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VIETNAM LAND-TO-THE-TILLER PROGRAM

Joint Evaluation Report

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## PREFACE

From March 1968 to August 1969 I served as the USAID/Vietnam Associate Director for Agriculture and Land Reform. During the latter ten months of this tour of duty the broad policy framework of the current GVN Land-to-the-Tiller Program was completed. And in July, 1969 President Nguyen Van Thieu introduced into the National Assembly his legislative proposal for this program.

With this background involvement in the formulative stages of what is presently a massive operational program, I have been asked to return to Vietnam to evaluate the on-going program and to propose improvements in current operations in order to assure, as far as possible, the completion of the title distribution and landlord compensation phases (particularly the latter) on target.

It has been a privilege for me to spend the period from October 5 to November 5, 1971 in Vietnam on this assignment. I hope this report can contribute to the speedy completion of the Land-to-the-Tiller Program on schedule.

I would also add that the assistance received in my evaluation assignment from Minister Cao Van Than, Vice Minister Nguyen Thanh Qui, Director General Bui Huu Tien and his DGLA staff, the Provincial Land Affairs Service of those Provinces visited, the Village personnel visited, along with the USAID/Land Reform Office staff members, has been excellent. Further, the close relation between the Vietnamese personnel and the American personnel in working together on the Land-to-the-Tiller Program has made my assignment easy as well as enjoyable.

And finally, I must give a special thanks to my joint collaborator in this evaluation, Mr. Phi Ngoc Huyen. He has been extremely helpful in my understanding of the LTTT program, has given much of his valuable time in accompanying me to the field and in making arrangements for these visits, and has provided invaluable assistance and counsel in my presentation at the three-day seminar at Vung Tau, as well as in the preparation of this report.

Gerald H. Huffman  
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TABLE OF CONTENTS

	<u>PAGE</u>
<u>I. INTRODUCTION</u>	
A. Evaluation Procedure	1
B. Substantive Focus of Evaluation	1
C. Overview Appraisal	2
.....	
<u>II. ADMINISTRATION AND ORGANIZATION IMPROVEMENTS</u>	
A. Organizational Limitations	4
B. Program Planning	6
C. Publicity	7
D. Supervisory Function	8
E. Staff Training	11
F. Supervising and Monitoring Field Operations	11
G. Further Decentralization of the Work	12
<u>III. PROCEDURES</u>	
A. Paper Work Flow	13
B. Grievance Procedures and Channels	14
<u>IV. GENERAL CONSIDERATIONS</u>	
A. Security	15
B. Communal Land	16
C. Central Lowland Special Problems	17
D. Handling and Penalizing Uncooperative Landlords	18
E. Channeling Landlord Compensation Payments into Productive Investments.	18
F. Land Records Management	19
G. Use of Aerial Photography	19
H. Taxation in the Villages	20
I. Complementing the LTTT Program with Agricultural Technology Marketing Cooperatives and Agricultural Credit.	20
J. Village Building	21

APPENDICES I, II, III (ATTACHED)

EXHIBITS A, B (ATTACHED)

## I. INTRODUCTION

### A. Evaluation Procedure <sup>1/</sup>

The procedures followed in this evaluation project have been as follows:

1. Discussions with Minister Cao Van Than, Vice Minister Nguyen Thanh Qui, Director General Bui Huu Tien and the senior officers of the DGLA, visits to two PLAS offices in R-4, one PLAS office each in R-3 and R-2. (Time did not permit contacts in R-1, or in the Highlands to observe the progress of the Montagnard Main Living Area Program.) Useful visits and discussions were also held in six villages with village chiefs and members of the Village Land Distribution Committees. There were also opportunities to talk to farmer recipients of titles in three of the above villages visited due to specially arranged title distribution ceremonies held during these visits.

2. Discussions with nearly all members of USAID/ADLR as well as with some CORDS personnel in the field.

3. Reviews of materials provided by the DGLA and USAID/ADLR.

4. Peripheral but related discussions with Mr. Tran Quoc Buu, President of CVT, Mr. Vo Van Giao, President of the CVT/TFU and with Mr. Nguyen Van Hong, Director, National Institute of Administration (NIA).

### B. Substantive Focus of Evaluation

Following, although not restricted to the substantive guidelines set forth in Appendix I, this evaluation effort has concentrated on:

#### 1. Organization at Central

- a. DGLA administrative and organizational improvements
- b. Program planning
- c. Publicity
- d. Supervisory functions, including staff motivation and morale

<sup>1/</sup>The Vung Tau Seminar held October 27-29, 1971 and participated in by small Vietnamese and American delegations, headed by Minister Than and Associate Director Muller, also provided much additional understanding of the current program, as well as implementation problems and to-be-resolved policy matters. The minutes of the Seminar and the checklist for follow-up action of points covered, should be read as complementary documents to this report.

- e. Staff training
- f. Control or monitoring of field operations
- g. Decentralization of work

2. Procedures and controls with respect to:

- a. Paper work flow
- b. Grievance procedures and claimants

3. General Considerations

- a. Security
- b. Communal land expropriation
- c. Central Lowlands special problems
- d. Handling and penalizing uncooperative landlords
- e. Channeling compensation payments into productive investments
- f. Longer range land records management
- g. Use of Aerial Photos
- h. Taxation in the villages
- i. Complementing LTTT with agricultural technology, credit and marketing cooperatives.
- j. Village building

(Note: "a" through "e" received the most attention in this "general considerations" category.)

C. Overview Appraisal

Prior to focusing on the central thrust of this appraisal, this Evaluator feels compelled to make a few general comments on the LTTT program as it has progressed to this date, compared to the formulative stage of policy development existing at the time of his departure on August 19, 1969 (a benchmark). Achievements to date in mounting this massive LTTT program over the past 26 months have been, in a word, phenomenal! This is not to say that the current program is not without certain deficiencies to be addressed later. However, considering the low state of performance of DGLA and the PLAS due to inadequate leadership, unmotivated staff overly centralized control, etc., to say nothing of the dearth of village personnel capability in existence in early 1969, the present state of performance at Central, province and village is most impressive. I would believe the reasons for this are: (a) the priority attention and interest on the part of President Thieu, (b) the leadership qualities of Minister Than and Director General Tien and their ability to revitalize DGLA (and to some extent the PLAS) by surfacing new top-level managers as well as instilling in the total staff a considerable measure of dedication in carrying out a program which has such a great

potential in bringing about more rapid pacification in the countryside, as well as rural prosperity and political stability. The simplification of procedures, the decentralization of operations, and the massive phase I and II training of thousands of personnel working at the PLAS and equally important the villages, also have contributed to the present stage of performance and accomplishment. The innate capability of the GVN career employees to rise to their full potential when properly motivated, along with reasonably adequate administrative financing, has also been important.

And finally, the dedication and capability of the USAID/CORDS advisors to the GVN LTTT staffs, have made an important contribution to the present state of progress. In sum, the program was recognized as a high priority effort by President Thieu who has periodically pushed the program from his level of prestigious leadership. Minister Than has lived up to his President's expectations when he was appointed to his present position in March 1969, and has almost miraculously lifted the land reform operation to a high level of performance, compared to a short two years ago. Similar comments could be made about Director General Tien, Deputy Director General Tran Van Hoa and the DGLA Directorate managers as well as a number of PLAS Chiefs.

To be more specific in terms of accomplishment, since the LTTT program was launched by Public Law on March 26, 1970, a total of 235,707 titles have been distributed to former tenant farmers, encompassing 292,818 hectares of rice and secondary crop land.<sup>2/</sup> And 3,505 landlords have been compensated for approximately 38,000 hectares of land. Also, many distribution dossiers and compensation dossiers are in the pipeline. Admittedly, current distribution and compensation targets are falling a little behind schedule for the current year, particularly the latter.<sup>3/</sup> Nevertheless, to repeat, the present accomplishments are significant, considering the magnitude of the task of distributing over one million hectares of rice and secondary crop land to approximately 800,000 farmers and concurrently compensating 50,000 landlords, (likely many more, see footnote #4), and doing what has been done to date under wartime conditions, inadequate land records, limited cadastral maps, less than satisfactory aerial photos, and without adequate time to tool up organizationally and staffwise - to carry out such a mammoth effort in a time target of three years.

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<sup>2/</sup>See Appendices II and III for current more complete tabular data.

<sup>3/</sup>At present, title issuance is running at a rate of 31,000 per month; a rate of 35,000 per month for the remainder of 1971 would meet the yearly target.

## II. Administration and Organization Improvements

As indicated above, and notwithstanding the impressive achievements to date, the falling behind of the extremely ambitious 1971 and 1972 title distribution and compensation targets, requires a hard look at current organizational and procedural limitations, the latter including the immense flow of paper making up hundreds of thousands of dossiers. It is also important to note that work performance in paper processing, from the receipt of the farmer's application for ownership to the compensation of landlords, is spotty, province by province and village by village. Perhaps oversimplified, this uneven performance is due to a measure of inefficiency in work achievement the causes of which will be explored later. And, to some degree the problem can be laid at the door of uncooperative landlords, even in some cases to landlord coerciveness of their former tenants; and finally to inadequate security in parts of the countryside. 4/

### A. Organizational Limitations

In considering this subject this Evaluator makes the assumption that any proposed organizational improvements should be made:

- a. To further accelerate the remaining distribution of titles to the new farm-owner-operators,
- b. To similarly expedite landlord compensation payments,
- c. To more effectively conduct essential, traditional DGLA activities and to more efficiently handle newly emerging programs, for example, to improve and expedite LTTT grievance and dispute settlements, effectively carry out the not-yet-begun communal land expropriation, initiate longer-range land records management under a unified system of registration, plan for the rectification of aerial photos and so on, but at the same time, not to propose organizational change which would seriously disrupt the current work flow.

The present DGLA and PLAS office organization has evolved over the years to handle regularized land affairs responsibilities and special action programs as these latter evolved, for example, land ownership and use registration, cadastral surveys; land rent reduction, tenant grievance handling, Ordinance 57 and Former French Land sales to tenant farmers, concession land development and resettlement.

4/The IES ratings on the extent of security appear to be not entirely suited to the needs of smoothly implementing the LTTT program as will be discussed later in this report.

Over the past 30 months, under great pressure to mount the current LTTT program, ad hoc efforts have been made to strengthen the DGLA/PLAS offices, particularly the former, by: bringing in new leadership and promoting outstanding men within the organization; by expanding staff and improving staff competency through massive training efforts; by funding of the DGLA and PLAS(s) more adequately; by adding several functions, i.e. the training unit and publicity committee in DGLA; by simplifying title distribution procedures and by decentralizing operations from Central to the PLAS to the villages, giving village officials more responsibility and authority for the conduct of the program.

However, the structural skeleton of the DGLA and the PLAS(s) is still largely intact since the new plan of organization, has not yet been approved.

4. In recent months Minister Than and Director General Tien have developed a DGLA reorganization plan - a plan (See Exhibit A) which is a great improvement over the old reorganizational chart (See Exhibit B.) The new proposal follows fairly closely the LTTT Implementation Plan as presented in the Plan's Annex A. This Evaluator can not fault the basic new structure except to recommend that the DGLA Training Unit now in existence be shown as a sub ground of the Inspectorate Body and that the small information or publicity staff be recognized on the proposed reorganization chart as a staff group attached to the Office of the Director General. (See further comments on this point under Section C below.)

As will be noted from a further study of the proposed organizational chart, the DGLA consists of three technical or substantive program Directorates and the Inspectorate Body which staff members in reality serve as field supervisors over the PLAS officers, that is, serve as the personal representatives of the Director General in advising the PLAS and in monitoring and reporting field work accomplishment and problems, etc., including the satisfactory or unsatisfactory handling and solving of grievances and land disputes

However, the proposed organizational chart does not show that a part of the DGLA Inspectorate Body is located in the four GVN regional headquarters while Saigon-based inspectors serve as "roving" field supervisors. This working arrangement is described in the functional description of the Inspectorate Body but the organizational chart is deficient in this respect. This point is emphasized because, hopefully, the four Regional-based Inspectorate staffs can gradually assume more direct line-of-command functions, thus relieving DGLA Central of needing to give attention to all PLAS problems some of which can be solved at the Regional level.

Reaping the fruit of this recommendation depends upon the competence of the Regionally-based Inspectorate staff. But the recommendation is also tied to the Evaluator's concern that the proposed reorganization has a major weakness in that an excessive quantity of middle management (all PLAS and City offices as well as the Divisions in DGLA) now report to, and are directed by, Director General Tien. This arrangement places a very heavy burden on Mr. Tien, even with all the staff assistance he receives from all units of DGLA Central. To the extent the current organizational operation overloads the Office of the Director General (and it does at present), this Senior Officer does not have time to think, plan and evaluate the overall work of DGLA with particular immediate concern for more effective title distribution, compensation payments processing, and grievance procedures. Nor does he have the time or mental energy to assist Minister Than evolve new policies or revisions in current policies as the on-going accumulation of LTTT operational experience dictates.

Finally, this Evaluator would strongly recommend that the proposed reorganizational plan for DGLA with some minor revisions as suggested above, be approved speedily by the Office of the Prime Minister. Quick approval is desirable so that the salaries and grades of some personnel can be adjusted to reflect present responsibilities.

#### B. Program Planning

The new organizational proposal formally recognizes the need for specialized staff assistance to the line officers in their day-to-day and, more particularly, in their longer range planning efforts. It is not possible at present to evaluate this new unit but this Evaluator considers that the forward planning accomplished by the total DGLA staff, assisted by USAID/ADLR, and documented in the current LTTT Implementation Plan, has been of very high caliber. The extent of detail which has gone into the plan with minor exceptions <sup>5/</sup> is truly remarkable. However, this high level of planning will need to be continued in developing improved grievance procedure handling, the conduct of the communal land expropriation program when launched, possibly religious and worship land expropriation, improving security arrangements to meet 1972 goals, the return to the village program and other program areas some of which will be touched on later in this report.

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<sup>5/</sup>For example, instructions in the I.P. appear to be limited with respect to PLAS guidance in assuming that I.D. numbers are included in all landlord Compensation dossiers forwarded to Central.

### C. Publicity

It has been difficult to appraise very precisely the extent to which the LTTT program has been adequately publicized with respect to:

1. New owner-operator rights to apply for the land they have rented,

2. Landlord rights and also landlord responsibilities, deceased landlord heir(s) rights and responsibilities, landlord rights limitations to file for five hectares of worship land and no more, penalties for making false claims as to their farming operations on the allowed 15 hectares, penalties for coercing former tenants to continue to pay rent, forcing them in some cases to change their status from tenants to laborers and so on,

3. General public understanding in terms of national welfare, pacification and rural political stability as well as food of better quality at reasonable prices for the non-farm consumer classes.

There is considerable evidence to support the fact that most farmer tenants are acquainted with their rights to the ownership of the land they tilled prior to March, 1970. Tardy filings of title applications are possibly due more to insecurity in some areas and to coercive landlords in possibly numerous cases, particularly in the Central Lowlands, than to a lack of adequate and repetitive publicity. It is also very likely that the problems enumerated above with respect to uncooperative landlords and/or recalcitrant landlords are due only in part to their lack of understanding of the legal requirements of expropriation. Their personal motives opposing the program are more likely causes of their inactions (in this Evaluator's opinion).

On the other hand, there is some evidence to suggest that grievance procedures, including farmer tenant rights to make known real complaints have not been adequately publicized. This is in part due to the delay in establishing more effective grievance arrangements and in settling disputes quickly and amicably whenever possible. 6/

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6/See Section III-B of this Report.

The current plan is to decentralize the LTTT publicity function by establishing publicity committees in each PLAS. This is a step in the right direction since many matters requiring communicative understanding are localized, even down to district and village levels. However, a small publicity staff in DGLA to coordinate provincial publicity efforts, to train provincial publicity committees in their function and to provide a continuing flow of national level publicity re the current status of the entire program in meeting program goals is desirable. A balanced picture should also be presented of LTTT program progress so that the publicity doesn't appear to be a propaganda pitch. This small DGLA Committee needs to be better organized since it is leaderless at present and thus is less than fully effective. This committee is currently attached to the Office of the Director General, although not shown as such on the proposed reorganization chart. It would be well to consider placing the committee in the Inspectorate Body for the same reasons the central training unit is located in this Body. 7/

And finally, in establishing PLAS publicity committees, it is well to remember that publicity staffs are skilled (or should be) in the communications trade but the substance of their communications, in whatever form, depends upon close collaboration between the publicity staff and the technical personnel who know program content. All too often managers expect publicity personnel to do their jobs in a vacuum of substantive facts. The net result is empty phrases and poor results, sometimes even negative results.

#### D. Supervisory Function

In considering the supervisory function in DGLA, in the PLAS and in the village distribution committees it is well, first, to review the three levels of management in any organization. They are:

- |               |  |
|---------------|--|
| Policy makers | - Organization executives  |
| Managers      | - Program operation directors  |
| Supervisors   | - Lower level managers who direct staff work (like a foreman directs the work of factory employees.) |

7/If the Publicity Committee is viewed as primarily a public policy enunciator when its present attachment is quite proper. However, if the primary purpose of publicity at the National level is to inform the public on operational matters, including an understanding of established policies as well as targets and problems in meeting targets, then such a unit might well be placed in the Inspectorate Body.

These three layers are not discrete in that senior executives supervise a certain number of personnel who report directly to them, equally so, the managers. Supervisors direct the work of lower echelon staff. But supervision is a function which must be performed effectively at every level in the DGLA and PLAS hierarchy. Likewise the DGLA Inspectors perform a general supervisory role over the PLAS and the PLAS Controllers and team leaders similarly carry out this function in their assigned villages.

Since supervisors work directly with organizational staff units, manage staff work, provide continuous on-the-job training, evaluate work accomplished, stimulate and motivate personnel assigned to them, help them with their problems and last but not least, report up the line organizational or human difficulties in getting assigned tasks done on schedule, it follows that supervisors as people, or the function supervision (as such) is an important key to organizational task achievement. With effective supervision an organization can do much more work with relatively fewer personnel than if this job of supervision is done poorly.

Title issuance, and more particularly the slow processing of compensation dossiers is due, partly to the "tooling-up" phase which should by now be completed, possibly to excessive paper handling, checking and rechecking (procedures) and partly to insufficient supervision resulting in human failures. 8/ 9/

Human failure to perform effectively is due to several factors, among them:

- a. The worker's lack of motivation resulting from the supervisor's failure to explain the importance of his job in accomplishing the major goals of LTTT; or failure of <sup>the</sup> supervisor in taking personal interest in his workers and possibly their problems of a personal nature,
- b. Careless work due to inadequate supervisory attention,
- c. Poor incentive to do a job better due to supervisor's lack of recognition of some task the worker has done well (a pat on the back, special rewards),

8/It is recognized that rather complicated procedures must be followed in processing landlord compensation due to the great amount of money being paid to the landlords.

9/There are some human failures which are due to matters of policy rather than supervisory ineffectiveness, as will be mentioned later.

- d. Poor understanding of job requirements due to lack of supervisory on-the-job training,
- e. Job routineness resulting in boredom caused by the supervisor's unawareness of the worker's state of mind,
- f. Lazy by nature - may need to be fired,
- g. Insecurity of tenure - the frustrations of a temporary employee. 10/

The above human considerations are obvious and need no elaboration here except to say with respect to item one, it is extremely important that all personnel engaged in the LTTT program, from the lowest clerk to the senior managers, know how important their work is to South Vietnam's general welfare, its political stability and economic development. The lowest clerk should know that she is an essential cog in the important machinery of LTTT.

This evaluator did not, unfortunately, have the time to adequately appraise supervisory performance either in DGLA or at the PLAS level. However, casual observation of the PLAS offices visited indicates that the "busyness" of the PLAS staffs varied province to province. The rhythm of the work flow appeared systematic and orderly in two PLAS offices, less so in the others visited.

It is recommended that Director General Tien appoint Mr. Huyen and USAID Associate Director Muller appoint one American Advisor on the Land Reform staff to study supervisory performance within the DGLA Directorates, in randomly selected PLAS offices, the latter office reviews to focus on supervision over the PLAS staffs, particularly the effectiveness of the controllers and team leaders in their supervisory responsibilities of their assigned villages. Or perhaps at the province level, this review should concentrate on the poorer performing PLASs and below the PLAS on the team leaders/<sup>whose</sup> assigned villages are below a standard in work output. 11/ (Americans do not necessarily need to be involved in this proposal, at least not at the DGLA level.)

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10/Take the case of the village land registrar. He may think that his job will be finished when the LTTT program is completed in his assigned village and that he will be returned to the rural development cadre. Isn't he likely to work on a slower pace than he could, just to keep his job going a little longer?

11/It is to be kept in mind here that other factors than supervision contribute to workload quantity, i.e. security. But poor workload quality is primarily the result of inefficient staff capability which in turn suggests inefficient supervision.

### E. Staff Training

The massive phase I and phase II training of personnel at village and PLAS levels is now history and the phase III on-the-job training plan is just now being launched concurrently in seven provinces in Region IV. This Evaluator's initial reaction to this phase III training concept was that it should be a built-in part of the on-going supervisory function as noted earlier. However, second thoughts suggest that a special effort to further improve PLAS and village worker effectiveness in processing the distribution of farmer titles, and even more important, some modest further speeding up of dossier handling relative to landlord compensation, is both timely and desirable. This phase III training program should concentrate primarily on strengthening the supervisory function at all levels in the PLAS with special attention given to the performance of PLAS controllers and team leaders. The reasons for this have already been covered in Section D above.

It is also suggested that Director General Tien work out special arrangements with NIA to hold specially tailored seminar/workshop sessions of very short duration for selected managers of the DGLA and possibly a number of PLAS Chiefs. These senior supervisors have learned much about organizing, directing, supervising, coordinating and controlling staff work. But a further understanding of public administration principles in order to more clearly understand the "why" of "what" they know in a pragmatic sense, would up-grade their executive, managerial capabilities. 12/

### F. Supervising and Monitoring Field Operations

The focus of this Section of this report is upon the special task responsibilities of the DGLA Inspectorate staff. Since the Land-to-the-Tiller program requires the effective functioning of 38 PLAS and approximately 2,100 village land distribution committees spread throughout the whole of South Vietnam, the Inspectorate Body must be a strong link in the total DGLA organizational machinery. Along with Minister Than, Director General Tien and the DGLA Chief Inspector, Mr. Huyen, are well aware of this linkage and steps have been taken to expand and strengthen the capability of the inspectors stationed at Central as well as in the Regional offices. As was pointed out by Mr. Huyen during the Vung Tau Seminar, the inspectors need provide more help to

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12/Attached to NIA is a newly organized National Conference Center for Public Administration of the Director General position level and above; also a National In-Service Training Institute is being organized for the appropriate similar training of middle management personnel. \

the PLAS Chiefs in supervising and motivating the team leaders, in building fires under some of the PLAS controllers, and in assisting the PLAS Chiefs manage and direct more efficiently the PLAS staff stationed at the province level. Further, Mr. Huyen has the special problem of building more capability into the inspector group, some of whom are getting old while others are too young and inexperienced, the latter category being unable to command the respect or gain the confidence of the more mature and experienced PLAS Chiefs.

However, half the battle is in recognizing the problem and this Evaluator knows that Mr. Huyen, as well as Mr. Tien are fully apprised of the importance of the Inspectorate Body as a channel of personnel supervision and communications up and down the line and they know the need to improve the effectiveness of both the roving inspectors and those stationed in Regional headquarters.

#### G. Further Decentralization of the Work

Some part of the success achieved to date in the Land-to-the-Tiller program must be given to the policy put into effect in 1969 with respect to the acceleration of Ordinance 57 and former French Lands title distribution. Among other factors this acceleration achievement was due to a policy of decentralization of work effort at the village level along with paper flow simplification procedures. The beneficial effects of this earlier policy has been most helpful in the present program.

This Evaluator believes that to some degree the Village Land Distribution Committees might be given even more responsibility and authority in handling certain local parts of the total program, particularly in the mediation of grievances and disputes among landlords and their former tenants, providing clear and precise guidelines are provided by DGLA, and providing any additional responsibilities given to the village officials are monitored continuously to assure a fairness of decisions and to guard against local corruption. This Evaluator is not proposing any immediate changes in present policy with respect to this matter. But some further thoughts should be given to the idea providing such action would lead to the more efficient conduct of the total program, including the handling of grievances wisely and expeditiously.

### III. Procedures

#### A. Paper Work Flow

The overall procedures system being followed at present in title distribution appears to this Evaluator to be well designed and he has few comments to make for improvement in the system of operation per se. Admittedly, the procedures in effect in landlord compensation processing, including the built-in checks, are complicated requiring the handling of much paper and involving much staff labor. However, these essential safeguards are most necessary to assure accurate compensation to each landlord or his heirs and more important, to assure that a tremendous sum of GVN funds are being spent properly.

But, there are possibilities for improvement in the flow of paper and it is most fortunate that USAID/ADLR has provided a TDY expert in this field to focus on possible short cuts and simplifications in the present procedures systems while at the same time not seriously disrupting the work flow momentum at present and/or its acceleration in the near future as more experience is gained by the staff in handling compensation dossiers. 13/

The findings of this joint effort will, in the opinion of this Evaluator be significant and helpful in dossier processing without dropping the required degree of quality control. The LTTT Program presently involves the meeting of difficult goals tied to the number of titles distributed, the number of landlords or their heirs compensated and the hectares involved in both. It is understandable that the above goals be publicized and achieved. However, a related set of targets concerns the mountains of paper work which must be handled to achieve the ultimate people and hectare goals. Among other factors the question can be asked: will these political impact goals be reached, considering the present distribution of titles and compensation processing procedures in effect? The present work flow study now underway in DCLA, and hopefully to later encompass a few provinces, will provide top management the answers to this vital question. 14/

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13/Reference is made to the Paper Work Flow Study currently underway and involving Richard E. Ballard, USDA, Miss Betty Ryan, of USAID/ADLR and DGLA, primarily the Land Reform Directorate.

14/For example, the present compensation per landlord involves an average 10-11 hectares. There is some reason to believe this average will fall to a lower figure. But taking the present average divided by one million hectares provides a figure close to 100,000 landlord compensation dossiers to be processed!

## B. Grievance Procedures and Channels

The handling of grievances and disputes in whatever form they arise, (between former tenants and their landlords, between either of the above parties and the VLDCs or the PLAS, or cases in which landlords are aware of the LTTT Law provisions but still attempt to coerce former tenants into continuing to pay rent or become day laborers, or worse, evict the tenants from the land) must be taken care of intelligently and quickly if the program is to maintain its appeal and credibility in the eyes of the individuals concerned, meaning usually, small former tenants.

To the extent an adequate system of grievance handling is not now in effect the reasons are:

- a. Inadequate reference to this subject in the present LTTT Implementing Decree,
- b. National Assembly delay in establishing a countrywide Land Court System,
- c. Administrative inattention due to the pressures of getting the operational program launched and completed.

This Evaluator understands that a draft amendment to the present implementing Decree is on the desk of the Prime Minister. This amendment would give more responsibility and authority to the VLDCs in settling disputes by means of conciliation. While the Prime Minister may hesitate to place this additional burden on the VLDCs, it would seem desirable to this Evaluator that such action be taken in the interest of improving grievance handling, providing that adequate monitoring safeguards are established to assure wise, local and unbiased decisions at the village level as mentioned earlier.

If cases can not be settled in the village, then possibly more precise guidelines need be formulated to achieve settlement at the District Chief level or on to the province level. To the extent disputes can thus be mediated within the administrative structure of the GVN, this should hold to a minimum the difficult cases requiring Provincial Court of First Instance, or Land Court or Central Land Reform Council attention and decision. But since landlords are most likely to press for favorable settlement of their cases in the Courts, the present Court Judges need to be fully acquainted with the LTTT Law's provisions so that they may act correctly. There have been too many Provincial Court cases reviewed by the Central Land Reform Council and overturned due to inadequate Provincial Court Judge understanding and/or for other reasons. It is believed that the PLAS Chiefs should take more initiative in placing the facts behind the disputes in Court, before the presiding Judges. This can be done by the PLAS Chiefs where a case is being tried in one of the four currently existing Land Courts.

Finally, Court decisions as well as administratively mediated case decisions need to be sent to the parties involved at the earliest possible time and the decisions (correctly made) need to be widely publicized. 15/ This public knowledge comes close to being as important as the main provisions of the LTTT itself. Also, this Evaluator would recommend that Director General Tien review carefully with Mr. Huyen, the manpower capability of the Inspectorate and at the PLAS level to assure administratively the expeditious and fair handling of disputes, as well as to assist the Central Land Reform Council in the effective handling of the Council's case load. And it would seem appropriate for the DGLA grievance responsibility to lie within the jurisdiction of the Chief Inspectorate.

#### IV. General Considerations

##### A. Security

Security is a sensitive matter which must be discussed with proper precautions. Security and pacification as these terms are defined and related to population is one thing; security when applied to the LTTT program involves geographical safety to permit the unobstructed operations of the PLAS offices and the Village Land Reform cadre is another. The two concepts or standards of security appear to be conflict in some provinces and at lower geographical levels for obvious reasons.

This matter needs to be resolved and quickly since this Evaluator believes that LTTT Operational Security along with implementing the program in Class II villages will have much to do with meeting program goals over the next 18 months. Therefore, this Evaluator would suggest that the matter be taken up at the GVN Inter-ministerial level so that more clear instructions can be send down through command channels to Province Chiefs (and District Chiefs) to provide PLAS Chiefs as well as VDCs, with more adequate protection in performing their LTTT program task. 16/

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15/This point was stressed at the Vung Tau Seminar and Minister Than indicated he planned to make certain that land dispute decisions, made by the Judiciary or through administrative channels, reached the parties concerned quickly.

16/At the Vung Tau Seminar it was reported by DGLA that of the 600,000 ha. yet to be distributed to farmers, 250,000 ha. are in secure areas; 100,000 ha. in insecure areas and 250,000 ha. in contested area.

## B. Communal Land

In retrospect it would have seemed desirable to have included communal land expropriation in the initial LTTT Implementing Decree rather than buying time in mid 1970, and now having to work out the policy and procedural arrangements as a second tranche. In this Evaluator's judgment the 1970 field reports of fierce opposition to communal (rented) land expropriation from village chiefs were partly erroneous in fact, and due in part to the village chief's lack of understanding of how, when and how much the villages would receive in compensation, as well as how this sum might be invested to provide village budgetary resources as a substitute for current rent collections.

It is true that even today with a better general understanding of the LTTT program as it will likely apply to village lands, the village chiefs, in general would prefer to keep the land as is. This land is a secure asset and it provides village people with a special status that traditionally has always been applied to any land holder.

However, this Evaluator raised the question with village chiefs: How can you maintain the position that rented communal lands <sup>should not be expropriated when many small landlords</sup> are having to sell their land to their former tenants? Mr. Village Chief, you are a landlord! Their rejoinders had generally been a smile, and then, hesitant acquiescence. But their last words were: But we would still prefer to keep the village land. The compensation received might get lost in a bank, or the Government might take it, or I would protect the principle but how can I be certain that my successor would be as careful.

The above bit of dialogue is presented here to suggest that:

1. Village Chiefs prefer to keep the village land even if the compensation investment return would amount to several times current rent.

2. However, they don't have strong feelings on the subject particularly if they understand that GVN guidelines will be established for safe investment of the compensation and that investment interest will more than equal current land rent revenue. Therefore it is recommended that the Communal Land Decree and accompanying Circular be issued quickly. Communal land expropriation will in effect reduce certain village chiefs resistance to the LTTT program in general and will have a spill over effect on some village based landlords who are uncooperative or who understandably oppose the program.

### C. Central Lowland Special Problems

It is unfortunate that the GVN and USAID/ADDP did not consider more fully (a) the special problem of small landlord holdings and concomitant, by the very small expropriation areas per landlord; (b) the relatively higher than-in-the-Delta land values, etc., when the general policy was evolved leading to the introduction of the LTTT legislation into the National Assembly in July, 1969. As a consequence, landlord resistance and coercion of former tenants is undoubtedly greater in the Central Lowland Provinces than in the Delta. Secondly, due to the excessive ratio of farmer tillers to available paddy land and its lower productivity level compared to the Delta, the new farmer owner recipients of the LTTT Program will continue to have a hard time to eke out enough farm family income, albeit they will be better off than before by not having to pay land rent. Thus the LTTT Program should, as in the Delta, contribute to the total program's political goals, and to some extent, its economic goals. However, it would be highly desirable for the DGLA to give more attention to program implementation in the Central Lowlands including the expropriation of Communal Lands as soon as the appropriate legal authority for the latter is provided.

Further, the new small farmer operators are, even more than elsewhere, going to need other assistance from the Ministry of Land Reform, Agriculture and Fishery <sup>Development</sup> and also ADP Credits tailored to their special situation. And gradually it is hoped that some of the small tillers in these problem areas can voluntarily be persuaded to move to Public Domain lands thus relieving this area of its overcrowded farm population. Expanding industrial development will also gradually suck off a part of this excessive population. Consequently, it would seem desirable for MLRA to be most lenient on the 15-year farm sale limitation as the above possibilities hopefully materialize.

Finally, to the extent the small landlords are compelled to give up their excess land at a formula price somewhat below its farm (not site) market value, it would seem desirable for the Central Compensation Committee to consider, within legislative constraints, compensation measures (such as total payments in cash) to alleviate the harsh bite of expropriation. It is to be remembered that since the compensation bonds do not include a maintenance of value provision, it is most likely that the later year maturing bonds will amount almost to confiscation.

#### D. Handling and Penalizing Uncooperative Landlords

It would seem to this Evaluator that the situation involving landlords who have at this late date: (a) not filed proper form B declarations, and who have (b) omitted on their own volition, their ID numbers, (c) declared worship land falsely, (d) claimed owner-operator status of up to 15 hectares when they were not in fact entitled to so declare on form A, (e) coerced former tenants into continuing to pay rent or pressing them into day labors, etc., can no longer be tolerated if the LTTT is to maintain its credibility in the eyes of the small farmers who are the victims of these violations of the Law.

Admittedly the above list of irregularities require different forms of penalty action and, there may be some mitigating circumstances calling for restraints in penalty application. Nevertheless, the time has come to act firmly and decisively on landlord violators and then to publicize widely, the actions taken.

#### E. Channeling Landlord Compensation Payments into Productive Investments.

At an earlier period it was hoped that landlord bond funds as a part of their total compensation, could be transferred into GVN Public Enterprise common stock, following the scheme put into effect in Taiwan. Hopefully this exchange can still be accomplished; but much preparatory work remains to be done to determine the net asset value of the companies in order to set stock market values, not to forget company net earning projections. 17/

However, a more immediate problem periphered to the current LTTT program operation, but nevertheless important to the Nation, is the problem of channeling the 30-35 percent of the total program cost in the form of thousands of landlord compensation checks into productive investment over the next two years rather than into scarce consumer goods.

There are possibly several initiatives which could be taken to sop up this liquidity of some 60 billion piasters between the present and mid 1973. This Evaluator would urge ADB and its associated newly organized private rural banks to mount aggressive campaigns to capture a portion of this liquidity. Similarly, the

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17/It might also be noted here that the patented divesture of viable public enterprises could only absorb approximately 15% of aggregate landlord compensation.

GVN Treasury could launch a campaign enticing the compensated landlords to buy tax free, 21 percent interest Treasury Notes. With the anticipated accelerated flow of checks soon to move into the hands of many landlords, the time is ripe to develop plans to capture these funds, particularly plans appealing to landlords other than the sophisticated Saigonese.

#### F. Land Records Management

It is heartening to observe that the DGLA, with USAID/ADLR assistance, is doing something about modernizing land registration procedures and overall land records management including the creation of a unified system of records management suitable for future needs at the village, provincial and the Central levels. Had such a system been in effect prior to the launching of the present LTTT program, this massive program could have been carried out much more smoothly and rapidly. However, it is to the credit of Minister Than, Director General Tien and the DGLA staff that even under the pressures of the LTTT program, this program is being taken advantage of as a point of departure to initiate an improved records program for use of Vietnamese generations to come.

#### G. Use of Aerial Photography

Modern technology has given DGLA a new method of land identification and measurement in the form of aerial photography. At present, the unrectified photography being used is not adequate to meet the more refined, longer range measurement needs and as a replacement for on-the-ground cadastral surveys. However, with careful checks of the current photos with the old cadastral surveys where available, and adequate village spot checks (ground measurements) of the photos in other areas, it would seem to this Evaluator that reasonable accuracy is possible to meet the needs of the present LTTT program. And as time permits, the rectification of currently available photography and the photographing of the remaining non-covered areas, will provide South Vietnam an excellent storehouse of material for future land identification and land measurement. This Evaluator would only suggest that the recently completed spot checking to determine on-hand photography error should be expanded to other areas of the country to assure that the percentage of error already determined, remains within tolerable limits.

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18/Louis A. Koffman, Civil Engineer, photogrammetrist of EARI, Washington, D.C. is presently on a 90-day TDY in country to assist the DGLA and USAID/ADLR in this technical area.

## H. Taxation in the Villages

During the formulative stages of the present LTTT program it was believed that as the 800,000 former tenants became owner-operators of the land they tilled, they would be willing to pay reasonable land taxes, tied to the productivity of their land, providing most of the tax revenue so generated was spent in their respective villages for village administration costs, roads, schools and other infrastructure costs as well as modest capital projects - local irrigation and drainage facilities. It is hoped that the appropriate Ministries of the GVN proceed to establish a modernized and equitable system of local taxation which can be put into effect one year after the current recipients of the LTTT program have received ownership titles to the land they previously rented, along with the village farmers who were already owner-operators on March 26, 1971.

This arrangement would permit the Central Government to reduce considerably the amount of subsidies currently used to support village costs of operation.

## I. Complementing the LTTT Program with Agricultural Technology Marketing Cooperatives and Agricultural Credit.

The present Vietnamese Land Reform program establishes a solid foundation in which to build a prosperous and efficient rural economy, which in turn is generally necessary to proceed to a modern industrial State. However, land ownership in and of itself could perpetuate a subsistence form of family life unless concurrently, the farmers are provided adequate extension service assistance including farm management, and assistance in creating their own production requisites and commodity marketing cooperatives (where private enterprise facilities are not adequate), along with meeting their production credit needs. This Evaluator recognizes that the MLRAFD is providing considerable assistance of this kind (improved rice varieties, some fertilizer, some agricultural credit, etc.). But more help is needed generally, and certainly in the Central Lowlands, to assure that the new owner-operators advance to the full production potential of their management capabilities, their labor resources and their land assets.

And in this connection, this Evaluator would suggest that non-governmental farmer organizations such as the CVT/TFU, be encouraged to contribute to this need. Some measure of pluralism is desirable in providing farm people with aggregate resources and facilities to meet their cooperative requirements. The Government does not have to provide all outside-the-farm

assistance desirable. It is too much of a burden on Government manpower and budgetary resources.

#### J. Village Building

The present LTTT program has contributed much to village building by the decentralization of operations and by making the village officials a partner in the total effort along with the provincial offices. It has been heartening to this Evaluator to see how well, with the expected exceptions, the village personnel, strengthened by village land registrars, have responded to the challenge of this comprehensive program. In fact, the present program could not have been carried out, in this Evaluator's judgment, without the significant contribution of the village personnel. Consequently, it is hoped that the MLRAFD consider making the village land registrar position a permanent one in many villages in order to manage properly and maintain village land records, establish a sound and equitable basis for local land taxes and so on. Further, it would seem desirable to upgrade the position of the village agriculture and land reform commissioner and to further train these persons serving in this capacity so that they can function effectively as village agriculture extension agents. (This proposal relates to point "I" above.)

Vietnam's history and cultural pattern are closely tied to the village as a viable economic, political and sociological unit. Since most villages are made up entirely of farmers, MLRAFD, along with other appropriate Ministries of the GVN, have great stake in village building so that the effect of the current LTTT program will be long, lasting and beneficial to Vietnam's future political stability and economic development.

APPENDIX I

Consultant Guidelines \*

OPERATIONAL

1. Evaluate GVN organization and field operations to carry out LTTT with particular emphasis on Compensation.
  - a. Is GVN most effectively organized to do the job?
  - b. Does DGLA have adequate mechanisms and is it using them effectively to learn of operational shortcomings? Do DGLA respond promptly and effectively in taking corrective action? In this connection, does DGLA have adequate monitoring at village level?
  - c. Are adequate measures being taken to upgrade village level and provincial staffs?
2. Evaluate DGLA/MLRAFD system for handling grievances. Are farmer and landlord grievances being handled efficiently and effectively?

POLICY: Evaluate appropriateness of present LTTT policy in relation to environment for carrying out program in Central Lowlands.

\* Prepared jointly by MLRAFD and USAID/ADLR.

22

APPENDIX II

Info for Weekly Summary Report  
for 0800 Meeting, and for  
Weekly Airgram Report to AID/W

LAND TO THE TILLER \*/

<u>Period</u>	<u>Applications Approved</u>		<u>Titles Printed For Distribution</u>		<u>Titles Distributed</u>	
	<u>Number</u>	<u>Hectares</u>	<u>Number</u>	<u>Hectares</u>	<u>Number</u>	<u>Hectares</u>
<u>Oct. 1-15</u>	<u>7,116</u>	<u>8,753</u>	<u>9,095</u>	<u>10,729</u>	<u>15,449</u>	<u>19,979</u>
<u>Oct. 16-31</u>	<u>15,143</u>	<u>17,380</u>	<u>11,952</u>	<u>12,433</u>	<u>17,776</u>	<u>21,857</u>
Cum FY 71-72	<u>357,289</u>	<u>439,914</u>	<u>328,113</u>	<u>404,489</u>	<u>235,707</u>	<u>292,818</u>

\*/ Based on Information Systems Center  
Land-to-the-Tiller Management Report.

12

## APPENDIX III.

LTT Distribution Statistics

	<u>Application</u> <u>Approved</u>	<u>Hectares</u>	<u>Titles</u> <u>Issued</u>	<u>Hectares</u>	<u>Titles</u> <u>Distri.</u>	<u>Hectares</u>
Aug. 28-Sept. 30			2,432	3,857		
October			2,724	4,102		
November	34,468*	45,106*	15,396	19,841	920*	1,706*
December	21,506	25,961	18,940	23,891	3,315	4,423
Jan. 1971	40,850	52,150	24,847	31,143	3,046	4,178
February	42,860	57,078	55,570	72,401	15,497	20,057
March	33,912	41,058	39,966	49,052	24,189	29,170
April	16,349	18,597	14,067	15,320	54,029	67,746
May	21,417	25,386	21,132	24,076	14,480	20,246
June	32,749	40,822	28,735	35,835	12,131	14,399
July	35,861	43,438	38,846	46,395	12,960	14,007
August	32,891	38,027	28,278	32,532	41,239**	47,800***
September	20,283	26,158	16,133	22,882	20,676	27,250
October	22,143	26,133	21,047	23,162	33,225	41,836
Cumulative	357,289	439,914	328,113	404,489	235,707	292,818

\*Includes applications approved or titles distributed in previous months.

\*\*Includes adjustment of 9,780 from previous months.

\*\*\*Includes adjustment of 11,896 from previous months.

Sources: LTT Automated Data Processing Report

ADLR:11/3/71

24