INEQUALITY AND RADICAL LAND REFORM: SOME NOTES FROM WEST BENGAL

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This essay discusses some aspects of the problem of land reform in conditions of great inequality almost total in scope, encompassing economic, social, ritual, coercive and political spheres, such as those prevailing in the relations between poorer peasants and landlords in West Bengal. A turbulent issue in West Bengal politics is the survival of bargadar (sharecroppers) as bargadar. The issue, in the first place, is a direct consequence of attempts to achieve radical land reform in an unequal society. The West Bengal Land Reform (Amendment) Act of 1970 was radical enough to threaten the interests of the landlords but wholly ineffectual in the execution, thereby exposing the bargadar to fierce retaliation by the landlords. I examine the implementation and consequences of the Act, and argue, first, that a reduction in political inequality is an indispensable precondition for such reform to be effective, and second, that in certain circumstances radical reform can end up as a half measure and a detriment to the interests of the peasants, in this case the bargadar.

The concept of land reform includes at least three different sectors in agrarian structure: land tenure (ownership or title to land); pattern of cultivation (e.g., market/subsistence); and terms of holding and scale of operation (e.g., large scale/small scale, fixed share/fixed amount as rent). The Act of 1970, together with its later amendments, sought to modify both tenure and the terms of tenancy. The power to evict a


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bargadar, normally inherent in proprietorship, was taken away from the landlords and vested in the government. Henceforth only appropriate government officers, usually the Junior Land Reform Officers (JLRO), could authorize an eviction for evident contraventions of the Act—such as the bargadar’s failure to cultivate or to cultivate personally, or failure to give the landlord’s share of the crop. The bargadar could also be evicted if the landlord decided to resume the land for personal cultivation, provided that, in this eventuality, the bargadar was left with at least one hectare of land. Further, barga rights were made inheritable. Thus the Act greatly limited what were conventionally thought to be the normal prerogatives of the owner, and developed, far short of a redistribution of ownership titles, a quasi title to the bargari land for the bargadar. Either way, the meaning of ownership was drastically altered.

In regard to the terms of bargari holding, landlords henceforth could receive half the harvest (the traditional share) if they furnished all implements and material inputs, but only a quarter in all other cases. Prior to 1970 the proportion was 60:40. Even the West Bengal Bargari Act of 1950, the fruit of the tebhaga movement, had left the question of proportion primarily to local usage and customs or, where it existed, to the written agreement between particular landlords and their bargadar. The 1970 Act brought about a uniform principle for the entire state, intending to relieve the bargadar from the tyrannies inherent in the local customs and the written agreements in the monopolistic and monopsonistic conditions of rural West Bengal. Before 1970 the bargadar were obliged not merely to tender but actually to effect delivery of the landlord’s share. This obligation had become an excellent weapon in the hands of landlords who could legally get rid of unwanted bargadar by simply refusing to accept their share. Now in such cases, the bargadar can ask the JLRO for directions in the deposition the landlord’s share. Threshing areas, formerly unilaterally decided by the landlord (usually at his house), were now to be mutually agreed upon.

These features of the Act may not appear particularly radical. Indeed, there was no assault on the premise of private ownership of land or on inequality of wealth and income, nor did it propose a redistributive scheme of any magnitude. It may even be asked if it is at all sensible to speak of radical reform: the Act after all did not seek to eliminate the bargari system but only to render it more equitable. I would like to maintain nonetheless that these provisions of the Act were profoundly radical, perhaps unwittingly so, and for this reason, and in the conditions prevailing in West Bengal, were bound to fail. In a nut-shell what the Act proposed was nothing short of the transformation of a patrimonial relationship between the landlord and bar-

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gadar—based upon innate inequality, submission, and supplication crystallized in customs—into a relationship of formal equality and rights enforceable by law. It was a transformation of a relation of agreement into one of contract, and in that sense the Act was radical enough.

The Act was not enforced and during 1974–1976 when I was doing fieldwork in West Bengal for another study the government land revenue officials as well as peasant organizers seemed unanimous in their belief that the Act was not enforceable. Some saw it as a wicked scheme to scare the landlords into victimizing the bargadar for the latter's militancy during the Communist Party of India (Marxist) (CPM)-dominated United Front ministries (March-November 1967 and February 1969 to April 1970). Bargadar eviction was widespread, even according to the state Directorate of Land Revenue and Survey, which had set up a mechanism for monitoring eviction.  

No firm estimates are available, however, partly because, as noted earlier, barga agreements in most cases were verbal. Landlords, when bargadar rights were improved (as was anticipated three decades ago by the Floud Commission), switched to the munish system, i.e., cultivating with agricultural laborers, many of whom were the former bargadar. In other instances landlords, with the acquiescence of the bargadar, maintained in effect the barga system but presented it as the munish. The bargadar suffered a loss of livelihood from being evicted outright or a loss of social status and perhaps also of income by being reduced to labor, and in many cases a loss of dignity by having to supplicate for land or employment the landlords they had defied a short time earlier. Thus the Act, instead of enhancing the interests of the bargadar, has, paradoxically, been detrimental to them.

My purpose in this essay is to draw attention to this paradox, and to point out that a result of attempted but unenforced radical legislation is not the continuation of status quo ante but a very considerable degraduation of the intended beneficiaries of the reform. My analysis also suggests that the upper limit of the degree of change possible through reform is set by the degree of vulnerability of the proposed beneficiaries. This vulnerability can be changed by shifts in political alliances and by effecting reforms in the factor market other than land prior to or simultaneously with land reform.

Dimensions of Inequality

The vulnerability of the bargadar can be measured along several dimensions. A majority of them have no land and are thus dependent on barga land for subsistence. Most commonly the bargadar also depend on the landlords for indispensable investment and consumption.
credit. Credit sources other than village money lenders—who are frequently the landlords themselves—are not widely enough available nor within the grasp of most bargadar. Even if they were it is doubtful that a bargadar could have recourse to them without impairing his relations with the landlord, for the latter derives a significant part of his income from lending.6

Barga tenancies are typically insecure. The agreements are verbal, are not registered in the Records of Rights, and are accordingly not protected by law. Bargadar are perennially liable to eviction. But it must not be supposed that the tenancies could be made secure by proper registration alone, as evidenced by the experience of the last ten years.7 The tenancies are insecure not because they are unregistered, but primarily because of the vast difference in power in almost every aspect of life between the bargadar and the landlords. The legal insecurity remained theoretical as long as the power difference was respected and affirmed in every transaction and became real when the difference was threatened by legislation and radical peasant movement.

In the monopolistic and monopsonistic agrarian market of rural West Bengal, the landlords have a greater range of economic alternatives than the bargadar. They can replace one bargadar with another, move to a different production organization by employing wage laborers, or, as in sub-coastal 24 Paraganas, convert their agricultural holdings into fisheries.8 To be sure, these alternatives are not without constraints: a good bargadar is not easy to replace; employment of wage workers requires much closer supervision, ready availability of cash and/or grain surplus for wages, and often a different household organization to provide cooked meals to the workers; fisheries call for an altogether different set of skills and market orientation in addition to capital and supervision. Nevertheless these alternatives exist.

The difference in power so awesome at the economic level is even more vivid at the social and political. Landlords frequently belong to higher castes, enjoining on the lower caste bargadar proper attitudes of deference and submission. Upper caste landlords who also own the temple of the most powerful local deity can, by regulating the dispensa-

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tion of the deity's blessings, manipulate social behavior of the bargadar.9 Landlords have an implicit solidarity amongst themselves in their relation to the bargadar, even when it does not find expression in an overt combination of any sort, which is no doubt derived from their adherence to the same social order and their common apprehension of the threats to that order. It is in this sense that at the top the landlords are horizontally _solidaire_ over isolated strands of individual bargadar attached to them. Bargadar, never effectively united, are utilized to keep other bargadar in line through the fabrication of false evidence and in the organization of goon squads whose displays punctuate the course of land disputes.

A grieved bargadar may gather up enough courage to take his complaint to the court—to the _bhag-chash_ court, which deals with _barga_ disputes, to the munsiff's court, to the sub-judge's, and even to the district court, in that order—and become a pauper. The landlord is more capable of going all the way to the High Court. To the expense of seemingly endless litigations one must also add the general predisposition of the courts toward the landlord.

The economic and social power of the landlord is thus buttressed by the courts and the police. It is this power that pervades rural social relations, and defines and translates the constructions of the realms of civil law and state politics into acceptable molds for the hamlet. One thus finds a legal reality and a hamlet reality, the latter more precisely defined by the local equation of power. This explains why during the current cadastral survey bargadar with twenty years of tenancy glumly refuse to so identify themselves to the survey officials and claim instead to be munish or wage laborers; or why a landlord can, without, fear, transfer the title of his excess land to the name of a bargadar, for he knows that the bargadar understands; or, finally, why all legal reforms can be reduced to a fantastic mockery at the hamlet.

**Technique of Implementation**

Exacerbating the effects of inequality was the sequence in which various pieces of the land reform measures were executed. From a strictly legal point of view the most crucial piece is the Record of Rights, a document prepared by the Directorate of Land Revenue and Survey, registering and describing the types and degrees of rights of different people to land holdings. For barga rights to be legally enforceable, they must be registered in the Record of Rights. Since the likely reactions of the landlords to the Act were known, barga registration should have been completed before the landlords had the opportunity to be forewarned. But the actual sequence was almost the converse. The cadastral survey launched under the first United Front ministry in August 1967 was stopped a year later at the fall of the ministry in all

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9 Personal observations. This point remains unexplored as a dimension in Indian social organization.
but five of the fifteen rural districts of West Bengal. By the time the amended Act was passed in 1972, the West Bengal countryside had gone through an experience of intense peasant militancy, especially during the second United Front ministry from 1969–1970 led by the CPM. The drive for the confiscation of benami land (holdings above the legally stipulated ceiling under camouflaged ownership), the program for redistribution of the confiscated holdings among poor peasants, and the sweeping changes in the modality of implementation of the existing land reform laws, were sufficient warning to the landlords, giving them ample time to prepare themselves for the time when barga registration shifted from the prevention of eviction to monitoring eviction.

Similarly, and again from a formal point of view, it would have been necessary, if the Act were to make any sense at all, to set up alternative sources of consumption and investment credit for which the bargadar depend on the landlords. This dependency and its nullifying effect on barga reform had been known for over three decades. The district Survey and Settlement Reports of the 1930s and special reports commissioned by the government from the district officers (such as *The Bargadars and Their Problems* published in 1958) had detailed the type and the degree of the bargadar's dependence on the landlords. Yet the reform was enacted without a thought for these measures.

There was scarcely any coordination of efforts, in the execution of the Act, between the Directorate of Land Revenue and Survey (DLRS), in charge of settlement records, and the Home Ministry, in charge of police and law enforcement. Violations of the Act, which first come to the notice of the settlement officers, are not automatically referred to the police for investigation and follow-up. In 1974 the DLRS had impressed upon the Minister of Land Revenue the need for such coordination in the hope that the matter would be discussed at the Cabinet level, but nothing came of it. Yet it was clear—given the sweep of the Act and the large number of people it affected—that without a concerted effort by the Government as a whole the Act could not be enforced.

There was no machinery for maintaining an up-to-date Record of Rights. The periodic revisional settlements are years apart. The ongoing land transactions—settlements, transfers, divisions, etc.—are registered at the Sub-Registry office at the local level but without a system for their ready reflection in the Record of Rights.

Some of the bureaucratic difficulties are technological. The settlement records are gathered and maintained manually. Given the enormity of the operations, their intricacy, and the importance of land, this technique becomes vulnerable to corruption of all sorts. The operational design, information gathering, processing method, and the level of integration among different stages of the operations are cadenced to the leisurely era of the Permanent Settlement. In 1967, in its drive...
against benami land, the CPM had introduced an innovation—the index card system; the total holdings of an individual were to be recorded on a card, regardless of the location of the holdings. This was a departure from the earlier method in which records were kept only according to revenue zones, enabling a landowner with excess land to avoid detection by simply dispersing his holdings in several revenue zones. But in 1975 the local settlement officials seemed lackadaisical about preparing the cards, requiring constant goading from the senior officers of the DLRS.11

For reasons mentioned earlier, it is highly unlikely that operational and technical innovations will protect the bargadar from victimization. However, it is equally unlikely that the reform could be carried out without them.

**Reduction of Inequality and Land Reform**

This section deals with the unforeseen effect of land reform on the distribution of power at the center. To the extent the reform was successful, it was because the state had intervened to reduce inequality of power between bargadar and landlords. This is demonstrated by the brief but intense experience in that regard during the CPM-dominated second United Front (UF) rule in West Bengal. The CPM's target was to implement the ceiling law by uncovering benami holdings and redistributing them to poor peasant—bargadar and landless agricultural laborers. Three hundred thousand acres were thus redistributed.12 Some of these results were very largely reversed on the fall of the UF; nonetheless, the fact remains that the reform was vigorously carried out.

The victory of the first UF in the 1967 elections represented the beginning of the first significant break since 1947 in the federation of interests that constituted the state in West Bengal. The CPM alone had polled 18.1% of the votes for 43 seats in the Assembly of 280 members; the Communist Party of India's (CPI) share of the votes and the seats were 6.5% and 16 respectively. If we add the votes and seats of the other radical parties with a pro-peasant posture and supportive of radical land reform, the anti-landlord parties had together polled 36.19% votes for 99 seats. In the new cabinet, the CPM held the portfolio for Land and Land Revenue. These gains of the anti-landlord coalition were of course a loss for the Congress Party; these were further advanced during the second UF in 1969, and startling more so in 1971.13

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11 A computerized system of information gathering and processing could ease the problem of maintaining up-to-date Record of Rights. In 1976, the Government of West Bengal was considering installing a computer, but for purposes of criminal investigation.

12 Swasti Mitter, *Peasant Movements in Bengal*, p. 44.

In the second UF Ministry, the CPM held the crucial portfolios of, among others, Home, and Land and Land Revenue, in addition to being, with 80 seats, the largest party in the legislature. In the election of 1971, the CPM alone captured 113 seats. The net result of these changes was the withdrawal of state support from and an assault on the entrenched power of the landlords. Most crucially the traditional alliance between the police administration and the landlords was dissolved. Traditionally, the police administration made the implicit presumption of right, in disputes between landlords and tenants, in favor of the former. This presumption was now reversed. Land disputes burgeoned in the wake of the campaign to confiscate and to redistribute excess land holdings; and the police were specifically instructed in such cases, first to defend, pending further investigation, the freshly acquired rights of the poor peasants, thus greatly reducing the inequality in the domain of political and coercive power. CPM and CPI-led peasant organizations, with their parties in the ruling coalition during the UF s, became revitalized. Village land reform committees were strengthened and made more representative. Together, leftist peasant organizations and the land reform committees furnished intimate information on land deals that were widely known locally but which always eluded formal investigations, and served as watchdogs for the rights of poor peasants. Thus these measures can be seen as countervailing the traditional political and social superiority of the landlords.

Attempts were also made to reduce the inequality at the economic level by redistribution of land, and by the aggressive watchfulness of the local committees combined with a defiant peasantry that restrained some of the excess levies on the peasants. However, these attempts were far less successful. The landlord-moneylenders had, since the late 1930s, become the chief source of rural credit for consumption as well as investment. In the climate of strident peasant militancy and assault on the landlord system, this source of credit dried up, and no alternatives were forthcoming. In some instances the landlords sold up and reinvested in the urban sector of the economy; or by taking advantage of a provision in ceiling law, and where feasible (as in the south 24 Parganas), converted agricultural holdings into fisheries, to the detriment, in both cases, of the interests of the bargadar. The freezing of credit and the flight of rural capital to the urban sector led to serious disorganization in the structure of the agrarian economy. The land redistribution measures, the whole campaign against benami land, and the landlords' response to them also brought into sharp relief contradictions in the interests of the bargadar on the one hand and the agricultural laborers on the other, and, what is more, between classes of bargadar themselves.

The confiscation of excess land led to the eviction of the bargadar

14 Harekrishna Konar, Prabandha Sankalan (Calcutta: National Book Agency, 1975), passim. Konar was the Minister for Land and Land Revenue in the UF governments and is regarded as the architect of the CPM agrarian policy in West Bengal.
who had cultivated it, as there was no provision that the same bargadar
would have a special claim to it at the time of redistribution. The con-
fiscated land was redistributed among poor peasants generally, with
priority given to the wholly landless. For the class of bargadar that was
wholly landless, the redistribution amounted to a net gain, over and
above what was earned from its share as bargadar. But those bargadar
who had some land of their own, but had taken on additional land on
barga (the "viable" bargadar), stood to gain nothing in the redistribu-
tion and indeed suffered a net loss upon the confiscation of the excess
land and its redistribution to other, less advantaged, peasants. Similarly,
the interests of the bargadar as a whole were at variance with the inter-
est of the agricultural laborers. Conversion of agricultural land into
fisheries created employment for the laborer but threw the bargadar
off the land.

Cultivation by bargadar and cultivation by laborers represent two
different modes of economic organization, under some conditions mu-
tually substitutable. To many landlords the political measures to ad-
vance the rights of the bargadar at their expense made the alternative
mode more compelling than ever before. This was particularly the case
in the areas where the "Green Revolution" had been successful and
made "direct" cultivation with laborers more profitable than barga
cultivation.

Thus what was advantageous for one was not for the other. These
internal contradictions among poor peasants themselves splintered the
fledgling solidarity among them. The CPI emerged as the champion of
the bargadar, and the CPM of agricultural labor. The rivalry between
the two parties and the fissure in the peasant movement contributed to
the fall of the second UF, and consequently to the landlord backlash
and the restoration of landlord superiority. Nonetheless, it can still be
held that the extent to which the reform was effectively implemented
was due to the reduction in the inequality between the landlords and
the peasants—in the political sphere by the withdrawal of state support
for the landlord and the rise of militant local committees and peasant
unions; and in the economic sphere by the confiscation of benami land
and its redistribution.

Conclusions

The fall of the UF and the revanchism of the landlords were cata-
strophic for the bargadar. In the tumult of political murder and may-
hem that characterized West Bengal politics at the time, the erstwhile
radical peasant combinations in the villages disappeared, leaving the
hapless bargadar alone and more vulnerable than before to the wrath
of the landlords and their allies. Eviction and other forms of victimiza-
tion of bargadar have been widespread. In addition to landlord reac-
tion, there have been other forces making the very existence of the
barga system precarious. The land reform Act was not merely an at-
tempt to increase the bargadar’s share but, more crucially, to transform
the barga relation, historically the bargadar’s obeisance to the landlord,
into one based on legally enforceable reciprocities. That is, it sought
to create in law rights for the bargadar where none had existed before.
But the attempt was made before the bargadar were economically and
politically capable of realizing and asserting those rights.¹⁵

The Act was also an intervention to thwart the play of normal
market forces, determined in this case by land-labor ratio, and to allo-
cate greater returns for labor than the market would bear. To be effec-
tive, such interventions seem to require a colossal mobilization of the
state apparatus, the judiciary, political parties, and the peasants them-
selves, and numerous other reforms in the related factor market. The
routine bureaucratic operations are clearly unable to sustain them. But
such mobilizations, besides being inherently difficult, are, in a competi-
tive political system, precarious, and their failure exposes the intended
beneficiaries to greater injury that the pre-reform system itself.

¹⁵ P. N. Junankar, “Green Revolution and Inequality,” EPW, Review of Agri-
culture, March 1975, pp. A15–A18; Khoda Newaj and Ashok Rudra, “Agrarian Trans-
formation in a District of West Bengal,” EPW, Review of Agriculture, March 1975,