 2.5.1. Average level of this yearly payments are said to be as follows:

Zone 1	40-50% of total production paid to landowner or 2000 Syp per ha
Zone 2	25-30% of total production paid to landowner or 750-1000 per ha
Zone 3	15-20% of total production for the landowner or 500 per ha

In case of harvest failure due to natural conditions the investor does not pay, i.e. the owner participates in the risk

Another system related to renting also functions in Hasake by the way of auctions. It is mainly used for renting religious endowment land, i.e. *wakf* and (Christian) church land for several years. It could be investigated whether the system would be applicable to other types of private or public lands.

Leasing contracts are widely used in the public sector both in the original state land and land confiscated in compliance with the land reform regulations. Leasing is also often used as a tool for regularization of state land occupation, thereby providing a title of occupancy sanctioned by the payment of a limited rent.

2.5.3 Rental payments for private and public land

Preliminary information collected on rental payments for different types of land refers to rental price on public land either with a regular contract or without a contract, by tolerated squatters.

Table 2.10 Rented area and average rental values by origin of registered public land *

Type of registered public land	Rented area with contract (ha)	Average rent per year per ha, Syp	Rented area without contract (ha)	Average rent per year per ha, Syp
Original state land	247 300	579	295 874	1 082
Land reform land	370 488	790	77 606	558
Total	617 788	706	373 480	973

Source MAAR 2000

* The total area of original state land under contract, 543174 ha in this table, diverges from the information provided in table 2.6, which was 490,534 ha. This does not however affect the value of this table for a comparison of rental levels with and without contract.

An accurate breakdown of agricultural households renting state land with or without a contract is not available. The government is involved in an effort of regularization of rental contracts so as to avoid illegal occupancy. At present all those illegal occupants, squatters, who regularly pay their fees are considered for a contract, eventually.

There is a total of 69 000 households currently renting state land. Since well over one third of the rented state area is occupied by paying squatters it may be assumed that about one third of the said total agricultural households, or some 23 000, may be in the category of paying squatters. In view of the government concern to solve this problem the speed at which land occupation was taking place in the past is likely to diminish because of increased controls.

In terms of amount of rent the average does not vary very much between original state land and land reform land but rather between tenants with or without contracts. Where there is no contract the rent is calculated on similar types of land in the vicinity, but there are cases where this amount is doubled in line with type and fertility of the soil. The doubling of the rent in some cases refers also to change of land type after reclamation.

For instance, in the case of land reform areas without contract unusually high fees (over 2000 Syp) were paid. Both in this case and in the case of improved state land the high rents paid are said to refer to areas which underwent reclamation or other improvement. For instance rainfed land transformed into irrigated or where tree cropping has been introduced.

Through a limited example from the field, table 2.11 brings some local verification of renting values. It is based on a limited number of observations in 8 villages, and thus also its validity is limited.

Table 2.11 Rental values for state and private land. Examples from 8 villages in Hama, Idlib and Hasake. Syp per ha

Type of land	Agro-ecol zones	Registered state land	Private land with contract	Private without contract (tolerated squatter)
Rainfed	Zone 1	1000		2000-2500
	Zone 2	750		
	Zone 3	350		
	Zone 4	250	500-600 **	
Irrigated		2000 *		3000-5000

Source Field survey 2001

*Originally rainfed land. ** Decreased from 1000 Syp because of draught

The table shows substantial difference between state and private land with the latter more expensive for presumably comparable land quality. It also confirms the premium on irrigated land whether private or public and the link between rent level and production potential, as represented by agro-ecological zones. The difference between state and private agreements is that eventually state contracts tend to be written and remain stable whereas contracts among privates are more risky in the sense that they are often renegotiated. There is therefore a rent situation in the case of state tenants.

However, the whole system would justify a more attentive study, also because there is an extreme variation in rents paid in the different governorates. The variation is legitimate because of different production potential. It is however only through a detailed analysis of the pattern that these rental values follow that it is possible to assess the logic of the system. It would also be useful to have an indication of the characteristics, in terms of farm size and type of operation, of farmers who rent high quality zone 1 land from the state.

According to information collected in the field and in MAAR it is unlikely that more land may become available for renting by the state in the near future. First because available areas have already been rented out and second because the preferred instrument for any future distribution is likely to be individual allocations in ownerslike possession.

2.6 Agricultural employment and the labour market: landlessness and labour shortage

Gainful employment in agriculture is important for many categories of workers: owner operators, permanent labourers, occasional farm labourers. It is particularly important for the category of landless agricultural labourers.

The set of land tenure policies enacted since the fifties promoting redistribution of private land and allowing use of public land on contract base have helped small and medium farmers in Syria to acquire a production base. However their effects were partly neutralized by subsequent fragmentation, and redistribution has not provided a sufficient safety net against increasing landlessness.

The mere fact of not having title to land is not synonymous with poverty. An example of non poor landless are entrepreneurs, for instance those investors, common particularly in the North east of the country, who bring in capital and machinery. Such entrepreneurs are an example of legally landless operators with a substantial economic power. The definition of landless in terms of

deprived and powerless should therefore be qualified by lack of employment and capital in addition to lack of access to land or title to it.

Availability of employment opportunities either for full time workers or in terms of occasional labour varies throughout the country and is affected by seasonality factors. In many parts of Syria, in the Hama countryside, as an example, a situation of labour shortage during harvesting co-exists with relative labour abundance throughout the year. The number of totally landless labourers in that governorate is said not to exceed 10 percent but is constantly on the increase because of population growth, insufficient development of non agricultural employment opportunities and continuing fragmentation of holdings through inheritance. This reaches the point where size of holding is minimal and would justify a definition of near-landlessness (cf. Sinha 1984). However, in view of the active labour demand during the peak agricultural seasons open unemployment of agricultural labour exists mainly for about two months in the slack season only.

Limited information derived from the field study presents a highly diversified picture. Landless labourers households, i.e. those households not operating land under any form and not having a non agricultural employment, were recorded as accounting for from 6 to 36 percent of total households in the eight surveyed villages. This means that this category has a different significance over the territory. Furthermore, because of their attitude to pluriactivity, i.e. their participation to several sectors and not agriculture only, the landless as a category are not necessarily coinciding with extreme poverty. They are however living in an insecure condition.

The situation in some parts of central Syria, e.g. Idlib, is serious as it is characterized by limited numbers of totally landless labourers but an overwhelming presence of near-landless households. Eighty percent of the households are below one hectare of surface and another 15 are between 1 and 3 ha. This means that the minimum subsistence security provided by the land base is such that with another round of subdivisions through inheritance the social balance may be toppled. Furthermore, in a situation of this type the prospective employers of agricultural labour force, i.e. having a land base big enough to require labour in addition to household resources, are perforce limited. This explains the presence of many organized labour groups in this *mohafadha* which bring to other areas the surplus labour of Idlib. There is fortunately some complementarity between the different labour peaks, i.e. Idlib's labour migrates after the local peak demand and moves to work with other crops in other areas.

More generally, in Syria, labour organization and mobilisation functions in accordance with local and non local demand. Traditional labour contractors, the *chawesh*, perform these functions. They pool mainly female labour and make it available in different governorates according to market demand.

Another phenomenon relevant to labour use and its coordination is inter-household cooperation between farmers producing different crops and hence having different labour requirements peaks. For instance cotton producing farmers get into cooperation with onion producing farmers and exchange their family labour, as needed. However, a broader information system on labour supply and demand is missing.

A rural household survey would be the best way to identify the labour slacks and the opportunities for employment generation. The general supervision of labour policies in agriculture is assigned to the Ministry of Social Affairs and Labour which attempts to monitor labour contracts through registration to increase security of both employers and employees. However, the already minimal ratio of contracts registered (not exceeding 5 percent) refers to contracts of more than three months duration, i.e. most seasonal and casual labour remains unmonitored and unregulated.

Attention of Government and employers alike, is focussed less on the inherent insecurity of the system than by the visible side-effects of it, i.e. the tendency among workers to occupy land permanently whenever possible. Labourers are said to want to become sharecroppers, who are more difficult to evict, while all employers would like to continue using casual unprotected labour. Currently, however, labourers with no own production base are unlikely to be able to become squatters, and so slowly acquire rights to stay on the land. This is because labourers are employed for short periods only and for specific tasks only for the very purpose of preventing any possibility for them to settle on the land and claim any right to it.

2.6.1 Agricultural wages

The minimum wage for agriculture, 75 Syp per day is lower than the base market rate of 100 Syrian pounds for unskilled labour. In Idlib, for instance, the running rate for most types of agricultural activity is 125 Syrian pounds per day. Most of the hired labour is said to be composed of women and poorer pastoralists.

Actual wages vary according to activity. According to recent information discussion in parliament on the agrarian relation law is actually leading to an increase of the minimum wage in agriculture. This would then correspond to what has already been adopted by the private sector.

Table 2.12 highlights some daily wages as reported during the field survey for selected crops.

Table 2.12 Wages for major crops by gender, selected villages in Hama, Idlib, Hasake, Syp per day

Crops	F	M
Cotton	150	150
Wheat	100	100-150
Potato	80-100	100
Olives	80-100	100

Source. Field investigation

The difference between male and female wages are said to depend more on type of work than on gender discrimination, i.e. equal wages for equal work. Anyway this would need to be verified with a more in depth investigation of the gender relations in the rural labour market.

In general, the increasing supply of labour is not matched by similar increase in demand and results in stagnation of daily rates. For instance, rates had actually slightly decreased in Hasake in 2000 over 1999 for cotton picking, a relatively well paid activity for female seasonal migrant labour.

It should however be noted that Syrian agricultural labour moves in a larger than national context. Findings from the field survey conducted in the Idlib and Hama provinces in early 2001 indicate that workers compare the local daily rates with the ones prevailing in Lebanon or in the Gulf. In the case of Lebanon the rates would be about five times higher for comparable work, and the proximity allows labourers to move out according to the Regional market. It is mainly women, more constrained by social custom, who are continuing to operate in the national market only, but by no means in the purely local one. Women constitute the bulk of the migrant labour force which the *Chawesh* mobilize to provide the needed number of labourers at the right place and time for all the major agricultural operations, and particularly harvest.

2.6.2 Types of contractual agreements concerning labour in agriculture

Contracts do not normally exceed one year duration. Most agricultural labour is seasonal, and contracts below three months duration are rarely written and registered. We are therefore confronted with an area where the labour force is unprotected.

On the other hand very often labour contracts for specific tasks to be performed on holdings are substitutes for sharecropping.

There is at least one traditional sharecropping system which can be defined as a labour contract: the *muraba'a* system, literally one quarter. Payment for labour is based on a share of the crop, but could more correctly be termed as an in-kind payment. In spite of its name it does not strictly correspond to payment of one quarter of the crop against labour.

The labourer/sharecropper receives 20 to 25% of the crop in the case of wheat, 15% for cotton and 33% in the case of vegetables. His inputs are in all cases purely limited to labour. The system is particularly popular in the irrigated vegetable growing areas. The difference in shares is related to labour input: higher in the case of vegetable than in the case of cotton. In Hama and Aleppo the widespread cultivation of fava beans are also falling under the 33% payment because of its high labour requirements. The system is widespread throughout Syria and seems to meet the current requirements of both employers and labour.

As for other types of labour, the *Chawesh* organize the system whereby labour demand and supply meet. This extends also beyond the Syrian borders. Our information is limited to the study area and will be dealt with in section 3. Some analysis of labour migration flows including short term migration across borders is an urgent topic for investigation.

2.7 Gender considerations in relation to access to land and agricultural employment

A few observations can be made in respect to women's rights and roles in the agricultural scene. These can be summarized as follows:

i. legally Syrian women are equal to men but many social relations are regulated by '*urf*', custom, rather than by the written law;

ii. in the case of land inheritance, for instance considering the land reform regulations, women do in some case renounce their shares in favour of brothers under social pressure, in other cases brothers simply become squatters on sisters' land. In some cases it would appear that consideration of local traditions may be more conducive to ensuring women's rights than a purely formal application of the law;

iii. there is an increasing feminisation of migrant labour: this is due to low pay for jobs that men can afford to refuse as long as they have an alternative. The long term prospects for women in the labour market if the overall supply of labour keeps increasing is unclear and should be a matter of concern.

iv. the increasing feminization of agriculture is a factor also among farm operators. It is mainly male members of the household who enter non agricultural employment in their place of residence, or seek employment outside the village in the case of emigrants. This situation may put an increasing burden on women, but it may also have also positive effects in terms of increasing their participation in decision making both inside and outside the household. (This was at least partially

confirmed by the participation of women in some of the rapid rural appraisal group meetings conducted during the field survey).

The contribution of women to household income as wage earners resulted in some cases to some peculiar social developments. For instance in at least one of the eight villages covered in the field survey the household strategy was for each man to have more than one wife, each of them contributing as wage earners in the agricultural labour market.

2.8 Conflict resolution mechanisms

Arbitration committees and courts exist at the central and governorate level, throughout the country. They are formed by representatives of MAAR, Ministry of Social Affairs and Labour as well as PU and Chambers of Agriculture. They deal with numerous case of complaints concerning relations between owners of the land and farmers, or workers. But their competence goes well beyond conflict resolution. The committees in fact meet regularly also to assess levels of payment, in terms of rents or wages, with possibility of suggesting changes in line with expected values of production.

In cases of conflicts, those that reach the arbitration committees are only the tip of the iceberg. Most cases of conflict are dealt with informally already at the village level where, beside representatives of the organizations listed above, local government and local political leadership play an important role.

The most common types of conflict refer to disagreement between owner of the land and sharecropper/labourer on vacating the land. The owner of the land may want to terminate his agreement with the labourer/farmer because of dissatisfaction of work performed, of desire to change the cropping pattern necessitating a different type of labour input than the one provided by the current sharecropper or labourer or because of his decision to return to direct operation.

In case the worker/sharecropper had been working for a year or more he can usually complain in front of the arbitration committee, which sometimes results in a compromise by whereby the owner pays compensation in cash and sometimes in land. Hence the owners prefer to give only seasonal contracts. A complicating factor in the process of conflict resolution is that most contracts are unwritten and when it comes to application of the law each side may present a different interpretation of the original verbal agreement.

The local conflict resolution mechanisms are widely used to identify compromises but if no solution is found the cases are deferred to the formal institutions. The role of the non formal conflict resolution mechanisms however deserve higher attention also because of the substantial savings they imply in comparison to use of the government support arbitration courts at the provincial and higher levels. It would also be useful to make an analysis of a critical mass of cases dealt with by the arbitration courts to assess some allegations of partiality of such courts in favour of the farmer, under pressure of the peasant union as well as to have description of the more typical problems needing resolution.

III. MAIN FINDINGS FROM THE FIELD INVESTIGATIONS

The information collected in the field and its interpretation permit to further highlight some issues mentioned in section 2. The most relevant outcomes are synthesized with respect to types of access to land, employment and wages, land markets and issues arising from implementation of the land reform. It is necessary to recall that the field investigation took place only in eight selected villages of three governorates, Hama, Hasake and Idlib, hence some results or observations may be location specific. Findings in the three governorates where field investigation took place are provided in more detail in annex 3.

Some major characteristic of the three selected Mohafadhas relevant for the land tenure situation are summarised below:

Hama stretches across different agro-ecological zones from the marginal eastern parts belonging to zone 4 to the high potential irrigated areas falling in zone 1 more westwards. This was an area of very large landowners, thus very much affected by the land reform. Social relations in the countryside are still said to be tainted by a traditionally polarized structure represented by wealthy absentee land owners on one side and a poor peasantry with insecure tenure on the other.

The land reform gave a secure access to land to much of the latter group. However the eligible beneficiaries were in such number that the original holdings distributed in the late sixties were already small, 2.5 hectares per family on average with larger sizes for larger households. Further subdivision through inheritance brought the current estimated average of land reform beneficiaries to no more than .4 to .5 hectares. In theory the holdings should remain undivided but the rights of access are divided among all heirs according to traditional inheritance, without the possibility of a legal transfer to one of the heirs against compensation.

Fragmentation is high also in non land reform areas and the number of totally landless agricultural workers is estimated by the local agricultural directorate at about 10 percent of total agricultural households. Even higher proportions were actually found in some of the villages in Hama selected for field investigation.

In this sort of situation of high pressure on land and with the persistence of private absentee owners, though at a much reduced scale than in the past, illegal occupation of private land by land short peasants is frequent. Conflicts between squatters and legal owners often result in agreements whereby the owner pays a cash compensation or even leaves fifty percent of the land occupied to the squatter in order to regain control on the remaining half.

In the Eastern marginal areas of the governorate holdings are larger in size, but the land has lower productivity. From the tenure point of view the large share of *musha* collective land, with individual rights of use to a certain size of land but not related to a specific location, like in the European open field system of the past, is perceived as a problem by farmers. They claim that definition of borders within the overall collective property of each group of rights holders is a pre-requisite to investment and reclamation. It would appear that an analysis of the original traditional functioning of the system, which included temporary allocation to households and access to different type of land, is a pre-requisite to a participatory discussion with the rights holders to find suitable solutions.

Idlib is a governorate of small owners. It is characterized by very small operations in high potential areas both in the irrigated and tree crop areas. Ninety percent of the farmers are direct operators, but the small scale of the farms implies their massive presence in the Syrian and Lebanese labour

market for additional income. Landlessness is not very high as yet because of a more egalitarian structures than in other governorates, but the number of near landless is on the increase and should be evaluated.

Agrarian reform beneficiaries in the late sixties were 7500, in addition to 5000 who benefited from state land distribution. This total figure of over 12 thousand beneficiaries acquires its full significance if one compares it with the total number of landholders in the governorate: 47 thousand in 1981 and 53 thousand in 1994, i.e. state land and reform beneficiaries represent about one fourth of total holders.

A peculiarity of Idlib is that fragmentation in private holdings is higher than in the land reform ones. According to law n. 66 of 1969, land reform beneficiaries can sell portions of their holdings to their siblings against compensation, thereby keeping the holding under a single household control. Ten percent of beneficiaries were said to have sold their land and two percent were found to have done so illegally, selling to persons external to the family. In these cases the land was confiscated and returned to the state, but a solution was found whereby the (illegal) buyer was allowed to rent the land from the state. To sum up, the implementation of the law and its adjustment to changing situation was done in a flexible way in the interest of all concerned, with a positive role of conciliation and solutions finding by the state representatives.

The Hasake governorate is a typical case of a frontier province with local peculiarities. It is an area of traditional dry farming and grazing where substantial areas were put under irrigation in the areas close to the Tigris and Euphrate. Currently as much as 32 percent of the cultivated area is irrigated. Land reform was applied according to the 1958 law and later with revised ceilings in 1980. High agricultural potential facilitated investments using systems whereby the size of operations can be increased.

The problem of squatters is important in this governorate. On private land usually the squatters pay 15% of the product to the landowner, but in many cases they are said not to pay anything. Squatters on state land are being given contracts, except in zone 4 where they do not pay. Squatters are estimated to be about 10 percent of total number of agricultural operators.

This is an area of both high levels of landlessness, estimated at possibly some 30 percent, but also an area where there is a great influx of wage labourers from other provinces during the picking seasons. It is a growing and enterprising agricultural area with many contradiction that only a well documented study can explain.

3.1 Access to land: multiple tenure and fragmentation

The field study highlighted the variation of tenures existing in the eight villages. It is not unusual for an operator to be at the same time an owner operator, a squatter on private or public land and a land reform beneficiary.

Taking the example of three farmers in a village in Hama, and a total operation of 2.8, 2.7 and 11.4 hectares respectively the situation in terms of tenure was as indicated in table 3.1.

Table 3.1 Three examples of multiple tenure in one village and breakdown of total area for each (Hama governorate)

	Percentage of total area operated as private owner operator	Percentage of total area operated as sharecropping/squatter on private land*	Percentage of total area operated as land reform beneficiary
Farmer n.1 (2.8 ha total)	36	46	18
Farmer n.2 (2.7 ha total)	37	48	15
Farmer n.3 (11.4 ha total)	35	21	44

Source: field survey 2001, Maareen village

*Squatters on private land agreed to pay minimum sharecropping dues to landowner after local conciliation. About 30 ha in the village are managed in this way.

The small number of observations collected through the village household questionnaires, 47 households who had access to at least some land, i.e. not including interviewed landless households, cannot justify any conclusive interpretation. It does however point to the importance of multiple holdings. Table 3.2 illustrate the proportions of single and multiple operation systems among the 47 households who accessed at least some land.

Table 3.2 Proportion of single and multiple tenure in selected villages, Hama, Idlib, Hasake

Percentage of operators with one system of tenure	Percentage of operators with two systems of tenure	Percentage of operators with three or more systems of tenure
59	30	11

Source: Field survey 2001

A gross analysis of the figures by village allows to say that multiple tenure appears more common in the irrigated areas, whereas it does not exist in the one village situated in zone 4. There seems to be no clear correlation between size of holding and single tenure, as one would have expected. At any rate the number of observations is too small to warrant any conclusion. This limited overview of the issue underlines however the importance of multiple tenure for assessing the production strategies of the households.

This limited investigation also underlines the importance of fragmentation within the holdings. Taking all the 47 landed holdings the average number of plots per operator, irrespective of tenure type, is 2.9. There is no clear pattern between different categories of tenure and on the other hand we would need to know much more on the location of these plots, the distance between them, type of soil they correspond, to make any meaningful analysis.

In this context of multiple tenure, fragmentation of individual holdings is compounded by the fact that one operator may divide his time and resources on more than one holding. It also poses the statistical question on whether we should consider the small operator who manages land under three different tenures in different locations as a manager of three holdings or one.

The variation of sharecropping agreements in different parts of the country has already been highlighted in section 2, with reference also to the specific cases to be found in Hasake. Table 3.3 provides some examples from the selected villages.

Table 3.3 Sharecropping- Examples of owners and farmers shares by crop. 8 villages in Hama, Idlib, Hasake. Percentages

Crops	Owners' share – percent	Farmer
Cotton	75-80 in Al Habeet, with all costs born by the owner 40 in Yanbou where irrigation is from Tiger with little capital and more labour 15-17 in AbuIrzala where land owner provides only fixed capital (land and well), and the farmer all variable inputs(inverse sharecropping)	Share of the farmers are specular to share of the owners in the preceding column. The farmer throughout the system receives higher shares whenever the value of the labour input as a share of total inputs is higher. More generally where the relative value of labour is higher with respect to value of land.
Wheat irrigated	20-25 if providing land and wells but no diesel or other inputs	Hence share of the farmer is relatively higher in rainfed, and poorer, zone 3 and 4 areas where return is mostly to labour input. It is lower in irrigated, richer, land where more of the return are due to land and accrue to their owner, see also notes below
Wheat rainfed	80 (Al Habeet) when providing land and all other inputs 40 in AbuIrzala if owner provides land only.	
Sugar beet	80	
Potato	75	
Barley	20-25	
		The farmer also receives higher shares in line with any participation to other expenses, in addition to labour

Source Field survey 2000/2001

Notes. 1. The shares in the case of rainfed wheat and barley are different because of different land values. The owner gets more in the case of wheat than in the case of barley because the land is of higher quality in the first case. Barley usually refers to zone 3 and 4 , rainfed wheat to zones 1 and 2

2. In Tezeen, in the irrigated area, all sharecropping agreements foresee a share of 60 percent for the owner and 40 for the farmer, with the farmer covering 40% variable costs plus labour. In Maareen which is rainfed it is 20 for the owner, for all crops

3. For cotton, cases of high shares for the owner are explained by the fact that he pays all costs and because of high investments in irrigation (Al Habeet). Lower percentage share to the owner (Al Yanbou) reflect that the irrigation system required less investment and the share of labour in the total expense is higher

These limited observations point again to the need of closer village level investigation of tenure, and connected issues. They also point to the usefulness of having the village as the level of analysis and of policy targeting, rather than addressing groups such as owner operators or land reform beneficiaries, separately. For instance, policy decision affecting land reform beneficiaries, where

these are one and the same than other farmers in the village, needs to be seen in the fuller context of village agriculture. This also calls the attention more generally to systems of traditional intra or inter village cooperation between farming households, so as to assess how land is operated, how the householders interact as producers.

3.2 Employment and wages

The importance of wage labour as a contributor to income is illustrated by some information provided by farmers. Table 3.4 illustrates the relative weight of farm and off-farm income in a limited sample of households. Out of 34 households questioned on this matter in the 8 villages, it appeared that in no case income was derived from the farm operation alone, but reliance on it varied.

Table 3.4 Households relying predominantly on farm or on off-farm income

Households deriving 50% or more of their income from farm operation	Households deriving 50% or more of their income from off-farm wage labour
35	65

Source Field investigation year 2001

As it could be expected larger farmers had a predominant reliance on farm income. In the village of Al Teeh for instance it was estimated by farmers that only those who had 100 donums (10 ha) or more could survive on agriculture. Those who had less would derive about 40 percent of the income from farming and 60 percent from non farming activities, but for those who had 30 donum or less total income from farming would not reach 20 to 30 percent.

Most of the 34 farmers had access to some wage labour within Syria, but in the case of one fourth of them also abroad.

What is also important is the yearly variation of the reliance on income from own farm operation according to natural conditions. Information collected in two of the 8 villages shows a high level of vulnerability, as perceived and reported by farmers, according to what they defined as 'good', 'normal' or 'bad' agricultural years.

Table 3.5 Share of income from farm operation and off-farm labour in 'good' 'normal' or 'bad' agricultural years in two villages

	Good year	Normal year	Bad year
<i>Village 1</i>			
Farm income	40-50	20	---
Off-farm agricultural labour	40	45	85
Off-farm non agricultural labour	10	35	15
<i>Village 2</i>			
Farm income	80	50	---
Off-farm agricultural labour	20	50	100

Source. Field investigation 2001.

Village one is in Hama and has access to non-agricultural employment, village two is in Hasake where off-farm labour is mainly agricultural and the share of non-agricultural labour is not reported. This information may have limited validity because of its local nature, but it does provide some illustration of farmers vulnerability and reliance on non farm activities.

The information collected in the villages confirmed the essential role of the informal labour organization coordinated by the *chawish*, the local labour intermediaries, who are themselves of peasant extraction. As far as could be ascertained the system was not perceived as exploitative. This may be indirectly confirmed by the intervillage comparability and regularity of the *chawish* earnings, which seem to be established in the labour market. The intermediaries are paid by the workers an average of 10 Syp per day.

Each *chawish* organizes 25 to 30 workers, mainly female, earning thus some 250 to 300 Syp per day from the workers plus some additional amount from the employers. He assumes all risks connected with labour identification and employment. He organizes travel and residence when away from home, usually in tents, and is responsible for paying the workers, who have no direct dealings with the employing farmer.

Labourers daily wages vary with skills requirements between 80 for simpler tasks such as potato cultivation to 250 for irrigation maintenance, see table 3.6

Table 3.6 Range of daily wages for major crops work, by gender in 8 villages, Hama, Idlib, Hasake (SP)

Major crop\ gender	F	M
Cotton	150	150
Wheat	100	100-150
Sugar beet	150	200
Potato	80-100	100
Barley	80-150	100-200
Olive/pistachio	80-100	100
Irrigation maintenance	-	200-250

Source Field study 2000/2001

On the other hand the increasing level of landlessness has promoted longer distance migration (abroad) rather than normal labour movements within Syria. It is not clear to what extent the traditional labour intermediary is involved in organising international migration, beyond the traditional Lebanese labour market.

A limited investigation in the eight villages indicates that up to 90 percent of internal migrant labourers are female, but that most migrants abroad, e.g. to Lebanon and Saudi Arabia, are male. Thus male labour force operates within a broader labour market than the Syrian one. As the daily rates in Lebanese agriculture are said to be equivalent to about 500 Syp per day, or about five times the going rate in Syria, they attract the most enterprising among the labourers.

Table 3.7 illustrates only the example of four of the villages, where some quantified estimate was provided on external and internal migrant labourers (see also table A3.4 in annex 3).

Table 3.7 Migrant workers abroad and within Syria and percentage to total population in four selected villages

Total population	Migrant workers abroad (mainly males)	Migrant workers abroad as % of total population	Migrant workers within Syria (mainly females)	Migrant workers within Syria as % of total population
25 000	1 500	6	1 300	5

Source. Field investigation 2001. Four villages covered in Hama and Idlib. Percentages refer to migrants as compared to total population. Percentages would be much higher, and more meaningful, if related to adult/working age population.

This is admittedly a very crude assessment of migration in these four villages. It deals only with migrant workers, largely seasonal, and does not include permanent migrants. It is based on very approximate local estimates collected during rapid rural appraisal exercises in the villages. I only report it here because it indicates how essential it is to conduct a comprehensive assessment of what migration means today in the Syrian countryside, relate it to the labour force, and what impact it may have on local development by using savings, if any.

3.3 The land market in the selected areas

The information is limited and not necessarily representative of the Syria wide situation as the market tends to be location specific. However local observation confirms the existence of a land market for fully owned land, but also a land market in some land reform areas and even in collective land *musha* areas. In the latter two cases it would be appropriate to talk of a market of land use rights.

The market is segmented and affected by many exogenous variables such as capital availability because of migration, social value of land for formerly poorer social strata etc. The data collected in the villages of Hama, Idlib and Hasake governorates illustrate the variability and flexibility of the land market and mirror the different factors that enter in the transactions. Market value of land may also be related to its potential productivity, but it is difficult to measure this relation without further evidence.

Field information suggests that local land markets are highly responsive to market changes. In the absence of time series the evidence is anecdotal. It was reported for instance in Idlib that the already high values of 40 to 50000 Syp per irrigated donum in year 2000 compare with values of 70 to 80,000 in the early 1990s before economic recession.

The limited information on land price estimates in the field investigation area was already summarized in section 2, table 2.8. Some additional details are in annex 3, table A3.3. What is worth underlining is that there is also a fairly open land market in land reform areas, even if prices are lower than for fully alienable land. The persistence of such a market in spite of legal prohibition would call for some attention, as there is an obvious need for exchanging rights of possession after decades of population movements and social change in the land reform areas.

3.4 Land relations in agrarian reform areas

Implementation of the agrarian reform has been conducted over a long period of time, while the rural areas were undergoing social and economic change. Problems reported in land reform areas include inheritance and the non compliance with equal rights for women. But they mainly concern

the conditions for the full control of the land and its alienability. These are connected with a lengthy, and in a few cases not yet completed, registration process, further complicated by intrahousehold sharing of rights.

In the selected villages there is a substantial overlap in tenure. Land reform beneficiaries may also manage other small operations under different types of tenure. That is, there is no neat separation between categories of farmers such as land reform beneficiary, private farmer, squatter, sharecropper.

Another case of difficulty in the land reform areas in the villages included in the investigation arises where land was distributed in separate plots. In these cases land was allocated in plots, each of them located in different areas. The system had its logic in allowing each farmer to have land of different qualities and for different uses. However, further subdivisions of these already small plots make their operation difficult and needs some local focus to find appropriate solutions.

IV. CONCLUSIONS AND FOLLOW UP ACTIVITIES

Many issues relevant to an analysis of the land tenure system and labour relations in agriculture were identified through central level interviews and field level investigations. At the latter level rapid rural appraisal methodologies were predominantly used. Household level interviews had a complementary function. The field investigation was carried out by a team comprising Project Centre's trainees and national consultants.

The study highlighted the massive effort made by the Syrian government in addressing rural inequalities in access to land in particular through land reform. Much additional research is however needed to reach a satisfactory basis for policy making. The situation is highly dynamic and sustained attention is needed to socio-economic change in the rural areas and important phenomena such as migration.

In particular the study highlighted that:

- State land, including a variety of different categories, has a very important even if decreasing role. Within it the sub-category of land reform areas is the one requiring most attention in terms of devising appropriate mechanisms for inheritance and transfer of users' rights.
- There is an active market for land but part of it is in the informal sector with high levels of risk.
- In the *badia* pressure on pasture and open access policies facilitate free riding, thus resource deterioration is at a critical stage. The potential role of the cooperatives as local organizations representing the range users is emerging as one way to redefine traditional land tenure within a legally recognized user rights system.
- Employment opportunities in agriculture are not growing at the same rate as landless and semi-landless households.
- Rural communities and their institutions exercise a positive role in dealing with conflict resolution, thus complementing the role of the official arbitration commissions sponsored by the state at the governorate level and above.
- Relations between owners and operators of farm land are often strained. The tendency to give short contracts reflects the persistence of precarious situations. Illegal occupation of land is a widespread practice.
- The problem of squatters is on the way to solution on public lands through a programme of regularization and award of regular contracts. On private land it is partly a problem of inadequate functioning of shareropping systems.

Some strategic axes for action were identified. These are:

Monitoring of current production structures in land reform areas. Areas covered, difference between original beneficiaries and current *de facto* operators. Difference between land reform beneficiaries and state land distribution beneficiaries. Coordination of technical (MAAR) and financial (PU/Cooperatives) monitoring of land reform implementation.

Communal agricultural lands. The importance and spread of the system needs to be clarified and whenever necessary written title for rights of use foreseen.

Communal lands in pastoral and forest areas. Recognition of access rights to pastoral commons, which are officially part of state land, needs to be further studied in the interest of sustainable management of the *badia*. Conservation of resources could be further discussed in conjunction with responsibilities and participation of populations claiming traditional access rights, under the general framework of state's ultimate property.

Employment generation and labour organization. Functioning of the labour market in rural areas, impact of migration on the labour market and on rural investments, gender issues in employment need to be assessed to devise appropriate employment promotion policies.

Sharecropping and leasing agreements. Current systems and obstacles to their correct functioning need to be analyzed prior to suggesting any change.

In order to start addressing these issues at different levels activities should include:

A Studies and data improvement both from the quantitative and qualitative point of view.

B Field investigations at the village level to monitor land tenure relations and changes. In the *badia* the corresponding level of investigation would be selected cooperatives.

C Establishment of a permanent land tenure and land market observatory. This could function also as a working group to assist parliament and government whenever an issue pertaining to land tenure needs to be discussed.

V. RECOMMENDATIONS

There is increasing realization in Syria as elsewhere that social capital and local institutions are important in the evolution of property rights formation and in negotiation on the use of land resources (cf Riddell 2000). Social capital is mainly expressed in the traditional system, *'urf*, developed over time to suit societal needs. But *'urf* and official land tenure patterns sometime differ. Greater attention is needed to make them complementary. An increasing emphasis on local institutions' role particularly at the village level would facilitate this coordination. For instance, officially recognising the functions of village level councils in arbitration may help decrease the excessive burden now placed on the *Mohafadha* level arbitration courts.

More generally, greater attention to on-going changes in the countryside and within rural households would be helpful to improve government planning capacity. This would also imply a closer analysis of social changes induced by migration and by greater participation of women in the labour market.

Government strategies need to be based on an improved knowledge of the current situation as well as on forecasts of anticipated change. As an example, large scale eviction of squatters may send waves into the labour market where squatters may join the already growing group of landless agricultural workers. Thus, stricter rules to protect ownership rights may have to be accompanied by programmes promoting rural employment to avoid any side effects.

In the general area of land tenure policy making will have to be preceded by further field investigation and data collection. Specific recommendations in this respect can be divided into some separate even if often complementary categories.

1. **Improvement of the overall data and information system relevant for land tenure analysis.**

It is recommended to:

- i. include questions on land price, market institutions, inheritance and its effects, share tenancy and other forms of operation in the 2000 villages to be covered in household surveys planned by National Agricultural policy centre (NAPC).
- ii. monitor government statistics on land use and cross reference them on a sample basis with land tenure, ensuring comparability.
- iii. establish a definition of landless agricultural workers households suitable to Syria and estimate for each mohafadha their current number and socio-economic characteristics (age, households characteristics, level of training, pluriactivity i.e. importance of their participation in other sectors beside agriculture)

Time frame: for immediate implementation, to continue in the medium and long term, with adjusted priorities

Expected output: to generate information essential for government to adopt the most relevant and needed policies in the field of land tenure.

Major responsibility: MAAR/ NAPC

2. Village studies on socio-economic change with special attention to gender and migration

Conduct a series of social assessments in selected villages to identify changes in social structures, gender participation, local participation in decision making and institutions, household structure and changes, migration and role of remittances in village economy, social power relations in connection to land.

In particular study in selected villages:

male and female migration abroad, male and female migration within Syria. Assess different work conditions and social impact for men and women. Use of remittances;

decision making in agricultural operation. Role of different household members. Inheritance patterns concerning the farm operation. Tradition and trends;

decision making power in the village. Muhtars, traditional leaders, cooperative president, others. Describe interaction;

cooperation between households and between groups of households in agricultural production. Forms in which it takes place.

Time frame: for immediate start, continuing

Expected output: problem areas and trend of social change identified and put at the disposal of policy makers

Major responsibility: National universities in cooperation with non Syrian institutes of higher learning/ Centre for policy research and training

3. Establish Centre of legal information for farmers

Establish in each Mohafadha a centre of legal information to assist and advise owners/tenants/squatters on their legal position and possible changes. Promote conciliatory processes.

Promote the integration of traditional ('urf) social regulation of access to land into the broader legal system.

Time frame: medium term

Responsible units: Chambers of Agriculture or similar organizations

4. Investigate current land operation systems. Promote rental agreements, improved sharecropping agreements.

Carry out investigations at the central and village level. In particular:

- i. establish a monitoring system on sharecropping and tenancy agreements in each mohafadha to bring to attention any new trends. Involve village level institutions with a view to test their capability for local monitoring of agreements;
- ii. study special systems of tenure prevailing in some parts of the country such as collectively owned but privately operated ‘non delimited land’ areas. Assess users rights, their transferability, the potential usefulness of individual registration;
- iii. study characteristics of part-time farmers. How to use part time farming and pluriactivity as a strategy against rural poverty and how to improve their ability to invest;
- iv. renting. Investigate the merits of extending the system by an appropriate legal framework. Assess conditions and rates in the public and private sector. Analyze examples of European countries in the Mediterranean areas for comparison.
- v. investigate the current conflict resolution mechanisms and verify the possibility for an increasing role for conflict resolution assigned to village level institutions including *muhtars*, PU, Chamber of agriculture members.
- vi. assess the possibility of land consolidation programmes at the local level

All these activities should include a preliminary research at central level followed by field work at the village level. It is recommended that possible alternatives in land relations are experimented with farmers for their viability and then submitted to government.

Time frame: medium term

Expected output: background for legal amendments and policy making.

Responsible units: MAAR in cooperation with national universities

5. Land tenure in the Badia

In cooperation with project GCP/SYR/009/ITA experiment with herders a land tenure system based on restructured specialized cooperatives, responsible for ensuring grazing management plans in consultation with government.

Select a limited number of cooperatives for a pilot approach to be evolved with participatory methods with herding groups.

Time frame: medium to long term

Expected output: a tested land use rights system coordinated by cooperatives in the *badia* with intercooperative agreements.

MAAR and GCP/SYR/009/ITA

6. Review land reform implementation, strengthen monitoring

The future for land reform beneficiaries in terms of title needs clarification, assigning long term leases or final and tradable land use rights, as applicable and opportune in the different locations. At the same time greater flexibility needs to be allowed in terms of reassessing individual claims to the land by heirs of the original beneficiary with compensation for those who give up their rights. In order to obtain the needed preliminary information for policy making it is necessary to assess the current situation in land reform areas. In particular:

- i. analyse a selection of land reform areas and collect general statistics on beneficiary numbers and characteristics
- ii. study in detail family history, land transfers
- iii. analyse change that took place, trends and farmers desiderata
- iv. design a permanent land reform monitoring system and the establishment of land reform area consortia, in charge inter alia of land consolidation

Time frame: medium term and ongoing as long as the land reform beneficiaries remain as a category of rural producers

Responsible unit: MAAR with possible assistance of international agencies in terms of providing data and expertise for international comparison.

7. Establish an observatory on land tenure and land markets

Establish a standing committee with a multidisciplinary membership, to be alerted on any emerging problems in the field of land tenure and to be used by the government as a permanent advisory committee.

Responsible unit: MAAR

VI. PROJECT PROFILE

Land tenure monitoring

Background

In the past decades Syrian farmers have benefited from close attention by Government with the purpose of redressing previous conditions of exploitation by absentee landowners. Farmers have in this period developed their capacity to assist the Government in identifying policies and programmes affecting their life. Their experience and know-how can be increasingly tapped to identify policy gaps and make farmers active participants in their own development.

Legal instruments and customary systems regulate sharecropping and tenancy agreements in Syria. A fresh assessment would help to improve the safeguard of rights of all participants as well as to promote investment and production. Interdisciplinary committees at the national and provincial level currently ensure the control of the situation and resolution of disputes. They have built up over the years a wealth of information and experience that needs to be tapped. This information together with specific field investigation can provide the basis for monitoring systems on agreements from land renting, to sharecropping, to tenancy. It can also offer the background for legislative and administrative change where and when needed.

Land reform beneficiaries and state land distribution beneficiaries, as well as tenants on state land, have managed farmland according to the legal provisions established in the fifties and sixties. However, new customary agreements have developed over time to reward the heirs of the original beneficiaries. The rights and duties of the beneficiaries need to be investigated to arrive at forms of land management that allow optimal outputs and organization.

In all cases there is need for experimenting in the field to identify the institutional support and organization most suitable for socio-economic development of the countryside and meeting the farmers needs.

Objectives

1. Establish a monitoring system on sharecropping and tenancy agreements on the basis of participatory discussions and analysis at local level
2. Design land reform consortia on an area or subject matter basis, facilitate the emergence of institutions for investment and for the organization of producers

Duration

- 1-year preliminary phase for background studies
- 2 years experimental phase

The first year should help assess priorities and define areas for field investigations.

The second phase should experiment with farmers and officials the institutions and organizations to be supported. This could pave the way for a broader scale project including technical assistance and investment.

Outputs

- A study on sharecropping and tenancy agreements in selected mohafazas
- A study on the characteristics of part time farmers in Syria
- A study on landless labourers and their survival strategies in selected areas of Syria
- A sample survey of land reform implementation with attention to family histories and de facto land transfers. An experiment with area based consortia of land reform beneficiaries with objectives and responsibilities, tested in the field with participatory methods of planning
- Practical attempts of land consolidation in selected areas to be replicated elsewhere

A policy relevant report based on the findings of the thematic studies and investigations

The first three studies listed could be completed during the first year. The sample survey in land reform areas could only provide preliminary results during the first year. The areas of emphasis for the second phase should be dictated by the research conducted in the first year. In year 1 the needs for training should also be assessed.

Inputs

Project coordinator 36 mm

International consultants (average of 2 mm per subject matter area per 5 areas) 10 mm

National consultants (average of 3 mm per subject matter area per 5 areas) 15 mm

Training and study tours. Study tours for officials should be foreseen in other Mediterranean countries.

Four wheel drive vehicles to ensure mobility in field work

In view of the research nature of the project, in its first phases in particular, it is recommended that national consultants be drawn as much as possible from Syrian universities.

Methods and strategy

This is to be a participatory research project where the priorities and the methods to be used are to be adapted to the specific context. Rapid rural appraisal is to be used at the inception in all cases. More in depth household surveys are to follow. Attention should be put throughout to gender and to problems of different social groups.

A permanent team of NACP trainees may be assigned to the project from the start to build an institutional memory of progress.

Location and Implementing Agencies

MAAR and more particularly NACP with close collaboration with MAAR technical units and its provincial officers.

VII. REFERENCES AND GLOSSARY

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Glossary

Amiri land crown land (in ottoman times)

Chawish labour contractor and organizer

Donum land measure equal to 1/10 of a hectare

Fellah peasant

Mantika district, include a series of *nahiyas*

Mohafadha or *Mohafaza*, governorate/province, includes a number of *mantikas*

Muraba'a (quarter) system of labour payment in kind as a share of the crop

Muthstatmir entrepreneur/investor in agriculture

Murabaa (quarter)sharecropper receiving a quarter share(old system)

Nahiye basic administrative structure covering a group of villages

Urf' customary law

Wakf religious endowment

Definition of some terms as used in Syrian sources

One or more plots of land operated for plant or animal production and run as an independent administrative and technical unit

A holder is a person responsible on his own or with partners for the technical and administrative operation of a holding

operating owner: the owner is directly managing his farm with his own and his household labour, as well as hired labour if and when necessary

non-operating owner: the owner is delegating farm operation to tenants or sharecroppers; his involvement in management vary according to the type of contractual agreement between owner and farmer

This is a legal term analogous to a decree

VIII. ANNEXES

Annex 1

Organization of the field study

The study was organized at three main levels: central with emphasis on policies, legal framework and central statistical information; governorate with emphasis on policy implementation, issue identification, area based and subject matter based concerns; village and household level where the issues of land tenure systems are seen in their practical operation and in their evolution.

The three levels fed into each other without any prevalence of one over the other in terms of importance. Each was relevant and essential to reach an understanding of the genesis and evolution of the land tenure structures in the country.

The terms of reference for the overall mission anticipated a national coverage with attention to inter-governorate differences. Its breath was expected to be broad both in terms of subject matter and geographical coverage. In view, however, of the time limitations it was necessary to focus in depth investigation to the most critical areas, extrapolating if and where appropriate the findings to other issues and geographical areas. This was judged as the most suitable way to identify the basic policy issues affecting land tenure and permit the discussion of suitable strategies.

The major critical areas were identified in the course of discussions with Government officials, academics and practitioners. These can be synthesised as follows: i. tense relations between sharecroppers on the one side and land owners on the other leading to a high level of litigation regarding duration of contracts and their termination as well as terms of the agreements; ii. *de facto* fragmentation and sales of land by land reform beneficiaries; iii. occupation of both public and private land by squatters, unclear status of communal operation of public land, as in the *badia*; iv. rapid growth of a near-landless and landless peasants relying predominantly on occasional labour.

The importance and spread of these problems in the different agro-ecological zones were also discussed. The conduct of extensive statistically representative surveys having been ruled out, a judicious selection of governorates which included several agro-ecological zones and where the land tenure regulations could be seen at work and discussed, was considered a satisfactory proxy.

The field study was co-ordinated by the international consultant present in the initial and final stages of data collection, and two national consultants who followed the data collection throughout in addition to assisting in the data analysis. Eight project trainees, that is Ministry of Agriculture officers currently undergoing training in project GCP/SYR/006/ITA, were involved in the field level data collection.

1. The area focus

The governorates, or *mohafadha*, finally selected for the field investigation are listed below.

Hama: presents a cross section of the 5 agro-ecological zones, and of the issues prevailing in each. It was an area of large landholdings in the pre-land reform time, i.e. up to the late fifties. Hence one can observe traditional contracts in holdings which remained under the original owners' control, as well as new relations and their evolution in land reform areas. Tenure systems characteristic of the

horticultural areas are also present in the peri-urban areas, whereas the eastern part of the *mohafadha* belongs to the *badia* and share its tenure problems with the rest of the pastoral world. With due consideration of local differences Hama evidences most of the land tenure situations prevailing in the centre-southern part of Syria. Villages selected for in depth study were: Tezeen, Fuara Tel Aghar, Al Sayeen, Maareen.

Hasake: presents characteristics of the irrigated and the large scale rainfed areas. After Rakka, Hasake shows the highest average size of holding (25.5 ha versus a national average of 9.2, *Country Profile Study GCP/SYR/006/ITA*). It is grossly representative of the Eastern part of the country, the *Gezira*, where many of the strategic crops such as wheat and cotton prevail, but where large marginal land areas also exist. A substantial part of the land was subdivided and allocated to land reform beneficiaries in the sixties.

In general in Hasake's agriculture the situation is evolving through the consolidation of holdings into larger units, under the drive of efficient capital use. Villages selected for in depth study were: Abu Arzala in Tel Abrak *nahiye*, Hasake *mantika*; Al Yanbua in Malkiye *mantika*.

Idlib: with 20% of its holdings operated by land reform beneficiaries offers a good picture of the evolution of these beneficiaries' operations particularly in the irrigated areas. It does also have a substantial public land areas operated under rental agreements, but also by unregulated squatters. Traditional owner operated small farms are the rule in the mountain areas, often specializing in horticultural and tree cropping. With more than 80 percent of the holdings below 1 ha, predominantly as a consequence of subdivision upon inheritance, this governorate is a major seasonal labour exporter. It is an example of the dramatic growth of the landless and near-landless group of agricultural households. The *mohafadha* represents a cross section of the situation in the coastal and mountain areas of central Syria in addition to the irrigated plains. Villages selected for in depth study were: Al Teeh, and Al Habeet.

2. The process of data collection and the subject matter focus

A household survey would have been the best way to obtain detailed data that can hardly be derived from census and other regular statistical data collection. Such a survey could provide a representative picture of rural Syria including farm level information from the point of view of production and of the household composition and function. It could provide also a representative set of information in terms of the role and inputs of landowners and land operators and in terms of labour inputs. On those bases specific tenure related issues could be analysed against a documented background.

In the absence of such a survey, and in view of the limited time frame, this study focused only on some geographical areas and some issues. It cannot claim representativeness but an effort was made to highlight issues that emerged as areas of concern in preliminary discussions with both policy makers and farmers.

In order to obtain a maximum of information at each level, a participatory process of problem identification was used throughout.

2.1 The scope of information collection

The information was looked at from different angles, at the central, governorate or village level -the scope of the questions changing and the levels of concreteness increasing as one arrived closer to the cultivators' level. The information was first elicited in general terms, then proceeding to more

qualitative assessments and description of the different types of tenures, and related linkages to production and rural development issues. In view of the limited time available, the need not to tire respondents and the availability of other general information on agricultural production, the questions zeroed in on tenure and immediately related issues.

The same set of items on land use, land tenure and labour were systematically investigated. The sequence of these items is in appendix 1 to annex 2 in this report.

2.2 The information collection at different levels

2.2.1 Central level.

The first step was the collection of information at the central level on land and labour relations in the organization of agricultural production. This involves the legal framework as made available and interpreted in MAAR and in the Ministry of Social Affairs and Labour, including the national arbitration council responsible for conflict resolution on labour relations at the highest national level, as well as the corresponding local courts at the *mohafadha* level. It also involved the analysis of the existing statistical information for the whole country in terms of holdings by sizes as available in the 1981 and 1994 agricultural censuses.

2.2.2 Governorate level.

The second step was visits in the selected governorates. The major sources of information were the local departments of agriculture, and more particularly within them the extension sections, and public land sections, as well as the department of social affairs and labour and more particularly the section dealing with the agricultural courts and dispute settlement. Statistical information was collected on prevailing land tenure conditions.

MAAR provincial officers and other key informants, within the three governorates assisted in selecting villages for more in depth investigation, as examples of the ongoing difficulties in land tenure relations.

2.2.3. Village level.

The third step was in-depth data collection in the selected villages. The official entry into the villages was provided by the local cooperatives, the extension agents of MAAR and the village leaders. Opportunities for village level meetings during the first mission were limited. These took place mainly under the coordination of the national consultants during the field investigation. Discussions took place in unstructured groups, probing onto the same matters as were discussed at the governorate level.

This level of investigation helped in conveying the practicality of land tenure contracts and non formal types of access to land, as well farmers opinions on the operation of each of these systems. It included semi-formal visits to institutional representatives, participatory discussion groups with farmers, and interviews with selected households.

Village level interviewing with the institutional representatives followed the same patterns as at the Governorate level, pursuing the items listed in appendix 1 to Annex 2.

Group meetings which followed were relatively unstructured to allow a free flow of information. The groups were asked where suitable to draw village maps with the location of the different types of population group and to identify types of tenure prevailing in different parts of the village, if applicable, as well as to identify where there may be contentious issues.

To complement the outcome of group discussions, limited household interviews were carried out with few selected households representing the major types of farm operators. The households for in depth interviewing were selected with the help of the 'institutional' representatives as well as the group discussants. The household level interviews followed the outline given in Appendix 2 to Annex 2, and using also life history information to evaluate the local tenure systems evolution over time.

The village level information was compiled by the trainees monitored by the national consultants, each trainee responsible for one village, or groups of two responsible for two villages. The results were fed to the national consultants. The major conclusions and issues emerging from each village case were discussed by the international and national consultants in February 2001, and were used in the preparation of the final report.

3. Time schedule

Meetings at the central level took place in December 2000 during the first mission of the international consultant and continued until completion of the assignment in year 2001. First meetings at the Mohafadha level were likewise conducted in December and laid the basis for the field work. The time schedule for the overall work is given below.

December 2000.

Collection of basic statistics relevant for land tenure in three selected Mohafadhas. This was started by the international consultant with the national consultants and was continued by the national team.

Identification of villages for field work and first visit for collection of data and fixing of meeting with farmers.

January 2001

Village level work with farmers groups and household level interviews. Trainees worked under the coordination of the national consultants who initiated also data analysis.

February 2001

Completion of data analysis by the national consultants and submission to the international consultant. Discussion of preliminary findings with the national team. The international consultant conducted additional meetings as necessary to clarify pending issues. Draft final report was discussed at the project.

March 2001

Completion of the final report.

Annex 2

Land tenure study - Guidelines for trainees

(These guidelines were translated into Arabic, circulated and discussed with the trainees in December 2000)

Introduction

In order to complete the above study accurate field level information needs to be collected on the evolution of the land tenure systems existing in Syria. To do this general information will be collected at the *mohafadha* level and specific data in selected villages. The contribution of the trainees is expected particularly at this level: trainees will work under the supervision of national consultants in the conduct of village level rapid rural appraisal and household interviews.

Each trainee will be assigned to one of the three Mohafadhas selected for the study: Hama, Idlib and Hasake. Four will be collecting information in Hama, two in Idlib and two in Hasake. Up to four villages or communities (part of a village for instance) may be selected in Hama, up to three in Idlib and two in Hasake. Up to 6 households will be visited in each village.

The work at the village level will consist of: i. a preliminary interview with local extension agents, cooperative and other institutional representatives; ii. group meetings with farmers and finally iii. a limited number of household interviews.

The group meetings with farmers will be steered by the national consultants with the assistance of the trainees. Rapid rural appraisal techniques will be used to discuss land use and land tenure issues. The topics to be discussed are outlined in Appendix 1. Household interviews will follow the guidelines provided in Appendix 2. The national consultants will assist the trainees in selecting the most appropriate approach to household interviewing.

2. Work organization and preparation needed

Prior to the start of the exercise each trainee may find it useful to review the literature on RRA, PRA and farming systems that was covered in the project training, as well as other information on farm labour or land tenure that may be distributed. He will also need to familiarize himself with the contents of Appendixes 1 and 2.

A file will be opened for the trainees working on this assignment, where all data collected for the study will be stored. Materials in this file will be put at the disposal of the national consultants.

It is suggested that trainees work in pairs in each village so as to complement each other in field work and reporting on village level assessments.

Timing of visit to villages and specific assignments will be agreed with the national consultants. It is expected that the field work should start as soon as possible and be completed by the end of January 2001.

Village meetings duration depends on local participants availability and interest. They may extend over several hours. In the course of the meeting the names of the households to be interviewed for more detail on each type of land tenure or local issue will be selected. During the village meetings the trainees are expected to take notes as a contribution to the national consultants report on each event.

Individual households interviews may take two hours or more as they may include walking through the fields. They should be carried out by the trainees themselves, i.e. not leaving a questionnaire for later filling. Trainees may work in pair in a village but may decide with national consultants whether the household interviews better be done individually or in pairs. It is estimated that one trainee may complete two to three interviews per day, but may have to do a repeat visit at a later stage if any issue remains unclear. On return to Damascus each trainee will enter the information collected in the data base and prepare a very brief comment on his findings. This will be submitted to the national consultants for their evaluation of possible problems or issues for follow up.

3. Expected timing

During the month of December 2000 the international and national consultants conducted preliminary visits to the three Mohafadhas with occasional participation of the trainees.

Field work started in December wherever possible. However, in view of the holidays much of it will be conducted in January. This will include in synthesis:

- i. One preliminary visit to each village for discussion with extension and other staff and initial familiarization with the farmers. (During this visit the dates will be decided for a forthcoming group meeting with a sizeable participation of farmers). It should be possible to visit two villages in one day .
- ii. One or more group meetings with a cross section of local farmers. If necessary the group meetings may be conducted in different locations if different groups of people need to be met. Even if group meetings *per se* may not extend usually for more than two hours because people are busy, the preparation and follow up suggests that only one per day is scheduled. Each group meeting will be lead by at least one national consultant assisted by two trainees.
- iii. One to two days for household interviews for each trainee (if each does a maximum of 6 interviews and with 8 villages a total of ca 48 households interviews carried out by the 8 trainees)

The trainees may be asked to conduct repeat visits after the return of the international consultant in February and initial scrutiny of the findings.

Appendix 1

Type of information to be collected for the three *Mohafadhas*. These are also the major topics for the group meetings to be used with different emphases according to circumstances. (During the field investigation the national consultants brought some amendments adding or deleting questions as suggested by local availability of information. Therefore from a static set of data requirements the exercise became dynamic and adapted to local conditions and importance of issues addressed).

Land use

1. Public land and private land, total area of each, major type of utilization
2. Land use for forests, cropland, grazing, other (from land use we go straight into land tenure)
 - Forest land, how is it operated ha
 - Grazing land, how is it operated ha
 - Cropland, types of land use ha

Land tenure

1. Cropland:
 - Is there any communal cropland (in the *mohafadha* or the village under consideration)
 - Private and public land under individual operation

Number of holdings by tenure:

- owner operated
- sharecroppers
- tenants
- operated through labourers
- squatters
- holdings with multiple tenure

Contractual situation for each of the above categories, where applicable

Land registration system

Land market: value of different types of land on the market (discuss)

Situation of agricultural labourers, their number and wage levels (have they varied over time):

- working on own or family farm
- permanent labourers
- annual labourers
- seasonal labourers
- occasional labourers

2. Forest land:
 - Public forest/communal forest/private forest

Who has right of access, who decides on utilization

3. Grazing land:
 - Communal grazing rights

Appendix 2

HOUSEHOLD LEVEL INTERVIEW GUIDELINES

The final version used in the field is in Arabic, adapted by the national consultants. (The questionnaire had been pre-tested in Hasake governorate. Later the national consultants pre-tested it again in the Hama and Idlib governorates. Amendments as suggested by results of these additional pre-testing were incorporated in the Arabic version. Changes were not of a substantial nature and are not reported in this original version).

(C= pre-coding to be added. Questions not marked are of a qualitative nature which does not lend itself to computerised processing)

The interviews should take place if possible on the respondent operation or at his home to ensure some privacy. Participation of household members other than the head should be welcome.

These are the main questions to be asked and discussed as to the present situation. However the interviewer should encourage the respondent to provide information on these issues on the basis of his past record, i.e. his life history.

1. Household composition (persons living in)

C

1.1 Number of adults

1.2 Number of children below 14

1.3 Total

Observations:

2. Access to land

2.1 Type of tenure

C

2.1.1 Owner operator 2.1.2 Sharecropper 2.1.3 Tenant 2.1.4 Labourer 2.1.5 Squatter

(cross one, but in some cases the same household may be an owner operator of one plot and a sharecropper in another. In this case cross both and describe)

2.2 Total size of operation (in donums)

C

2.2.1 Owned 2.2.2 Sharecropped 2.2.3 Rented 2.2.4 Total

2.3 Number and size of plots (in donums)

C

Plot 1 Plot 2 Plot 3 Plot 4

2.3.1 Irrigated

2.3.2 Rainfed

2.3.3 Tree crops

2.3.4 -----

To illustrate 2.1, 2.2 and 2.3 draw a map of all parcels of the operation, even if discontinuous, indicating for each the type of tenure

2.4 Contractual aspects of operation

For everybody

2.4.1 Do you have a formal or informal contract concerning land operation: Yes/No

2.4.2 If yes, type of contract (explain)

2.4.3 Its duration: Number of months or Number of years

2.4.4 Has it changed over time? Yes/No

If yes how

2.4.5 Areas for improvement (discuss)

For sharecroppers only

C

2.4.6 percentages due to owner and farmer (discuss)

(if shares due to owner differ according to crops describe each)

	Percentage for owner	Percentage for sharecropper
Crops		
.....		
.....		
.....		
.....		

For tenants only

C

2.4.7 rent paid per year:.....

has the rent changed over time : Yes/No

If yes how (discuss)

In case the interviewee is a pure owner operator after question 2.3 the interview may continue with item 3. In case he is a sharecropper he would be asked to provide information on 2.4.1 to 2.4.6. then go to 3. If he is a tenant he would provide information on 2.4.1 to 2.4.5 and then on 2.4.7, skipping 2.4.6. In case he is a labourer he may provide information on points 2.4.1 to 2.4.5., and pass directly to point 4. In any event the interviewee may provide his view on each of the contractual agreements as he may have been in different contractual positions during his working life.

3. Off-farm employment (questions to be answered by owner-operators, tenants and sharecroppers; not applicable to landless labourers households)

C

3.1 Do the members of the household work outside the farm? Yes/no

3.2 If yes in what activities? Discuss.

.....
.....
.....
.....

3.3 Percentage of household income derived from off farm activities (including labour and, if applicable other, such as remittances.)

4. Agricultural wages (for all interviewees)

C

4.1 Daily wage rate paid for different activities, male and female labour

Activities	M	F	Observations (e.g. payment in kind)
Tillage			
Fertilising/weeding etc			
Harvesting			
.....			
.....			
.....			
(add relevant activities as appropriate)			

Other common non agricultural
work e.g. construction
Other

The list of relevant items to be included in point 4 is to be prepared for each of the three mohafadhas. Many items should be common and comparable between the three mohafadhas

5. Any major observation of the respondent or his household and /or problems faced

Annex 3

The Field Investigation: some results

The national team worked intensively at collecting the field data and then analyzing them. However, the time allocated to the whole process proved too limited to allow the national and international consultants to conduct further data verification in the villages, as originally foreseen. This accounts for some lack of refinement and occasional inconsistencies.

Villages covered were : Idlib – Al Teeh (zone 2), Al Habeet (zone 1); Hama –Tizreen, Maarreen, Al Sayeen (zone 4), Fouara Telaghar (zone 3); Hasake –Abu Irzala (zone 2), Al Yanboua (zone 1).

The household interview guidelines were pre-tested in the three governorates and used after minor changes, made according to local needs.

The first meetings with *Muhtars* and cooperative representatives were useful preparation for meeting with farmers.

The rapid rural appraisal sessions in the villages, sometime run repeatedly to clarify issues emerging in the discussion, gave substantial results. The participation was high and lively in all villages except one where for unknown reasons the villagers were reluctant to participate. According to the experience of the investigators team a minimum of 25 persons participation was needed to have a significant outcome. Women participated in several RRA meetings particularly in Hama and Hasake.

Some information on the three *mohafadhas* is summarized below. The characteristics of the communities where the investigation took place is synthesized in tables A3.1 to A3.5.

In this Annex the original information is reported in donums, as collected in the field.

Table A 3.1 Population, agricultural operators households and landless agricultural workers households in 8 selected villages in the governorates of Hama Idlib and Hasake

Villages	Fuara T (H) z 3	Al Sayeen (H) z 4	Al Teeh (I) z 2	Al Habeet (I) z 1	Al Yanbou (Hs) z 1	Tezeen (H) z 1	Mareen (H) z 2	Abu Irzala (Hs) z 2
Population	1500	7000	8500	8000	600	3600	3000	1200
Household size	9.4	11.7	10.3	11.4	10.3	10.3	11.6	10.9
Number of households	160	600	825	700	58	350	258	110
Total.Agric ultural households	143	575	675	640	56	345	208***	110
Agric operators households	113	510	425	600	48	340	123	70
Agric operators hh as % of total agric hhs	79	89	63	94	86	99	59	64
Landless workers hhs	30	65	250	40	8*	5**	70	40
Landless workers hhs as % of total agric hhs	21	11	37	6	17*	--	34	36
Non agric hh	17	25	150	60	2	5	50	-

Source Field study 2000/2001

- nil

--negligible

H: Hama I: Idlib Hs: Hasake

*Several members of these households are working in state farms, so that technically they should not be considered landless as they have access to relatively secure employment

** The high number of squatters on private land reduces the importance of the number of landless

*** Includes 15 pastoral households

Table A 3.2 Major categories of land ownership in 8 villages, Hama Idlib and Hasake (donum)

Type of land/villages	Fuara T (H)	Al Sayeen (H)	Al Teeh (I)	Al Habeet (I)	Abu Irzala (Hs)	Al Yanbou (Hs)	Tezeen (H)	Maareen (H)
State land 1/	3500	30000	210	2000	4000	3500	976	200
Land reform land 2/	2700		10000	31580	12000	1000	5000	2600
Open access and communal areas 3/	9373	21516	4123	8973	1700	1180	8970	9623
Private land 4/	20029	27000	25390	2400	11000	3500	12500	2633
Private and land reform land 5/	22729	27000	35390	33980	23000	4500	17500	5233

Source Field study 2000/2001

Notes: 1/ state land is under ultimate state ownership. Operation is mainly state and only partly private, as in the case of holdings rented or assigned to farmers.

2/ land expropriated to private owners and currently under ultimate state ownership. Operation is mainly private –holdings assigned to private beneficiaries or rented.

3/ Area under predominant state ownership. Open access -rocky areas, public roads; communal operation –pastoral areas; or finally as in the case of forest under direct state management.

4/ Privately owned and operated holdings. 5/ Land reform land plus private land: this line represents the bulk of privately operated land in the 8 villages. In addition some ‘state land’ is also privately operated through rental agreements or by assignation to private beneficiaries.

Table A 3.3 Range of land values, 8 villages in Hama, Idlib, Hasake. SyP per donum

Villages/type of land	Irrigated	Rainfed	Tree crops
Al Sayeen (H) z 4	8000-10000	800-1000	
Fuara (H) z 3		3000-4000	
Al Habeet (I) z 1	40000-50000	15000-20000	30000-35000
Al Teeh (I) z 2		35000 (15000 LR)	50000 (35000 LR)
Abu Irzala (Hs) z 2	15-20000 (LR 15000)	10000 (8-10000LR)	
Al Yanbou (Hs) z 1	25-30000	10-12000	
Tezeen (H) z 1	40-50000 (40-45000LR)	30-40000 (30000LR)	
Maareen (H) z 2	60-70000 (35-40000LR)	35-40000 (15-20000 LR)	65-70000 (35-40000 LR)

Source Field Study 2000/2001

LR: Land reform areas. This means that what is sold is not fully alienable property but ownerslike possession and rights of use.

Table A 3.4 Migrant labour by gender, internal and external destination, from 8 selected villages in Hama, Idlib and Hasake

Village	Total Population	Migrant workers abroad (Males) *	Internal Migrants Males *	Internal Migrants Female	Total Migrant workers M	Total Migrant workers M+F	Female migrant workers as % of total migrants	Migrant workers as % of total population
Fuara	1500	200	30	270	230	500	46	33
Al Sayeen	7000	400	30	270	430	700	38	10
Al Teeh	8500	500	--	300	500	800	37	9
Al Habeet	8000	400	40	360	440	800	45	10
Al Yanbou	600	n.a	n.a					
Tezeen	3600	n.a	n.a					
Maareen	3000	--	10	90	10	100	90	3
Abu Irzala	1200	n.a	n.a					

Source Field survey 2001

Notes. These figures are very gross estimates provided by the villagers. In the case of the two villages in Hasake (Al Yanbou and Abu Irzala) high number of landless households is not related to high seasonal migration to which the other reported migrant workers refer, but rather to permanent or semi-permanent migrants going longer distances.

* The general information is that most if not all migrant workers abroad are males and that only about 10 percent of the internal migrants are male

Some additional characteristics not singled out in the tables with reference to the selected 8 village are provided below for information

Al Teeh

In this village there is an attempt to preserve holding size and avoid subdivision by inheritance. The land is assigned to one selected son, not necessarily the eldest, with compensation to brothers. (It seems this system is not exactly followed in private land where the traditional equal subdivision among brothers obtains. It is a peculiarity of the land reform sector in the village). This explains the high number of landless households, who are not necessarily poor. In case of non payment of compensation the operating brother gives 20 % of the crop to the other brothers in a type of sharecropping agreement, hence the so called landless may be receiving a regular share of the crop.

An additional characteristic of Al Teeh regards the use of wives as cash earners. Most of the village households have more than one wife, in some case three. The case of one wife is a rarity. This does not logically correspond with a situation of high landlessness and expected low incomes. It may be linked to local customs, but has apparently increased only in the last twenty years ago, together with migration abroad and the local perception that the more the people the more the possible employment and income. Bride price has been reduced presumably to facilitate additional marriages (15 to 25000 Syp, versus a current average of over 25000 Syp). A socio-anthropological investigation could be useful to highlight the mechanisms of social decision making.

Maareen

15 km from Hama, Maareen is affected by the possibility of commuting, there are many residences with no relation to agricultural production. The village used to belong to one of the large landed families from Hama (Barazi). What remained after land reform expropriation they sold in 1972, very small plots for urbanization, of 3 donums each.

Besides non agricultural residences, peri urban agriculture is important. Problems are decreasing water availability, 2000 donums were previously irrigated from the Qatana lake but this is no longer possible, therefore substantial income decreases (75% down according to local estimates). Six still operating wells belong to the Barazi family. The Barazis still had 840 donums which were operated by squatters, but in 1985 they agreed to a 50-50 share of the area so they are now left with 419 don.

According to farmers the priorities are digging of wells, and land reform land registration. They insist on a new redistribution and consolidation of holdings. They are no longer dividing land among children, because each household allotment is already divided in 5 to 6 pieces, hence the children become landless.

Tizeen

This is a village with a large problem of squatters. Two hundred households, or 57% of the total number of households in the village, are squatters on private land.

Most farmers, including land reform beneficiaries, have multiple tenure relations and are also squatters. Some farmers have a series of pieces of land with an overlap of sharecropping to different owners. There had been an attempt by the Peasant Union to conduct a consolidation of holdings but the results were not conclusive. In view of the extreme fragmentation operators have also difficulty in following the Government's production plans.

Squatters are being requested to register the wells they have dug, buty obtaining prior approval of the landlords. On the whole, reasons for confrontation between different groups are rife and require some urgent conciliation procedure.

Al Habeet

Land reform areas cover 95% of the total. Land reform beneficiaries have one piece of good land, one marginal mainly for grazing. This is not an unusual system well rooted in Syrian 'urf.

Twenty-five of the beneficiaries are changing cropping pattern by planting trees with government help. Among the beneficiaries there is also an unusually high number of sharecroppers who are not necessarily brothers: there are as many as 25% absentee land reform beneficiaries. This may be related to migration to Saudi Arabia and Lebanon (about 5% of the population migrates for work abroad and another 5 % works regularly in neighbouring villages).

Al Sayeen

In this village state land was distributed to farmers, but the majority are squatters on state land. There are allegations that state land distribution was not fair in terms of what the farmer has to pay over time, but this needs verification. In 1959 first contracts between state and beneficiaries: every farmer got 416 donums. State land is registered since 1988.

In 1967 the state offered the possibility of buying the land at nominal rates, but many did not take this opportunity , 50 families did and can now sell their property if they so wish.

There is a high number of landless households, but many of them have some livestock while the women also work as labourers. Landless households in the village are therefore are not necessarily amongst the poorest.

Fuara

The main problem in farmers view is *musha* undivided land where it is difficult to make improvements.

There are a number of squatters on private land, but an agreement was reached so that they give 20% to the owner. 6 out of 10 sharecroppers have a written contract

In conflict resolution the muhtar is the preferred authority.

Abu Irzala

Village with many minority groups. Large areas of state land, one operator controls 700 rented donums.

Undivided land was demarcated, farmers now want land reform land to be registered.

In the case of conflict in this village the authority called upon is the Party.

During the harvesting season workers come from the outside (Aleppo, Idlib) so this is at least seasonally a labour short village in spite of a high number of landless labourers households. Part of the latter are away on longer term migration and are unable of profiting from seasonal labour demand.

Al Yanbou

The main problem as perceived by the farmers is undefined land: most of the land is still mainly undivided *musha* land.

There is a special situation in Hasake where large portions of the population in some villages, including Al Yanbou, are not Syrian nationals. Kurdish farmers without Syrian nationality may have actually been locally resident for generations, but would not qualify as land reform beneficiaries.