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Changing Land Tenures, Agrarian Reforms and Peasantry in Post-Soviet Central Asian Republics: A Historico-Legal Framework

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The break-down of the erstwhile USSR in 1991, registered the emergence of a cluster of independent states including five Central Asian Republics (hereafter CAR's) on the Eurasian map. Independent though, the CARs were soon confronted with a variety of complex problems¹ and to address them, the respective governments subtly maneuvered a comprehensive scheme of economic restructuring for a gradual shift from the 'Central' or 'Command' to a 'Free Market' economy. The given transformation was proportionately affected in industries and agriculture.

In agriculture, economic restructuring² was potentially enforced through a series of land reforms to arrest agricultural stagnation of the former Soviet system and transform the "Socialist" mode of production into a "Capitalist" one; from "absolute state ownership" to "private proprietorship"³ and from "collective" to "individual" (small scale) form of production⁴. However, these reforms had a profound diversity in form, magnitude and implementation.⁵ Somewhere, they were slow, gradual

¹Borris Rumer and Stanislav Zhukov (ed.), *Central Asia, The Challenges of Independence*, London, 1998.

² Economic restructuring or farm restructuring in agriculture defines reallocation of forces of production, land, labour and capital and a well-thought movement from cooperatives to family farms: Karen Macours & Johan F.M. Swinnen, *Patterns of Agrarian Transition*, University of Chicago, 2002, p.377.

³ <http://departments.agri.ac.il/economics/indexe.html>

⁴*Patterns of Agrarian Transition*, p.366.

⁵ Max Spoor, *Agrarian Transition in Former Soviet Central Asia: A Comparative Study of Kazakhstan, Kyrgyzstan and Uzbekistan*, Working Paper, Centre for the Study of

and “cosmetic”⁶ and elsewhere rapid⁷, preponderant and strong⁸. Moreover, they were neither perfect nor in consonance with the legal connotation of the word “Owner” which defines “A person who has the total power of the possession, use, disposal and enjoyment over a determinate thing”⁹. While rights to possession and land use were granted to the peasantry during early reforms (1991-95), ownership and other sorts of land rights were conferred on them quite partially and at a late stage. This correspondingly rendered a peasant “limited” rather than the “absolute” land owner and kept the entire dynamics of land tenures changing with cumulative effects on the peasantry at large.

Our objective in this paper is to analyse these reforms from historical perspective: their evolution, nature, performance, compatibility with and maneuverability in superseding the pre-transitional or communal farm structure by an individual or family farm structure. The paper also seeks to measure the impact of the reforms on the peasantry and anticipate their prospects in the foreseeable future.

To begin with the pre-Soviet land tenures, innumerable Persian, Uzbek and Soviet sources report that land ownership, notionally speaking, was vested with the king in medieval Central Asia. Nevertheless, a certain portion of it was practically apportioned by him among members of royal family, nobles, and army officials in the form of assignments (*yurts*, *suyurghal*, *iqta*, etc.¹⁰). Combining multitude of

Transition and Development, Institute of Social Studies, The Netherlands, September, 1999, p.1.

⁶This was particularly remarked about early reforms in Kyrgyzstan.: Delehanty, James and Kathryn, “Land Reforms and Farm Restructuring in the Kyrgyz Republic”, *Post-Soviet Geography*, Vol. 36, No.9, 1995, pp. 565-86; Also see, Mathijs, Eric and Jo Swinnen, “Agricultural Privatisation and De-colonisation in Central and Eastern Europe”, *Transition*, 26 July 1996, p.14.

⁷World Bank, *World Development Report: From Plan to Market*, Oxford University Press, 1996.

⁸Lerman, “Self-Sustainability of Subsidiary Household Plots: Lessons for Privatisation of Agriculture in Former Socialist Countries”, *Post-Soviet Geography*, Vol. 35, No.9, 1994, pp. 526-42.

⁹P.J.Fitzgerald, *Salmond on Jurisprudence*, London, 1966, Section 44 & 45; R.W.M.Dias, *Jurisprudence*, Calcutta, 1970, pp. 360-77.

¹⁰ *Medieval Central Asia: Polity, Economy Military Organisation* (Fourteenth to Sixteenth Centuries), pp. 408-15.

rights on land, water, mills, gardens, mines, etc., these assignments largely defined a right of the assignee on the revenue than the title of the land itself. However, this should not be assumed that there were no private proprietors on land in the pre-transitional Central Asia. We notice the sufficient use of the term *milk*¹¹/*mulk*¹² in revenue and other records to define private persons enjoying irrevocable, hereditary and permanent proprietary rights on land and other articles of property. These rights were freely transferable. Only exceptionally those who owned state waste land¹³, were legally bound to obtain the consent of the ruler before carrying out any act of transfer or disposal through sale, gift or partition deeds¹⁴. Even those who tilled tax free land, *madad-i ma'ash* or *waqf*, granted to men of religion, knowledge and royal lineage and religious and philanthropic institutions, were not devoid of the proprietary rights. The land rights of the private individuals and the king, *Amir* or *Khan* were distinguishable by the use of a different term called *amlak* during the Khanates (17th-19th centuries). In all, therefore, 90% of arable land was owned by rural population on the individual or family basis¹⁵. Thus, besides the king/state, private ownership existed on land, pastures, buildings and water on the condition of perpetual cultivation and payment of a certain tax in kind to the king¹⁶.

Carrying forward the tradition of the Khanates, the Tsars (1860-1917) generally recognized private ownership on land under construction and plantation though, in the beginning, they too had declared whole land as the state property¹⁷. They duly protected private rights lest it

¹¹ Cf. Mansura Haidar, *Medieval Central Asia: Polity, Economy Military Organisation* (Fourteenth to Sixteenth Centuries), New Delhi, 2004, pp. 408-15.

¹² Edward Allworth (ed.) *Central Asia: A Century of Russian Rule*, Now York/London, 1967, pp. 277-78.

¹³ Eugene Scheyler, *Turkistan, Notes of a Journey in Russian Turkistan, Khokand, Bukhara*, Vol.I, NewYork, Scribner, 1877,p. 290.

¹⁴ *Turkistan, Notes of a Journey in Russian Turkistan, Khokand, Bukhara and Kuldja*, Vol.I, pp. 297-303.

¹⁵ *Central Asia: A Century of Russian Rule*, pp. 277-78.

¹⁶ Bori Ahmedov, *Gasudarstova kochevikh Uzbegov*, Moscow, 1965, pp. 148-50; *Medieval Central Asia: Polity, Economy Military Organisation* (Fourteenth to Sixteenth Centuries), p. 385.

¹⁷ *Central Asia: A Century of Russian Rule*, pp. 280-81.

should incite the otherwise recalcitrant natives¹⁸. In consequence, land transactions were frequent and its related disputes were settled in courts usually in favour of the actual tillers¹⁹. Following the Tsars, the Bolsheviks (1917) who originally espoused a “Socialist Model of Development,” affected no radical change in the traditional land relations and rural structure²⁰. Subsequently, however, they seized the feudal estates of the immigrant²¹ and the native landlords through *prodrazverstka*, the forcible expropriation of the grains, cattle and other means and forces of production. This evoked a great deal of opposition and to quell that Lenin enforced a newly devised policy of land re-organisation²², called the “New Economic Policy: NEP” (1921-27)²³ which, however, was neither “Capitalistic” nor “Socialistic” in a strict sense. It was rather a compromise between the two: a sort of amalgamation of the capitalistic elements into the Soviet structure. Whatever the case, under the NEP, large landed estates were disproportionately eliminated and instantly distributed as a common property among working people for joint cultivation in large scale collectivized/cooperative farms; each collectivized farm paid a fixed tax in cotton, grains, etc. to the state. To be precise, the NEP was characteristic of four fundamental changes. Firstly, the category of landless labourers disappeared²⁴. Secondly, land holdings measuring 1-10 *desyatin* were retained with the hereditary farmers including of course

¹⁸M.Baransky, *Economic Geography of the USSR*, Moscow, 1956,p.40. The rights of the nomads were simultaneously protected under law: *Central Asia, 1867-1917*, pp 147-48.

¹⁹*Central Asia, 1867-1917*, p.147.

²⁰This was because they were in a foreign land and were confronted with a stressful situation emanating from the First World War, acute food scarcity and an unprecedented civil war following thereafter.

²¹Geoffery Wheeler, *The Peoples of Soviet Central Asia*, London,1966, p.135; *Collected Works*,Vol.30, Moscow, Fourth edition, p. 838.

²²J.G.Tewari, *Muslims Under the Czars and the Soviets*, Lucknow, 1984,p.240

²³Padmore, *How Russia Transformed Her Colonial Empire- Challenge to the Imperial Powers*, London, 1946, p. 525.

²⁴R.R.Sharma, *A Marxist Model of Social Change, Soviet Central Asia, 1917-1940*, Delhi, Macmillan, 1979, p.55.

the hitherto feudal lords²⁵ who enjoyed legally guaranteed rights to own and sell their plots and exercise the choice of “free production” and marketing of the surplus²⁶ presupposing thereby that feudal or capitalistic reminiscences were allowed to exist to a certain extent²⁷. Thirdly, the NEP stimulated cooperative movements like *koshchi* movement of the self-cultivating poor and middle peasants for supporting handicrafts, cottage and heavy industries²⁸. Fourthly, though the emancipated serfs or peasants were declared to be small scale land owners²⁹, they were not so in actual practice because the land title was vested with the state sponsored *mirs* or rural communes³⁰ which periodically allotted and repartitioned the land on the basis of the family strength to avoid permanent claim of the farmers on land³¹. Consequently, a farmer carried out cultivation at distantly located collective farms at one and the same time³².

Whatever little had survived of the past, received a major setback especially with Stalin’s massive collectivization programmes (1928-40) which symbolized a drastic transformation from hitherto “Capitalist” to a “Socialist” order. In the wake of nationalizing all forces of production and production relations, agriculture was organized into

²⁵On the seizure of the feudal estates measuring 1,50,00,000 *desyatins*, Lenin boasted, “In this peasant country, it was the peasantry as a whole who were the first to gain, who gained most immediately after the dictatorship of the proletariat”: *Economic Geography of the USSR*, P.262; *Collected Works*, Vol.30,p.112.

²⁶Fearing the nationalization of whole land, a large number of them sold their plots and preferred to be tenants on the remaining feudal estates: *A Marxist Model of Social Change, Soviet Central Asia, 1917-1940*, p. 76.

²⁷Native feudal lords, *bai's* or *kulaks*, were relatively spared from the land seizure drive during Lenin’s first and second phase of reforms: D. Kaushik, *Central Asia in Modern Times: A History from the early 19th century*, Moscow, 1970, p. 233.

²⁸They pooled their holdings and agricultural capital into large collective farms for large production and marketing of surplus: *Collected Works*, Vol.33, p. 47.

²⁹*Central Asian Survey*, Vol.14, No.4,UK, p.531.

³⁰Gavin Hambly, *Central Asia*, London, 1964, p. 212.

³¹Lazer Volin, *Agricultural Development*, New York, 1947, p. 245.

³²*Agricultural Development*, p. 245; Lawrence Krader, *The Peoples of Soviet Central Asia*, the Netherlands,1963, p. 71.

state farms (*sovkhozes*) and collective farms (*kolkhozes*)³³. The *sovkhozes*, created mostly from the confiscated feudal estates of the *bai*'s and *kulaks*, represented a superior form of state ownership; "ownership by the entire population". In them, the workers were the mere wage earners or the state employees³⁴. Contrarily, the *kolkhozes* represented a group of peasant owners who voluntarily pooled their land and agricultural inputs and shared the residual earnings after paying off the state dues and other levies. The principle difference between the two was that whereas the *sovkhozy* was a state enterprise, *kolkhozy*³⁵ characterized a whole comprising a conglomerate of private owners. In *kolkhoze* form of production, its members, the *kolkhozniks*, were provided small plots³⁶ for personal use to create a sense of individual responsibility in them towards land and enable them to market their surplus for generating sufficient cash income for buying daily non-agricultural consumer items for household³⁷. The *kolkhoze* management simply provided them the working capital, machinery, seeds, etc. in lieu of a certain tax from the earnings of their personal plots³⁸. In addition to *sovkhozes*, *kolkhozes* and

³³ World Bank, *Statistical Handbook, 1996: States of the Former USSR*, Studies of Economies in Transition, Washington, D.C.; *Patterns of Agrarian Transition*, pp. 372-73.

³⁴ *Issues in Development Discussion Paper 14*, Development & Technical Cooperation Department, International Labour Office, Geneva, 1996, p.6; Medvedev Zhores, *Soviet Agriculture*, New York/London, 1987, p. 70.

³⁵ V. Mehta, *Soviet Economic Development and Structure*, New Delhi, 1978, p. 268; *Soviet Agriculture*, p. 70.

³⁶ However, within the *kolkhoze structure*, the share of the personal or family plots was just insignificant: 0%, 4%, 4%, 2% and 5% in 1990 in Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan respectively.

³⁷ Azizur Rahman Khan, "The Transition to a Market Economy in Agriculture", *Social Policy and Economic Transformation in Uzbekistan*, International Labour Office (ILO), Geneva, 1996, pp. 65-92.

³⁸ World Bank, *Statistical Handbook, 1996: States of the Former USSR*, Studies of Economies in Transition, Washington, D.C.; *Patterns of Agrarian Transition*, pp. 372-73.

family plots, Stalin's reforms recognised the existence of large private farms³⁹ without any state interference⁴⁰.

No doubt such institutional changes of the Soviets led to a marked increase in production and productivity. But, on their account, peasantry had to lose hereditary rights, family ties, primordial and ethno-tribal and traditional values altogether. Their age-long relations with the village fraternity were torn off and the traditional village functionaries were swamped by a new brand of Soviet state officials⁴¹. They were forced to work in communes far away from their traditional villages. In fact, the Soviets undid the very basis of villages by "eliminating the landlord as a political, economic and social force in villages" thereby making the Soviet system "the only source of guidance" in Central Asian villages⁴². More so, the Soviet reforms subjected the peasants to a "command system" costing them their traditional "choice of free production". In addition, the Soviet reforms prioritised cotton cultivation in preference to food grains, rice and wheat in particular⁴³. Thus under a calculated development model of "an increasingly one-sided inter-republic division of labour", Krushchev's reforms in 1950's strictly laid down for cotton specialization in Uzbekistan, Turkmenistan and Tajikistan, excessive wool, meat, uranium, gold and mercury production in Kyrgyzstan and grain, wheat and rice production in Kazakhstan. True, such a policy enhanced the share of

³⁹Particularly, large private farms surfaced in Kazakhstan and Kyrgyzstan in and after 1995': *Issues in Development Discussion Paper 14*, Development & Technical Cooperation Department, International Labour Office(ILO), Geneva, 1996, p.8.

⁴⁰ *Issues in Development Discussion Paper 14*, Development & Technical Cooperation Department, ILO, Geneva, 1996, p.6;"The Transition to a Market Economy in Agriculture", *Social Policy and Economic Transformation in Uzbekistan*, International Labour Office (ILO), Geneva, 1996, pp. 65-92.

⁴¹ Cf. *Central Asia, 1867-1917*, p. 70.

⁴² *The Peoples of Soviet Central Asia*, p. 71.

⁴³Yuriv Kulich, Andrew Faden and Victor Sergeav, *Central Asia after the Empire*, London, 1966, p.14;Alec Nove, J.A.Newth, George Allen, *A Soviet Middle East: A Model for Development*, London, 1967, p.53.

agricultural production in GDP by 60%⁴⁴ and made Russia self-sufficient in cotton cultivation. But, relatively it proved onerous to the peasants for they were exposed to food scarcity⁴⁵ and dreaded health and environmental problems⁴⁶ emanating from the ruthless exploitation of natural resources and diversion of maximum water resources to cotton fields⁴⁷.

However, to plug the existing shortfalls, the post-Stalin policy planners in 1963, modified original plans and allowed a limited acreage of family plots for grain cultivation outside the community⁴⁸. Besides, restriction on private production was relaxed to boost competition. Gorbachev (1986-87) went a step further when he permitted lease or possession-rights on private plots while retaining the total land ownership with the state⁴⁹ or collective farms⁵⁰ pointing, in a way, to a sort of dichotomy in the functioning of the Socialized or Collectivised form of production⁵¹. From the aforementioned discussion, it transpires that with the coming of the Russians and the "Socialist" mode of production, the peasantry was dispossessed of a hoard of traditional and hereditary land rights which, in the process, miserably weakened the institution of "private ownership" and almost left the peasantry

⁴⁴ Max Spoor, "Agrarian Transition in Former Soviet Central Asia: A Comparative Study of Kazakhstan, Kyrgyzstan and Uzbekistan", Working Paper, Centre for the Study of Transition and Development, Institute of Social Studies, ILO, Geneva, 1999, p. 5.

⁴⁵ Soviet Central Asia also suffered as it had to export raw cotton against the import of Russian industrial products because there were no processing cotton unit within Russian Turkestan: "Agrarian Transition in Former Soviet Central Asia: A Comparative Study of Kazakhstan, Kyrgyzstan and Uzbekistan", p.5.

⁴⁶ Max Spoor, "The Aral Sea Basin Crisis: Transition and Environment in Former Soviet Central Asia", *Development and Change*, Vol.29, No. 3, 1998, pp. 409-35; David Levison, Karen Christen (ed.), *Encyclopaedia of Modern Asia*, Vol.5, Library of Congress, USA, 2002, p. 397.

⁴⁷ *Central Asia in Transition*, p. 139.

⁴⁸ Olaf Caroe, *Soviet Empire, the Turks of Central Asia and Stalinism*, London, 1953, p. 178.

⁴⁹ *The Cambridge Encyclopaedia of Russian and former Soviet Union*, p.400.

⁵⁰ *Patterns of Agrarian Transition*, p. 370.

⁵¹ Denis Shaw, *The Post-Soviet Republics: A Systematic Geography*, New York, 1965, p.

“enslaved” for want of the right to possession, use, ownership, alienation, free production, marketing and enjoyment.

Understandably, after the CARs independence, the peasantry had envisioned the restitution of their hitherto seized land rights as a pre-requisite for regaining confidence, building up self-sufficiency, developing capacity for competition and minimizing dependence on grain imports. Quite precisely, to address their age-long demand for pre-transitional rights⁵² and simultaneously reckon with the Soviet loopholes, the CARs introduced early land reforms (1991-95)⁵³ which, *inter alia*,⁵⁴ were significant for they transformed the Soviet *sovkhozes* into *kolkhozes* to relieve the state of the huge burden of wage payments⁵⁵. For further convenience,⁵⁶ the *kolkhozes* were later merged into large scale collective farms represented by the associations, *dehqan-i berleshik* in Turkmenistan and *shirkats* in Uzbekistan through whom land was distributed among rural population on household and lease basis. The hitherto *sovkhoz* employees became the *shirkat* leaseholders⁵⁷ and in consequence, the share of *sovkhozes* contracted from 58% in 1990 to 1%

⁵² Jennifer Duncan, “Agricultural Land Reform and Farm Reorganisation in Tajikistan”, *Rural Development Reports (RDI) on Foreign Aid and Development*, Washington, USA, May 2000, p.1. For further details see, F.M. Swinnen, “Political Economy of Land Reform Choices in Central and East Europe”, *Economics of Transition*, Vol.7, No.3, 1999, pp.637-64; Peter Craumer, *Rural and Agricultural development in Uzbekistan*, London, 1995

⁵³ Eskender Trushin, “Problems of Development and Reforms in Agrarian Sector”, *Central Asia, The Challenges of Independence*(ed.), pp. 259-60.

⁵⁴ *Central Asia, The Challenges of Independence*, pp 263-64, 268; *Turkistan, Notes of a Journey in Russian Turkistan, Khokand, Bukhara and Kuldy*, Vol.I, pp 297-303; *Agrarian Reforms in Turkmenistan*, 2003.

⁵⁵ It was a continuation of “shared-based strategy” of the Soviet period and its proportion was fairly large in Uzbekistan and Tajikistan.: Azizur Rahman, “The transition of Uzbekistan’s agriculture”, *Issues in Development, International Labour Organisation*, Geneva, 1996, p. 6.

⁵⁶ Compared to *kolkhozes*, the performance of *sovkhozes* was satisfactory in production, productivity and overall unit of cost, a healthy trend which was possible due to considerable agricultural and capital inputs and allied resources: Azizur Rahman Khan and Dharam Ghai, *Collective Agriculture and Rural Development in Soviet Central Asia*, London, Macmillan, 1979.

⁵⁷ *Land Code of the Republic of Tajikistan*, Article 14-17, December 13, 1996; *Central Asian Survey*, Vol.3, No.20. pp. 373-74.

in 1994, for instance, in Uzbekistan (the remaining 1% just constituted experimental seed farms). Contrarily, however, the *kolkhozes* swelled from 34.9% to 75.3%. The post-independence reforms in CARs also recognized personal or household plots (with slight growth from 0.1% to 2.1%)⁵⁸, family farms⁵⁹, and large individual farms on hereditary basis⁶⁰.

Nevertheless, the performance of the early reforms was hampered due to an unprecedented drought in 1991, out-migration of skilled labour from Kazakhstan and Kyrgyzstan and Civil War in Tajikistan which together brought down the GDP from its 1990 level to 46% and 36% in 1995 in Kazakhstan and Kyrgyzstan and Tajikistan respectively⁶¹. Agricultural output and economic growth dipped low compared to other post-Second World War transitional economies⁶². The reason, besides above factors, was that in Central and East European countries agriculture was supported with heavy subsidies, but in CARs, it was heavily taxed⁶³. In addition, land allotment⁶⁴ was greatly oriented to the benefit of the formerly powerful Soviet rural magnates than the actual growers.

Precisely how and in what ways were early reforms deficient? Firstly, they were devoid of the legal right of the peasantry to land ownership. Their rights were purely usufruct in nature and included only leasing rights in collective farms, household plots and orchards. Even these had no uniform application and were limited in Uzbekistan and

⁵⁸ Cf. *Issues in Development, Discussion Paper 14*, Development & Technical Cooperation Department, International Labour Office, Geneva, 1996, pp. 6-7.

⁵⁹ *Agrarian Reforms in Turkmenistan, 2003; Central Asia: The Challenges of Independence*, p.280.

⁶⁰ R.Kh. Khusanov, *Agrarnaia reforma: teoriia, praktika, problemy*, Tashkent, 1994 (Cf. *Central Asia: The Challenges of Independence*, p.280).

⁶¹ "Agrarian Transition in Former Soviet Central Asia: A Comparative Study of Kazakhstan, Kyrgyzstan and Uzbekistan", pp.2-3.

⁶² Chinese reforms were relatively a far success for being gradualist in nature. Consequently, they ushered in a remarkable economic growth in agricultural output: *Patterns of Agrarian Transition*, p.367.

⁶³ *Patterns of Agrarian Transition*, p. 374.

⁶⁴ By 1997, every peasant farm or land holding averaged 10-20 hectares and in certain cases 16 ha.: "Agrarian Transition in Former Soviet Central Asia: A Comparative Study of Kazakhstan, Kyrgyzstan and Uzbekistan", p.10.

unlimited in Kazakhstan and Kyrgyzstan⁶⁵. Moreover, great variety of leasing agreements with private farmers in Uzbekistan, were nominal than real and were subject to the conditions of perpetual cultivation and payment of state share⁶⁶. Paradoxically, instead of physical distribution of land after sale on the per-capita basis⁶⁷, land was distributed by the state in the form of paper shares and certificates only⁶⁸. In this way, state land ownership was quite predominant notwithstanding land reforms and instant switch over to private ownership, individual farming and complete elimination of large scale corporate farms in the post-1991 sisterly Transcaucasian transitional countries⁶⁹.

Secondly, the peasantry was without the choice of “free production”. By prioritizing cotton cultivation, the early reforms blurred the historical reality that grain culture had developed in Turkestan after a strenuous transition from nomadic to sedentary stages. In the end, rice had emerged as a major indicator of agricultural wealth and a significant symbol of native independence from the Russian occupation. Despite this, the Russians especially the Soviets super-imposed cotton culture⁷⁰ because it was fairly lucrative, earned hard currency, generated finances

⁶⁵ “Agrarian Transition in Former Soviet Central Asia: A Comparative Study of Kazakhstan, Kyrgyzstan and Uzbekistan”, p. 20.

⁶⁶ “Agrarian Transition in Former Soviet Central Asia: A Comparative Study of Kazakhstan, Kyrgyzstan and Uzbekistan”, pp.2-3.

⁶⁷ This was so in the East European countries where land was physically transferred to the original cultivators on the basis of the past revenue records. Wherever, historical holdings were not available, former owners were compensated by providing plots of land of equal size and quality: *Patterns of Agrarian Transition*, p. 376; World Bank, *Statistical Handbook, 1996: States of the Former USSR*, Studies of Economies in Transition, Washington, D.C.

⁶⁸ Zvi Lerman, “Experience with Land Reform and Farm Restructuring in the Former Soviet Union”, *Agricultural Privatisation, Land Reform and Farm Restructuring in Central and East Europe*, F.M.Swinnen, Alan Buckwell, Erik Mathijs (ed.), Ashgate: Aldershot, 1997, pp. 311-32.

⁶⁹ *Patterns of Agrarian Transition*, p. 376; World Bank, *Statistical Handbook, 1996: States of the Former USSR*, Studies of Economies in Transition, Washington, D.C.

⁷⁰ *Central Asian Survey*, Vol.11, No.1, p.56.

for employment⁷¹, helped in importing spare parts, fertilizers and pesticides, served as a great source of supply of raw material and marketing for Russian industrial enterprise, minimized Russian dependence on the US cotton imports and sufficed for munitions production, propulsive explosions, artillery shells and other ammunitions⁷². For the given advantages, monoculture was a synonym of great economic activity in CARs. However, its benefit was largely reaped by the middlemen and industrialists. Only a little of it went to the actual growers which too was uncertain⁷³ during the wars⁷⁴ and drought⁷⁵ when business⁷⁶ was down and when merchants were handicapped to pay the cotton growers in cash for their crops⁷⁷.

Thirdly, the CARs carried forward the Soviet legacy of the command system and officially dictated output and procurement targets at cheap prices; 37 times low as compared to cotton⁷⁸ which difference, however, was minimized to 1.32 in case of cotton and just 1.01 for grains in 1976⁷⁹. But this did not end the state interference and, instead, the CARs enforced heavily controlled crop prices to the great benefit of

⁷¹ Carlisle, "Forced Student Labour in Central Asia's Cotton Fields", *Surviving Together*, Washington DC, Vol.14, No.4, 1996, p. 31.

⁷² Harris, "Turkestan in Time of War", Manuscript in the E. Harris Papers, Hoover Institution Archives, Box Five, pp. 3-5; Viscount Milner, *Cotton Contraband*, Lord, Darling & Son, 1915, p.3; *New York Times*, 2 March, 1915, p.17:2; 21 Jan, 1916, pp. 2:3; 26 August, 1917, p. 1:6.

⁷³ F.M.Bailey, *Mission to Tashkent*, London, Jarathan Cape, 1946. p.45; Harris, "Turkestan in Time of War", E.Harris Papers, Hoover Institution Archives, Box File, pp. 3-4; *Central Asian Survey*, Vol.II, No.1, pp. 83, 97.

⁷⁴ *Central Asia: The Challenges of Independence*, pp. 284-88.,

⁷⁵ A. G. Park, *Bolshevism in Turkestan*, 1917-27, New York, 1957, pp.288-320.

Because of this, total sown area was 4.4 million in 1928 out of which irrigated area was 3.4 million and in that 44.7% was under grains, 38.9% under cotton and 9.2% under alfafa: *Central Asia: The Challenges of Independence*, p. 288.

⁷⁶ *Central Asian Survey*, Vol.II, No.1, p. 83.

⁷⁷ Harris, "Turkestan in Time of War", E.Harris Papers, Hoover Institution Archives, Box File, pp. 3-4; *Central Asian Survey*, Vol.II, No.1, p. 83.

⁷⁸ *Agrarian Transition in Former Soviet Central Asia: A Comparative Study of Kazakhstan, Kyrgyzstan and Uzbekistan*, p.6.

⁷⁹ "The Transition of Uzbekistan's Agriculture to a Market Policy", *Issues in Development, Discussion Paper 14*, Development & Technical Cooperation Department, International Labour office, Geneva, pp.1-2.

cotton and the Soviet industrial enterprise⁸⁰. On top of it, the *shirkat* management⁸¹, mostly composing the state officials, usually served as the conduit for implementing state orders and enforcing compliance on the leaseholders⁸². It is a fact that the *shirkats* provided several services and inputs to the leaseholders in lieu of fixed revenue. But, they most often than not, dictated private leaseholders as regards the production quotas of strategic commodities and their delivery at cheap rates no matter the Kyrgyz government reduced the same at one stage⁸³. Nonetheless, the *shirkat* interference in the leaseholder's choice of free production and marketing⁸⁴ continued unabated markedly in Uzbekistan⁸⁵. Because of this lopsided picture, early reforms represented the replica of the erstwhile Soviet *sovkhoz* and *kolkhoz* form of production⁸⁶. Therefore, the early reforms in CARs were quite displeasing to the peasantry for they preferred heavily controlled to the liberalized prices, compulsory deliveries to a contract system, collective to individual farm production, communal to private land ownership, paper procedure to physical transfer of land, creation of hurdles to incentives and execution of state orders by old to new management⁸⁷. Equally important reasons were that neither the irrigation canals, earlier meant for large farms, were rebuild for the benefit of small holdings⁸⁸ nor was any note taken of the absence

⁸⁰ *The Patterns of Agrarian Transition*, pp. 376-78, 383.

⁸¹ *Central Asia: The Challenges of Independence*, p. 282.

⁸² "Agrarian Transition in Former Soviet Central Asia: A Comparative Study of Kazakhstan, Kyrgyzstan and Uzbekistan", pp.2-3.

⁸³ Delehanty, et al, "Land Reform and Farm Restructuring in the Kyrgyz Republic", *Post-Soviet Geography*, Vol. 36, No.9, 1995, pp. 565-86;

<http://departments.agri.huji.ac.il/economics/indexe.html>

⁸⁴ *Central Asia, The Challenges of Independence*, p. 285;

⁸⁵ "Agrarian Transition in Former Soviet Central Asia: A Comparative Study of Kazakhstan, Kyrgyzstan and Uzbekistan", p.21;

<http://departments.agri.huji.ac.il/economics/indexe.html>

⁸⁶ World Bank 1996, *World Development Report: From Plan to Market*, Oxford University Press, Washington; "Agrarian Transition in Former Soviet Central Asia: A Comparative Study of Kazakhstan, Kyrgyzstan and Uzbekistan", pp.2-3.

⁸⁷ *The Patterns of Agrarian Transition*, pp. 376-78, 383.

⁸⁸ Lerman, Zvi, Jorge Gorcia-Gorcica and Danis Wichelns, "Land and Water Policies in Uzbekistan", *Post Soviet Geography and Economics*, Vol. 37, No.3, 1996, pp. 145-74.

of agricultural inputs with the rural population. Moreover, the reforms were executed through the vested interested group of the former urban/rural ruling elite which was always intoxicated with the socialist thought and education⁸⁹.

However, to account for the deficits in early reforms, the respective governments introduced further reforms: Tajikistan in 1998, Uzbekistan 2000, Kyrgyzstan and Turkmenistan 2002, Kazakhstan in 2003, etc. These reforms quite indisputably recognized private ownership on peasant farms & household plots *albeit* its share was not that significant in the overall farm structure and agricultural output⁹⁰ for the simple reason that in Tajikistan, for instance, state held absolute ownership on vast arable land⁹¹. Although article 13 of the Land Code of 1996, recognised bundle of rights of “primary land users” and “secondary land holders”⁹², these were short of proprietary rights and were subject to extensive state monitoring and above all contained threat of resumption in the event of non-performance which is unlikely of the real ownership in legal terminology. The further land reforms of 1998 in Tajikistan were even without right to private ownership and its free disposal owing to the factors of (i)land code prohibitions,(ii) lack of legal framework,(iii) resolution of landed disputes, (iv)insufficient land registration mechanism(v) and the realization of burdensome taxes on private farms, etc.⁹³ Like Tajikistan, Kazakhstan offers the typical

⁸⁹ “Agrarian Transition in Former Soviet Central Asia: A Comparative Study of Kazakhstan, Kyrgyzstan and Uzbekistan”, pp.6-7.

⁹⁰ Jennifer Duncan, “Agricultural Land Reform and Farm Reorganisation in Tajikistan”, RDI Reports on Foreign Aid & Development, The Rural Development Institute(RDI),Seattle Washington USA, 2000, p.2; Lerman, Csaki and Feder, *Agriculture in Transition: Land Policies and Evolving Farm Structures in Post-Soviet Countries*, Lexington Books, Lanham, MD, 2004; Stanchin and Lerman, *Agrarian Reforms in Turkmenistan*, Jerusalem, Rehovot, 2003.

⁹¹ *Land Code of the Republic of Tajikistan*, Article 14-17, December 13, 1996.

⁹² Original land holders were termed as the “primary users” and state granted land holders were termed as the “secondary land users”: *Land Code of the Republic of Tajikistan*, Article 14-17, December 13, 1996; Jennifer Duncan, “Agricultural Land Reform and Farm Reorganisation in Tajikistan”, *Rural Development Reports (RDI) on Foreign Aid & Development*, The Rural Development Institute(RDI), Washington, May 2000, p.16.

⁹³ *Rural Development Reports (RDI) on Foreign Aid and Development*, pp.3,33.

example of the state ownership. In 1991, she sold possession and land use rights to the cultivators with mention in proper revenue documents. These rights were declared permanent and transferable through sale, gift or mortgage. However, in 2001, these rights were unceremoniously redesignated as the temporary leasing rights for 49 years. The sudden change in the institutional framework of land tenures evoked, quite justifiably, a chain of reaction from the public which pressurised the Kazakhstan government to enact the famous Land Code in 2003 whereby farmer's leasing rights on land were announced to be once again permanent and irrevocable⁹⁴.

Thus as late as 2003, peasants' land rights were non-proprietary in nature; the real ownership, excepting some small family plots, was concentrated in the hands of the state. On family plots too, the surplus was siphoned off by the state by levying burdensome taxes⁹⁵ thereby marginalizing the capacity of the peasantry to build up resources essential for their better mode of existence. If at all, they ever contained any surplus, they were mandated to sell it under-rate to the state despite liberalization of crop-prices and procurement quotas⁹⁶. In the process, whole concept of private "ownership" was rendered repugnant and vague because "an owner is no owner if he is not permitted by law to retain the maximum benefits of an object not because he owns it but also because the fruits accruing there from are the net result of his sole in-put labour"⁹⁷. Even ordinarily too, the leaseholders were told to be the land owners which they were not in actual practice for they did not qualify the basics of the word "owner" in entirety. Mere rights to possession and land use, were not accompanied by the corresponding rights to free production, marketing and enjoyment of the surplus. Given these and

⁹⁴ *Kazakhstan Daily Digest*, Monday, January 3rd, 2005;
<http://www.eurasianet.org/eurasianet/resource/Kazakhstan/hypermail/200501/0000.shtml>

⁹⁵ *Rural Development Reports (RDI) on Foreign Aid and Development*, p.3.

⁹⁶ World Bank Data, World Tables, 1990-94; World Bank Data, Uzbekistan Economic Memorandum, Vol.II, 1994; Issues in Development Discussion Paper 14, Development & Technical Cooperation Department, International Labour Office Geneva, 1996, p.9.

⁹⁷ *Jurisprudence*, p. 369.

other deficits besides low land returns, production and productivity, about 50% of the leaseholders sub-leased their rights against very low prices than actually paid for to the state. Interestingly, the buyers were those absentee and enterprising leaseholders who possessed no knowledge of agriculture and who only knew to exploit the hired force especially the women. The sociological studies conducted by the NGOs like “Sitara” (STAR) reveal that around 98% of women population conducted private owned farms on quite unfavorable terms. Same was true of the remaining leaseholders who, in view of poor earnings and tenure insecurity, were overwhelmed by a conspicuous type of dichotomy. Though they purchased land against payment, yet they did not possess necessary revenue documents in support of their legal rights. They had, therefore, a lurking question about the real ownership of land they tilled⁹⁸. “A peasant in clogs standing with one foot on his plot of land without knowing where to set another”, is symbolic of the restive Kazakh peasant even by 2004⁹⁹. Out-migration of men to Russia for seeking better mode of living was probably a natural corollary of the tenure insecurity and poor land returns.

In order, therefore, to instill confidence among the peasantry as an essential condition for ensuring growth of production, productivity, investment, competition, agriculture share in Total Net Product (TNP) and smooth integration of CARs into the developed world economies¹⁰⁰, land requires to be permanently and equally transferred to the actual tillers along with all rights prescribed under law: right to free production, marketing and enjoyment of surplus without any restriction lest it should take away their confidence and deter the growth of production and a fair land market. Important is not the land distribution but rather the quality and nature of rights so granted on it. The actual tillers should have no fear of losing land which calls for immediate measures to abolish shirkat culture, reconstitute pre-transitional land rights, ensure tenure security as per practice and legal guarantees to appeal them staying back on land. However, for all this, the respective governments

⁹⁸ Daily *Karavan* in Russian, Almaty, December 24, 2004.

⁹⁹ Daily *Karavan* in Russian, Almaty, December 24, 2004, p.8.

¹⁰⁰ *Rural Development Reports (RDI) on Foreign Aid and Development*, p.2.

entail coherence and consistency in policy planning. They need to provide adequate incentives, avoid creating hurdles,¹⁰¹ fix taxes and prices in relation to cost of production, transport, and international prices, sincerely evolve a legal framework and refrain from imposing a readymade economic strategy for fulfilling state-centric objectives. By all this, the CARs can allow a life style to the peasantry that is at least comparable with the one that existed in 1978-81 when, as compared to the cities, they enjoyed a “higher standard of living... due to higher income from private plots, lower cost of living, more housing space, suitable conditions for raising large families.”¹⁰²

¹⁰¹Neil Melvin, “The Economy of Uzbekistan”, *Regional Surveys of the World: Eastern Europe, Russia and Central Asia*, 2003, Third edition, Europa Publications, p. 529.

¹⁰²Summary of World Broadcast SU/1088, June 3, 1991.