

Investigating the Impact of the Islamic Revolution of Iran on "Land Policy" in Rural Areas

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Abstract

Land and "Land Policy" have always been important social issues that are related to and dependent on the policies and governance models of different countries. In contemporary Iranian history, the issue of land has always been an unresolved matter and a focus of the government's attention. The significance and sensitivity of this issue led policymakers to immediately address it after the Islamic Revolution, and the specific legal, social, and political concerns in this area prompted the formulation and implementation of a new policy for land distribution in rural areas of the country. Given the importance of this topic, the central theme of this research is the transformations that occurred in the field of rural land ownership in Iran under the influence of the Islamic Revolution, with the main goal of examining the impact that the phenomenon of the Iranian Islamic Revolution had on land policy in Iran. Therefore, the main question of this article is 'What was the land policy of the Islamic Republic of Iran in rural areas and on what principles, foundations, and implementation methods was it based?' In response to this question, using a comparative method, we have addressed the land policy of the Islamic Republic of Iran in rural areas and ultimately examined this policy by presenting a model.

Keywords: Land, Land Policy, Government, Land Distribution, Islamic Revolution of Iran, Islamic Republic of Iran.

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Introduction

From ancient times, land and its distribution system have been considered one of the fundamental issues in the social construction of societies. In Iran, until the rule of Mohammad Reza Shah, no program was implemented for land policy and its distribution system. In the 1340s, land reforms were highlighted as one of the pillars of the reform program in Iran, but the implementation of this policy was not considered successful (for more information cf. Hoogland, 2002 AD/1381 SH: 101).

The Islamic Revolution of Iran heralded good days for establishing a social system based on new thinking and focusing on the issue of justice. One of the important issues of concern was the issue of land and its distribution system, which gradually found a place among the public and revolutionary policymakers. This issue arose from the social and political situation of Iranian society at that time, as the land reform process was halted due to the revolution, and in some areas of the country, large landowners abandoned the country and left their lands undeveloped. Another issue was determining the fate of large lands known as agricultural and industrial complexes and agricultural joint-stock companies.

These complexes were practically considered in the third phase of land reforms in the 1350s. Therefore, a two-way demand emerged in society. On one level, regarding the approximate elimination of the feudal system in villages and the abandonment of many lands, villagers and sharecroppers desired land redistribution resulting from fair land redistribution. On the other hand, revolutionary leaders, based on the ideals put forth in the revolutionary ideology, advocated for the implementation of social justice. The goal of both movements was to eliminate the former landowning system in Iran, known as the feudal system, and to redistribute land based on justice.

These demands led to a new phase of rural land distribution in Iran, which had various political and social consequences in rural areas. In today's world, rural society influences national and macro policies, and society is affected by changes in rural communities. The fundamental role of villages in providing food and the presence and participation of villagers in social and political processes are other issues that lead to attention being paid to villages in sociology and political science. Government policy-making in villages undoubtedly affects urban environments as well. In rural areas, land is the crucial productive asset, and unequal distribution of land ownership in villages leads to unequal income distribution among the rural population.

This unequal income distribution results in the migration of labor from villages to cities. Therefore, the redistribution of large landowners' lands among small landowners is considered one of the common policies. The redistribution of agricultural lands in villages has political and social implications for society, and understanding these implications can be beneficial in both national and local policymaking.

The division of lands in the early years after the Islamic Revolution of Iran, which began explicitly in the early 1360s, had political and social implications for Iranian society, necessitating attention to be paid to these implications in the country's future policymaking. Furthermore, there is a lack of serious research that focuses on land policy after the Islamic Revolution of Iran, with most relevant studies in Iran being devoted to land reforms before the revolution.

The present study is considered new and innovative as it comprehensively seeks to explain land policy in the Islamic Republic of Iran. The new government programs of the Islamic Revolution of Iran for land redistribution in villages, referred to in this article as "Land Policy of the Islamic Revolution of Iran," led many individuals who were previously agricultural laborers to become landowners.

The land policy of the Islamic Revolution in the subsequent phases also designed and formulated policies for vacant and ownerless lands, leading to a new distribution system for these lands. In practice, the implementation of these policies increased the amount of agricultural land under cultivation in the country. The land policy, which was immediately addressed and implemented after the Islamic Revolution, is the central issue of this article. In fact, this article aims to answer the question of 'What the land policy of the Islamic Republic of Iran was in rural areas and on what principles, foundations, and implementation methods it was based?'

1. Research Background

Although there is a rich and extensive literature on land reforms and many articles and books have been written in this field, research on land policy, its principles and foundations, and the dimensions and methods of land policy in Iran after the Islamic Revolution has not been conducted in Persian and English. No study precisely focusing on this research issue is found. Nevertheless, a collection of articles and books related to land distribution in the Islamic Republic of Iran can be found and examined, which proved useful and effective in the process of writing this article.

Gholamreza Ghaffari, in an article titled "The Social Structure of Iranian Rural Society," placed his analysis unit on rural society and examined the structure of rural society in three historical periods: before

land reforms, after land reforms, and after the Islamic Revolution. The results indicated that after land reforms and especially after the Islamic

Revolution, the structure of rural society shifted from an inward, closed, and self-sufficient state towards an open, outward-looking, and interdependent structure.

Hossein Imani Jajarmi and Majid Abdollahi, in the article "Investigating Rural Management Developments in Iran from the Constitutional Period to the Present," have addressed the issue of rural management with a macro and managerial perspective. The aim of this article is to examine the developments in rural management in the country. It should be noted that this article discusses rural management from before the Constitutional Period, rural management from the Constitutional Period (1284) to the Islamic Revolution (1357), and rural management from the Islamic Revolution to the present. Although it is useful in examining a corner of rural management in Iranian society, it lacks analysis of events related to land distribution policy, making it incomplete.

Eric Hoogland, who played an important role in examining this crucial issue in Iran's history by authoring the book "Land and Revolution in Iran 1340-1360," has focused on land reforms and their consequences and ultimately their role in the occurrence of the Islamic Revolution.

The author, in the second section of the book, discusses the relationship between the Islamic Revolution and rural areas, ultimately depicting Iranian rural society around the year 1360. The value of this work lies in delineating a trajectory between the land issue and the Iranian Revolution. The critique that is raised is that the author only focuses on the discussion of the revolution and the rural population's involvement from the perspective of land reforms. The shortcoming of this book is the lack of comprehensive coverage of the land issue after the Islamic Revolution.

Through extensive analysis, it can ultimately be noted that most of the works related to land reforms in Iran only encompass the period before the Islamic Revolution. Unfortunately, no comprehensive research has been conducted on the land distribution policy after the Islamic Revolution, which itself has led to profound changes in the country's rural areas.

2. Theoretical Models of Land Policy

Land reforms are the vital concept that comes to mind regarding land distribution and related policies in countries. Given that this significant and influential phenomenon has been implemented in various countries

⁻¹³⁶ in different eras, it has a rich theoretical and scientific literature. Peter Dorner (1972: 35), Zohair Ahmad (1975: 22), and Warriner (1969: 78), in their works, examine this phenomenon from a perspective entirely based on the importance of the economy.

The reason for these researchers' focus on land reforms is acceptable considering the pervasiveness and importance of the development issue in these decades. In their view, land reforms are merely a stage of development and do not have intrinsic value in the real sense because societies must implement land reforms to achieve progress and development. Individuals such as Neil Smelser and Walt Whitman Rostow, in their works, studied land reforms under macroeconomic theories related to economic development.

Neil Smelser, in his book titled "Economic Sociology," lists four distinct processes for development, including "Technological Advancement," "Agricultural Evolution," "Industrialization," and "Ecological Transformation," (Smelser, 1997 AD/1376 SH: 149) and points out the differences and diversity of these four processes and the enabling environments in different countries.

Rostow also presents a five-stage model or a "Stage-by-stage Growth Description" model in the development context. In this development model, special attention is paid to the agricultural sector in various stages of development, emphasizing the need for transformation in the agricultural sector, designating land reforms as a fundamental change (Rostow, 1960: 11).

In Rostow's thinking, there is no uniform and consistent model for land policy or land reforms in different societies, and in this regard, similar to other human affairs, one must learn from the experiences of others. However, each nation must choose a specific path that aligns with its internal conditions and capabilities for itself (Musanejad et al., 2018 AD/1397 SH: 12).

Rostow's perspective was focused on underdeveloped countries within the framework of economic development theories in the 1360s and 1370s. On the other hand, the threat of communism spreading in neighboring countries like the Soviet Union necessitated a special focus on the need for reforms in those countries by the United States. Rostow acknowledges this issue in the introduction of his book, stating, "Now that I am writing this thesis, I am thinking not of the United States of America but of Jakarta, Rangoon, Delhi, Karachi, Tehran, Baghdad, and Cairo." (Rostow, 1960: 3)

Land reforms in the theories of the mentioned intellectuals are considered as a stage of the overall development process of the countries

they are concerned with. Their preferred model, especially based on Rostow's ideas that were implemented in countries like Iran during the Pahlavi era, South Korea, Taiwan, South Africa, and some other

⁻¹³⁶ countries, stemmed from a unified version that was considered an introduction and prelude to the discussion of development in its entirety.

Alongside the Western view of land reforms as a stage of development, there are other theoretical patterns that aim to establish social justice in society by seeking land redistribution.

This particular type of model is especially popular among communist or revolutionary countries. Social movements and ultimately revolutions in these countries lead to the establishment of a government with a revolutionary outlook, which in a way seeks to achieve the goals and ideals of the revolution. The land distribution system and the model of social classes in this society, which have led to existing injustices and ultimately to the uprising of the people and social revolution, are the main goals of revolutionary policymakers.

On the other hand, farmers who do not own land and are disadvantaged by the lack of land demand immediate action from the new revolutionary government for land redistribution. A review of events related to land division and land reforms in communist countries demonstrates this issue. For a better understanding of this topic, one can look at the revolutionary events in two major countries, the Soviet Union and China, in the twentieth century and their land distribution policies, where the new revolutionary government, through implementing strict and decisive policies, transformed the land distribution system in these countries, which had remained the same for centuries, and viewed the economy as the foundation based on a communist perspective.

In Russia, after the 1917 revolution, the leaders of the new regime issued a decree known as the Land Decree, announcing a new policy for land distribution. According to this decree, Lenin proposed the complete elimination of private land ownership. He also emphasized that instead of the system of private ownership, a new system of ownership through an organized method should be implemented, where the change in land ownership should be carried out by the local farmers themselves (Decree of Land, 1917).

This indicates that the Soviet leaders, with the goal of social justice, also sought to realize the dream of farmers regarding land ownership. The "Basic Law on Land Socialization" passed in 1918 proposed a new system to replace ownership (Lissner, 1940: 147), with the aim of gaining the satisfaction and support of the people for the new government, as the Soviet leaders recognized the need for firm support from the people. Russian peasants were happy to receive land in various sizes and even collectively. Chris Su refers to a peasant saying at the time, "The land we

share is our mother, providing us with food and shelter." (Martynov, 2001: 242)

During the post-Stalin period, the Soviet leaders did not accept the management of land as they did decades before. According to statistics presented, the collective management of agricultural lands in the Soviet system over the three decades of its existence led to a significant decrease in productivity. Agricultural production in the Soviet Union was less than 10% compared to the United States (Абдурашитов, 2016: 34).

The government's policy of nationalizing land in these countries gradually caused serious damage to the agricultural production process. In the 1980s, the Soviet government shifted from self-sufficiency in agricultural products to being an importer of these products (БАРСЕНКОВ, 2010: 411).

China, which experienced a communist revolution in 1949, immediately implemented land policies known as land reforms with great intensity and seriousness (Zhou, 2003: 42).

The Chinese government, in order to implement this policy decisively, needed the cooperation of the people and sought help from the People's Liberation Army. Based on the new system, families collectively farmed small plots of land. This system continued until 1956 when it was replaced by the collective farming system (Hinton, 1970: 29). China's land reforms did not remain limited to this one stage, and in 1981, the second phase was implemented. This phase aimed to streamline and increase the efficiency of the collective farming system (Wong, 2014: 52).

Based on the above statements, it can be said that land reforms have been implemented in various societies with different executive objectives. These reforms have been considered to achieve economic goals such as maximizing production and efficiency in the agricultural sector, political goals such as restoring power to the majority of society, or preventing social revolutions, as well as to achieve social goals such as building social cohesion (Tofighi, 2007 AD/1386 SH: 52).

Therefore, land reforms have been the most important strategy for the national development of countries where traditional forms of land exploitation existed, leading to profound and significant changes in the socio-economic system and rural poor classes (Aghayeli, 1999 AD/1378 SH: 75).

Overall, the analysis and examination of land reform policies based on development thinking in the eyes of development-oriented theorists and land redistribution policies in the communist revolution show that the ultimate goal of implementing these macro policies, in the former, was to achieve development and ultimately realize a "Developed Society," and

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in the latter, to achieve the ideal of the communist revolution, namely social justice. However, the land redistribution in the Islamic Revolution of Iran cannot be examined and analyzed based on the mentioned theoretical patterns and practical experiences. It is clear that land redistribution in the Islamic Revolution of Iran was based on a new perspective rooted in the thoughts and demands of the society, with a new intellectual basis in the realm of ownership and land distribution. This new perspective on land, based on the Islamic ideology of the revolution leaders and deep religious layers of Iranians, was intended to ultimately lead to the establishment of a just social order.

3. Land Policy in the Islamic Revolution of Iran

The Islamic Revolution of Iran heralded the establishment of a special focus on villages and their related issues. The strategic model of the revolution leaders was based on establishing social justice, alleviating deprivation in rural areas, focusing on public participation, and utilizing the human resources of rural communities, which were seriously addressed in the years following the revolution.

The ultimate goal of rural development policies in the country was to establish conditions and facilities in villages to gradually improve the lives of rural residents, prevent their involuntary migration to large cities, and reduce the country's dependency on imports by increasing agricultural production. One of the main issues felt for solving rural problems was the resolution of land issues to bring about necessary transformations in the economic, social, and cultural dimensions in Iranian villages. As the oppressive rule of landlords and despots who had long dominated rural areas was eliminated, a relationship based on Islamic justice and fairness was to replace these unjust relationships (Beigi Nesvan, 1997 AD/1376 SH: 64).

To implement the new policies, various laws were passed from the time of the interim government to be approved by the Revolutionary Council and the National Consultative Assembly for land redistribution to be carried out based on a revolutionary approach. Therefore, with the establishment of institutions such as the Seven-Member Land Allocation Committees, rural cooperatives, rural service centers, Islamic councils, the House of Support, and the entry of the Imam Khomeini Relief Committee into villages, efforts were made to help improve the social, economic, and health conditions of rural residents. These programs, unlike pre-revolution plans that followed an economic growth model,

were primarily based on a model of responding to basic needs and aimed at the primary goal of redistributing resources (Effati, 2013 AD/1392 SH: 26).

A review of the government's actions and events related to land shows that the land redistribution policy after the Islamic Revolution is not based on a clear and analyzable development thinking model, nor does it conform to the Marxist teachings of communist revolutions. This policy, implemented after a major social revolution in 1979, does not align with the land redistribution perspective in other revolutionary countries. Above all, this issue indicates that the land redistribution policy in the Islamic Revolution was influenced by the domestic political environment and a combination of Islamic, revolutionary, and environmental ideologies specific to Iran and the prevailing conditions of the Iranian political economy at that time.

4. Land Reforms in the Ideology of the Islamic Revolution Leader

4.1. Before the Islamic Revolution

In 1341, the Pahlavi regime announced the implementation of land reforms, introducing the issue of the White Revolution. The Pahlavi regime intended to portray those who opposed the land reforms as supporters of feudal lords and landowners, tarnishing their social status to proceed with their other plans without any obstacles. The Imam, who understood the enemy's intentions, did not oppose these reforms in the initial stage. The Imam's reasoning was that these reforms would reduce oppression on farmers and workers. Additionally, the full scope and results of these reforms were not yet clear. Therefore, the Imam awaited the Shah's other plans following these land reforms (Lakzaei and Mirahmadi, 1998 AD/1377 SH: 142). With the revelation of the Shah's hidden intentions behind the land reforms and the approval of the bill by provincial and regional assemblies, followed by the White Revolution referendum, the Imam expressed his opposition to these land reforms. He considered them a plan to "Eliminate Iranian farmers and impose a singleproduct economy on society," believing that by disrupting the agricultural system, peasants would be abandoned, and they would flock to the cities (Sahifa Noor: 3/157).

Imam Khomeini repeatedly emphasized the American nature of land reforms, stating that they were an American prescription to create a market for their goods to be sold, meaning that our agriculture would suffer, and we would become dependent (Sahifa Noor: 2/25). He believed that America sought to completely paralyze Iran's agricultural production

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sector to keep Iran dependent on them in agriculture as well as other sectors. "Land reforms mean creating a market for America and America's lackeys...wheat will no longer be thrown into the sea; they will sell the wheat and make money." (ibid. 181)

Imam Khomeini considered the implementation of land reforms as a betrayal to the country and its people, viewing it as a cause of insecurity, unemployment, and corruption. "These land reforms are one of the greatest betrayals to this nation, as you have destroyed the country's agriculture entirely and turned poor peasants into refugees who are now flooding the cities. Tehran is now full of these poor peasants who have come from the countryside and are living in these slums, tents, and shantytowns, struggling with their families in harsh conditions in winter. Isn't this a betrayal of a nation?" (Sahifah Noor: 2/431)

Accordingly, Imam Khomeini repeatedly advised the Pahlavi government to halt the implementation of land reforms, but the Pahlavi government continued the process. Even in the 1350s, land reforms continued extensively in various agricultural and industrial sectors until the Islamic Revolution. This process led to many peasants and small landowners migrating to cities. **4.2. After the Islamic Revolution**

From the early days leading up to the victory of the revolution, the thought of agriculture and Iranian farmers preoccupied the late leader of the revolution. In interviews, speeches, and clear statements, he praised farmers and highlighted the special role and impact of this hardworking group in the country's economic growth and achievements in prosperity and political independence. The Imam urged the future government and leadership of Iran towards a non-oil economy to achieve a balance between imports and exports and to promote self-sufficiency in the economic realm (IRNA News Agency, Khordad 1393). Imam Khomeini considered the Islamic Revolution as a revolution of the deprived and the oppressed. In his view, the Islamic economy is neither capitalist nor communist; it does not adhere to the legitimacy of either of these schools of thought. The issue of individual ownership, which is the subject of conflict between these two perspectives, exists reasonably and legitimately in Islam and is not as limited as what socialists claim. In essence, Islam imposes strict control on wealth in terms of quantity and quality based on observing what is permissible, impermissible, legitimate and illegitimate (Hamidifar, 2010 AD/1389 SH). Imam Khomeini spoke about the concept of ownership in 1358:

The issue of ownership, in a sense, is both legitimate and conditional ownership, it is respected, but that does not mean that anyone can do whatever they want and acquire ownership from wherever they want. Legitimacy means that it should be in accordance with Sharia, without usury, and people's wealth should not be invested aimlessly. If they attribute to me that it has no limits, if their intention is that it has no limits, meaning it has no restrictions and no boundaries, this is a wrong attribution. I do not know who has attributed this and why they have attributed it. Ownership, if legitimate, in accordance with Sharia, is respected whether we are in favor of it or not, and illegitimate ownership is not respected." (Sahifah Noor: 10/135/ 14/8/58)

Regarding Imam Khomeini's opposition to land reforms, there are two different narratives. Some believe that Imam Khomeini's opposition to this issue was more from a political perspective. As Hashemi Rafsanjani quotes Imam Khomeini in his memoirs regarding land reforms: "Neither large ownership is legitimate nor the regime's actions. Large landowners who have oppressed the people, but fighting against this oppression has the right ways.

The regime has neither good intentions nor chosen the right path. In this regard, Islamic solutions can be used." Similar narratives are also presented by Mahdi Araghi and Asadollah Badamchian from a political perspective of Imam's opposition to land reforms.

However, another group believes that Imam's opposition to this issue was from a jurisprudential and legal perspective. For example, Ayatollah Safi Golpayegani in his memoirs quotes: "During the land reforms, the Shah and Ayatollah Borujerdi held a session in which Imam Khomeini and Ayatollah Golpayegani and others were present. In this session, issues were discussed. As a result, they (Ayatollah Borujerdi) wrote a letter and declared their opposition, and the matter was stopped."

Meaning Imam Khomeini did not have a different opinion from Ayatollah Borujerdi at that time, and his opposition was also from a jurisprudential perspective; but in the final assessment, based on the letters, works, and documents that remain from the Imam, it can be said that he was not against the principle of land reforms and even considered large landownership throughout history as a form of usurpation from a jurisprudential and legal perspective.

Since according to Islamic laws, including the law of inheritance, it is not possible for large land ownership to take shape, and in high areas, land cannot be owned by one individual, because inheritance always divides and parcels land. Therefore, Imam Khomeini was not opposed to

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the principle of land reforms; rather, it was important to him who the executors of land reforms were.

Naturally, the Shah's family and the regime's influential figures, who were large landowners, did not have the competence for this task. Furthermore, Imam believed that with these reforms, American influence in the country would double, and therefore he was against it. The most important evidence that can be presented to prove the claim that Imam was not opposed to land reforms is his performance after the victory of the revolution. After the revolution's victory, land reforms were somewhat implemented.

The seven-member committees approved by the Revolutionary Council and the section "J" issue that the Revolutionary Council pursued with the support and approval of Mr. Montazeri and Beheshti, and with the support of Imam, show that Imam did not have any opposition to the core principle. Of course, there were some problems in practice and implementation that led to objections from some jurists and scholars, but this was related to the implementation and otherwise, Imam accepted the principle of the matter (Safari, 2012 AD/1391 SH).

5. Principles and Foundations of Land Redistribution Policy in the Islamic Revolution of Iran 5.1. Focus on the Principle of Social Justice

Social justice was one of the most important demands of the people in the revolutionary movement. One of Imam Khomeini's objections to land reform policies in the 1340s was the lack of proper implementation of land distribution, which in a way did not provide fair land distribution for all classes. This issue was discussed in the previous section and according to Imam Khomeini's statements; it became clear that one of the most important principles to pay attention to for land redistribution is the issue of social justice and its extension in rural areas.

5.2. Adherence to Jurisprudential Criteria

The draft for the transfer of land is prepared based on the principle "Whoever revives a dead land, it belongs to him." (Sahifah Noor: 8/126) This principle means that in the process of formulating this law and especially when the three authorities (Meshkini, Beheshti, and Montazeri) were entrusted by the Imam with the responsibility of reform and compliance with Sharia, attention was paid to the jurisprudential nature of the land division principle and its complete alignment with Sharia. 5.3. Acceptance of the Principle of Personal Ownership

One of the most important principles of land redistribution policy in Iran after the Islamic Revolution is the acceptance of the principle of personal ownership. This principle distinguishes the land redistribution policy in the Islamic Republic of Iran from other land reforms in revolutionary countries. Lawmakers in Iran believed in the principle of personal ownership in accordance with Islamic directives, and the nationalization of part of the lands, which was one of the land redistribution policies in Iran, was not contrary to this issue.

Because the category of lands subject to nationalization policies was questionable in terms of their private ownership, personal ownership means that an individual becomes the owner of something, which is a fundamental principle in Islam that has been emphasized. Based on this, real or legal persons can be owners of production factors.

5.4. Necessity of Preserving the Interests of Society

The next principle in land redistribution policy in the Islamic Republic of Iran is the authority of the Supreme Leader. Some may see a contradiction between this principle and the principle of personal ownership. However, the issue is that the right of disposal by the Supreme Leader in personal property is for the preservation of the essential interests of the Ummah, not for fulfilling the desires and needs of the Supreme Leader or his likes. This principle has been accepted.

The identification of essential interests that form the basis of legitimate and lawful disposals by the Supreme Leader in personal and legal properties of real and legal persons is the responsibility of the Supreme Leader himself. The Supreme Leader cannot be subject to the judgment of others in this regard. In other words, the determination of the subject and the application in this regard is the responsibility of the Supreme Leader. The Supreme Leader can seek help from anyone or any group he deems fit for assistance and entrust them with this determination and rely on their judgment because the Supreme Leader will not have the opportunity to address all issues directly and make decisions in all matters himself.

5.5. Necessity of Adhering to the Principles of the Constitution In revolutionary countries, land redistribution policy is a product of revolutionary thinking and justice-seeking that revolutionary leaders nurtured years before the revolution and, upon coming to power, they initiate this task without the need for adherence to the constitution and solely by issuing guidelines or regulations.

However, in the Islamic Republic of Iran, land redistribution policy was given attention with the aim of better implementing the constitution.

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Article 43 of the Constitution, one of the governing principles of Iran's economy, recognizes one of the principles as "Providing conditions and facilities for work for everyone in order to achieve full employment and placing work tools at the disposal of all those capable of working but do not have work tools, in cooperative form, through interest-free loans or any other legitimate means..." (Constitution)

Furthermore, regarding the confiscation of properties of large landowners and fugitives, Article 49 of the Constitution is referenced: "The government is obliged to take the wealth derived from usury, usurpation, bribery, embezzlement, theft, gambling, misuse of endowments, abuse of work stoppages and government transactions, sale of forbidden lands, clearing corruption sites, and other illegitimate matters from the owner and return it to the rightful owner, and if the owner is unknown, to give it to the public treasury."

6. Dimensions and Methods of Implementing Land Policy in the Islamic Republic of Iran

6.1. Land Policy in the Form of State Ownership

The first policy related to land in the Islamic Republic of Iran was based on nationalizing large lands. In the most significant event after the revolution regarding land reforms, with the issuance of an order by the Imam for the implementation of land reforms, Ayatollah Montazeri, Meshkini, and Beheshti were appointed by him to study the Islamic land reform plan prepared by the Ministry of Agriculture and provide their opinions on it (Ettelaat, Esfand 9, 1358: 14).

Subsequently, this law was approved in the Council of the Revolution under the title "Islamic Land Reform Plan." According to this plan, the lands beyond those owned by large landowners are confiscated and placed under the control of the government, and as for residential lands, they remain to a certain extent in the possession of large owners who have minor owners in that area, while the rest of the lands owned by large landowners will be confiscated by the government (Ettelaat, Esfand 11, 1358: 2).

To implement this policy, in the year 1359, in the first step, sevenmember committees were formed in most provinces of Iran, and land distribution began. Fazel Harandi, the representative of the Supreme Leader in charge of overseeing the implementation of Islamic land reforms, says: These committees have been formed in most provinces except for Shahr-e Kord, Kohgiluyeh, Sari, and Khorasan, and the

mentioned committees are currently engaged in preliminary work such as collecting data on feudal lords, forbidden lands, confiscated lands, etc., so that land distribution can begin after completing the preliminary work (Ettelaat, Khordad 24, 1359: 2).

In addition, in Farvardin 1359 (April 1979), another law regarding the allocation of agricultural lands was approved by the Council of the Revolution. In this bill, lands were divided into four categories, including: Confiscated lands, expropriated lands, circular lands and barren lands. According to this bill, the responsibility for implementing this law was entrusted to the central headquarters and a seven-member committee (Vafaei, 1997 AD/1376 SH: 15).

According to Article 2 of this bill, categories A and B are under the government's control, and regarding category J, the government, while observing the regulations that will be established for category D lands, first gives priority to their owners to develop them. If they do not take action, the government takes possession of them to cultivate and lease them to qualified individuals.

As for category D, if the owner is personally engaged in agricultural activities on the land, up to three times the amount necessary for the livelihood of the farmer and his family in the local area remains with him. If the owner is not personally engaged in agriculture and does not have sufficient income to support himself and his family, only up to twice the aforementioned amount remains with him. In places where there are farmers who do not have agricultural land and cannot be made landowners except by taking surplus land, their duty is to allocate the surplus land to such farmers. If they do not do so willingly, according to religious laws and government orders, the land will be taken from them and given to needy farmers, and the government will pay them the value of these lands after deducting the owner's debts to the public treasury (Beigi Nesvan, 1997 AD/1376 SH: 67).

6.2. Just Redistribution Policy (Based on Social Justice)

Undoubtedly, one of the areas and foundations that led to the issue of land redistribution being raised and implemented in the Islamic Republic was the pursuit of revolutionary slogans in the field of social justice and the concern of some influential individuals in the country's decision-making process in this regard.

This gradually brought the issue of land and its policies to the agenda of decision-making and executive institutions. Accordingly, the new government sought to achieve one of its main slogans, namely social justice, by pursuing land redistribution based on rights. In fact, with the

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expansion of social justice, reducing social and economic inequalities, alleviating deprivation in rural areas, focusing on public participation, and utilizing the potential human resources present in rural communities, the Islamic Republic of Iran sought to improve the economic and social situation prevailing in rural areas.

This type of strategic insight in the thinking of government decisionmakers led to land redistribution based on justice being addressed in the approved laws on land division. Accordingly, according to the "Bill on the Manner of Transferring and Reviving Lands to Farmers," land is given to those who are landless farmers, have little land, are agricultural graduates, or are interested in agricultural work, and do not waste the land or sell it (Keyhan, 11 Esfand 1358).

In the same law, regulations for land allocation by seven-member committees have also been specified, and their implementation involves establishing justice. In paragraph 1 of this section of the law, it is mentioned that land is given to villagers without land, those with little land, agricultural graduates, and those interested in agricultural work based on priority.

One of the government's objectives in implementing this plan was to strengthen the collective cooperation system through the joint cooperative agricultural system, a model similar to that implemented in China and Cuba, with the difference that in Cuba and China, all agricultural lands had this situation, but in Iran, only lands covered by the 4 categories of the amendments law, which do not include all lands in the country.

Furthermore, the main controversy was about "Clause J" of the Land Reforms Law. It is necessary to explain that one of the crucial provisions of the law on the manner of transferring and reviving lands in the Islamic Republic of Iran and subsequent amendments, especially the amendment dated 8/12/58, mentions a type of land that can be transferred as "Large lands owned by large landowners and apparently have legal permission under the previous regime's criteria." This law defines large land as three times the land deemed necessary for one person according to local custom (Collection of Laws, 1979 AD/1358 SH: 547).

This law was enacted after approval but was suspended after a considerable period regarding the numerous objections raised, both in its implementation and its theoretical foundations. The importance of this law was such that its approval, implementation, and suspension were among the most significant theoretical disputes in the early years after

the revolution. It became one of the main questions in political and public forums in the country.

However, ultimately, considering the government's goal of establishing social justice in the land sector, this law was later approved by the Islamic Consultative Assembly and fully implemented. Therefore, these lands were distributed among farmers, small landowners, agricultural graduates, and those interested in agriculture.

6.3. The Policy of Consolidating the Ownership of Small Landowners

The initial decision-makers in the laws of land distribution in the Islamic Republic as the final stage of this policy had considered the complete establishment of small landowners' ownership. After several stages of implementing this policy and occasional intensification of disputes regarding its implementation, the strong opposition of the religious jurists of the Guardian Council led to the complete halt of the implementation of this policy.

The special conditions in Iran in 1359 and the beginning of the war by Iraq against our country prompted Imam Khomeini to issue a decree ordering the suspension of the implementation of clauses J and D of the Land Redistribution Law. According to this decree, no more land could be transferred, and the Imam ordered the parliament to address this issue. However, this decree was met with opposition from the representatives of the Imam.

With the implementation of this decree, and considering the suspension of clauses J and D of the 26/1/59 law by the Revolutionary Council, the tasks of the seven-member land allocation committees were practically limited, and they only focused on implementing clauses A and

B, which involved public and confiscated lands. It is worth mentioning that the implementation of these two clauses also faced many issues and challenges (Interview with Fazel Harandi, Keyhan, 24/4/63).

According to the Imam's decree, the re-implementation of clauses J and D of this law required the approval of the Islamic Consultative Assembly. The parliament passed the general provisions of the law on reviving and allocating cultivated lands in Esfand 1360, but this law, which did not receive final approval from the parliament in Azar 1361, was not approved by the Guardian Council (Ministry of Agriculture, 1984 AD/1363 SH: 6-7).

This was because the content of clauses J and D was deemed contrary to the spirit of Islam, and there was no hope that the law would be approved by the Guardian Council after being amended in the parliament (Beigi Nesvan, *ibid*).

The nationwide suspension of the implementation of land distribution laws on 21 Tir 1363 by the Guardian Council interrupted the entire process of transfer and allocation. The Guardian Council deemed the implementation of land reform laws contrary to Islamic principles, and opponents based their arguments on religious jurisprudence, asserting that the lack of restrictions on ownership and the coercion of individuals to ignore their ownership was considered forbidden and led to chaos in many rural areas, resulting in a decrease in agricultural production (Beigi Nesvan, 1997 AD/1376 SH: 67).

Regarding the non-approval of this law by the Guardian Council, the transfer of lands was halted. However, considering the legal silence or gaps, many lands remained in temporary cultivation by farmers. The lack of stability in land ownership led to economic growth challenges in the country. This situation led to pressures for the continuation of the implementation of this policy through the lever of the Islamic Consultative Assembly. Finally, in 1365, the Islamic Consultative Assembly, as a necessity using the powers derived from secondary Sharia titles, determined the fate of temporary cultivation lands. Some of its implementation issues were resolved in 1367 by the approval of the Expediency Discernment Council (Elham, 2006 AD/1385 SH: 11).

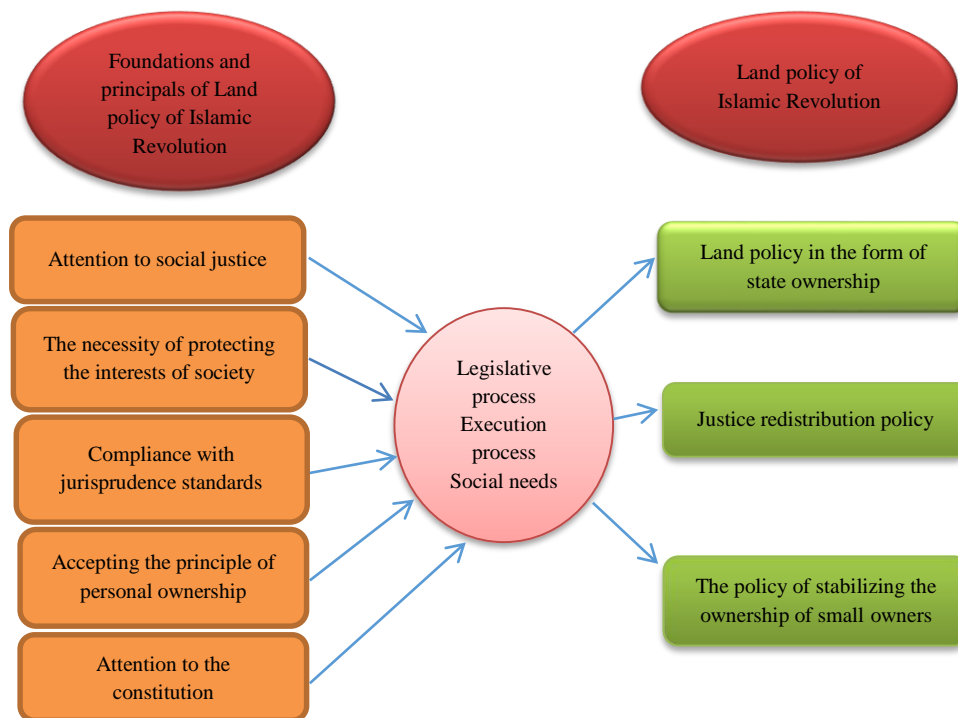
The lands covered by this law exceeded 800,000 hectares nationwide. Until that date, the total lands subject to land reforms, excluding temporary cultivation lands, were 655,022/4 hectares. With the inclusion of temporary cultivation lands, which began to be allocated after the approval of the law on 8/8/65, the lands subject to land reforms reached 1,505,022/4 hectares by Shahrivar 1365 (Eftekhari, n.d.: 311).

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1381, the Central Land Reform Council deemed the determination of the fate of orchards subject to Articles 27 and 28 of the Land Reform Regulations as approved by the Expediency Discernment Council and authorized, and the process of determining the fate of the remaining land reform matters was pursued.

Conceptual Model of Land Redistribution Policy in the Islamic Revolution of Iran



In 1370, the Expediency Discernment Council declared the continuation of the land reforms process as legal. Finally, in Bahman

Conclusion

The present study aimed to answer the question of 'What the land policy of the Islamic Republic of Iran was in rural areas and on what principles, foundations, and implementation methods it was based?' To answer this question, we first examined primary sources on land policy in various countries around the world and by studying the concept of land reforms in Western countries and land redistribution in countries with experience of communist revolutions, it became clear that the model, foundations, and principles of land redistribution after the Islamic

Revolution in Iran were different from other land policies in the world. Accordingly, it is not possible to analyze land redistribution in Islamic Iran within the same theoretical framework and basis. The approach of the revolutionary leaders in Iran regarding the management of land in villages was primarily influenced by Islamic and popular ideologies as the dominant approach to governing the country. This led to considerations of concepts such as social justice, private ownership, adherence to jurisprudential balances, the necessity of preserving the interests of society, and the need to pay attention to constitutional principles when examining land redistribution policies in the Islamic Revolution. The focus on establishing social justice led to land redistribution being put on the agenda. The statements of Imam Khomeini and the positions of the authors of the Land Redistribution Law confirm this issue. The desired social justice in the legislation was based on the principle that barren lands of large landowners that are not cultivated for any reason or the amount of cultivated lands of large landowners exceeding the customary limits of that region should be placed in the hands of individuals with little or no land who are interested in agricultural work.

On the other hand, one of the distinctive aspects of the land policy of the Islamic Revolution of Iran is the principle of respect for private ownership; an issue that is considered a hindrance in communist revolutions to the establishment of social justice. However, in Iran, from the beginning of discussions and negotiations regarding land redistribution after the revolution, this issue has been emphasized and paid attention to. Even in the initial land policy of the Islamic Republic where the cultivated and barren lands of large landowners were confiscated by the government, the ultimate goal of this action was not for the government to permanently take ownership of these lands. Instead, the government, as the executing and overseeing authority, was required by law to confiscate these lands and, according to the second policy, put them in the hands of eligible individuals specified in the land redistribution law. This second point of divergence between the land policy of the Islamic Republic of Iran and the land policies in countries like the Soviet Union, China, and Cuba was that after the confiscation of lands, the government continued to take charge of these lands.

The lack of a radical approach, alongside attention to the principle of social justice and respect for private ownership, existed in the land policy of the Islamic Republic. The new government, contrary to land policies in communist revolutionary countries, immediately began land

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redistribution through legal measures and within legal frameworks. In the implementation of these laws, there was no radical approach, and based on the law, this land policy was put into effect. Therefore, attention to social justice, jurisprudential standards derived from Islamic sacred law, the issue of private ownership, the preservation of essential societal interests, and adherence to constitutional principles are among the most important principles and foundations of the land redistribution policy of the Islamic Revolution of Iran, which were implemented in the form of three policies and in three successive stages as state ownership policy, redistributive justice policy, and small landowners' ownership stabilization policy.

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