

PN-AAD-926

AGENCY FOR INTERNATIONAL DEVELOPMENT

SPRING REVIEW

COUNTRY PAPER

LAND REFORM

IN

BIHAR, INDIA

JUNE 1970



AGENCY FOR INTERNATIONAL DEVELOPMENT

SPRING REVIEW

LAND REFORM

in

BIHAR, INDIA

THE AGRARIAN STRUCTURE IN BIHAR

by

F. Thomasson Januzzi
University of Texas

June, 1970

Country Papers represent the views of their authors and are not generally intended as statements of policy of either A.I.D. or the author's parent institution.

SR/LR/C-22

Table of Contents

	Page
I. Introduction: A Perspective on Agrarian Reforms in Bihar	1
II. History of the Development of Intermediary Interests	8
III. Abolition of Intermediary Interests (Zamindari Abolition) in Bihar	13
Background to 1950 Act	13
Provisions of Bihar Land Reforms Act, 1950	18
Implementation of 1950 Act	21
Amendment of 1950 Act (Bihar Act XX of 1954)	25
Amendment of 1950 Act (Bihar Act XVI of 1959)	28
Effects of 1950 Act, as amended, on Intermediaries	28
Effects of Ceiling Legislation in Bihar	36
IV. Post-Abolition Status of Intermediaries in Bihar	39
V. Rural Reactions to "Zamindari Abolition"	44
VI. Some Political Repercussions of "Zamindari Abolition"	55
Conversion of Peasants' Apathy	55
Weakening of Traditional Power Structure	56
Opening of Alternatives to the Traditional Power Structure	57
VII. The Role of the Government of India in Enforcing Implementation of Land Reforms in Bihar	63
VIII. Policy Options for the Agency for International Development	66
A Policy of Benign Neglect	66
A Policy of Working with the "Haves"	68
A Policy of Using Aid as a Lever	72
A Policy of Regionalizing Foreign and Indigenous Assistance	73

I. Introduction: A Perspective on Agrarian Reforms in Bihar

For many years now we have lived with the rhetoric of agrarian reforms in India. Both prior to independence and in succeeding years it has seemed appropriate for the Government of India to record periodically the need for agrarian reforms, especially land reform. Successive documents of Government have referred to agrarian reforms as necessary to assure favorable conditions for increases in agricultural production within an environment of social justice. Successive leaders of the ruling Congress Party have employed the language of agrarian reform when confronting appropriate sections of the electorate. There have been repeated directives from the Center to the states both to enact reforms and to implement them. The Center, however, has been able to exercise only an exhortatory role in dealing with the states on agrarian reform issues. A gulf persists between reforms that have been verbalized and those that have been implemented in the constituent states of the Union. That this gulf exists in 1970 has again been made conspicuous by the recent demand of the "new Congress" that the state governments implement, "as a matter of urgency", existing laws on land reform by no later than 1971.

The beginning of perspective on the problem of implementing agrarian reforms in India is the realization that the Republic is a union of states, each of which has retained certain prerogatives and functional responsibilities under the Constitution. Within this constitutional framework, the responsibility for enacting and implementing agrarian reforms has rested with the states. In these circumstances, whatever the directives from New Delhi to the states on agrarian reforms, there has been implicative diversity of response. What has been accomplished in the states has been in spite of numerous obstacles, not the least of which has been the widespread opposition of landed interests on whom the Congress Party has relied for the maintenance of its political power in many regions of the country. Moreover, since India's agricultural history is one of complex land tenure systems and agricultural problems, differing extraordinarily from province to province, district to district, and indeed village to village, the tasks of the state governments have been unenviable.

Further perspective on agrarian reforms in India can be gained from intensive scrutiny of programmes in various states and regions. This paper will deal mainly with the State of Bihar, one of the first states to initiate agrarian reforms through the enactment of legislation to abolish the zamindari system, but among the last states to implement such reforms.

Ideally, an intensive survey of the State would include valid, state-wide statistical data. However, there are great shortcomings in the statistical data pertaining to the agricultural sector of Bihar. Data shortcomings derive, in part, from the fact that the British Government of India had no direct interest in keeping careful agricultural records in a region in which it had settled estates with zamindars on annual revenues fixed in perpetuity, whereas many useful agricultural records were maintained for raiyatwari areas from 1884-85. The most useful records for the Bihar region (particularly records pertaining to the rights in land of various classifications of peasantry in the State) were those of "survey and settlement" operations conducted at 30 to 40 year intervals. These records, compiled for each village, normally showed all the different plots of land, their size, the crops grown on each plot, irrigation facilities available, and the record of rights of the various classes of "tenants." Regrettably, as pointed out in the paper which follows, up-to-date survey and settlement records are not available for Bihar as a whole, though survey-settlement operations have been completed in certain districts. Such records are indispensable for those who would seek to develop rural development programs designed to meet actual conditions in the State in the period since Indian Independence -- a period in which legislation

(sometimes referred to as land reform legislation) affecting Bihar's agrarian sector has been enacted.

Even when current records are available, their accuracy will be in doubt because the last twenty years or so have been years in which great efforts have been made by those seeking to establish their rights in land to confuse officialdom by withholding and distorting relevant information.

This is not to suggest that we are totally lacking in data for Bihar. Some statistical information for the agricultural sector is available from sources such as the Central Bureau of Economics and Statistics, Government of Bihar, and from 1951 and 1961 Census reports. Yet, much of such information, is either deficient or misleading when we come to consider questions such as the following: How much land in contemporary Bihar is controlled by how many "ex-intermediaries"? How much land is controlled by how many "occupancy-raiyats," including the ex-intermediaries? How much land is controlled by other classifications of "raiyats," "under-raiyats," and others? How many of Bihar's ex-intermediaries are taking a direct interest in cultivation in the post-zamindari abolition period? How many can still be classified as absentee landlords? Which classes, with what rights in land, are adopting new farming practices? Which classes, with what rights in land, are not adopting such practices?

What do we know about the distribution of income in Bihar among various classifications of cultivating and non-cultivating peasantry, share-croppers and landless laborers? Have changes in income distribution been occurring as a result of the introduction of new technology in agriculture? Have changes in income distribution occurred in recent years in Bihar which can be attributed to the enactment of legislation (zamindari abolition and the fixation of ceilings on land holdings, e.g.)? Have increases in output per acre been recorded in Bihar which can be linked to specific agrarian reforms?

Where we are interested in existing relationships of men to land or between various land-holding classes and the tillers of the land, we cannot rely, e.g., on the 1951 Census statement that "88 per cent of the self-supporting cultivators in the rural areas of Bihar cultivate land mainly owned by them, while only 12 per cent cultivate land mainly unowned"; nor can we rely on 1961 Census data which states that the majority of Bihar's rural households (67.8 per cent) cultivate "wholly owned" land. Such figures, and much other data which has been generated in Bihar, conceal more than they reveal about life in contemporary Bihar and the relationship of the people to the land in the agricultural sector. Such statistics tend to conceal the power relationships between those who

control land resources in Bihar and those who lack the means to control those resources.

We come closer to reality in Bihar if we search for statistics which are at least suggestive of the great gulf which separates the "haves" from the "have-nots" in that State. Consider these facts: rural land holdings of 5 acres or less constitute 71.6 per cent of all holdings, and of these holdings 21.5 per cent are of one acre or less; 26.7 per cent of such holdings are between one and 2.5 acres; and 23.4 per cent of such holdings are between 2.5 and 5 acres. Furthermore, while these small holdings are 71.6 per cent of total holdings, they contain only 29.3 per cent of the cultivated acreage of Bihar. The other side of the coin is that rural land holdings of 5 acres or more constitute 29.4 per cent of all holdings, and these larger holdings represent 71.7 per cent of the cultivated acreage of Bihar.

Even these figures give us no indication of the dynamic relationship between those who possess the land and those who struggle to possess it -- e.g., the struggle between those with security of tenure and those who do not have such security. Nor do such figures tell us much about those with uneconomic holdings (especially those with one acre or less) who, in order to subsist, must behave as landless wage laborers for the major portion of every working year.

This paper does not pretend to answer definitively all of the questions posed in this introduction and many others which are considered relevant to the agrarian scene in contemporary Bihar. The paper does examine some of the effects of limited attempts to change the agrarian structure in that State.

The perspective presented in this paper is based on field research in selected villages in Bihar, on numerous discussions over a period of 12 years (1956-68) with officials of the State and Central Governments, on interviews with villagers, "intermediaries" and State political leaders, and on personal observation.

The paper seeks, at least, to raise questions which we believe should be answered before AID develops a strategy for addressing agricultural development problems in a State with Bihar's peculiar history.

II. History of the Development of Intermediary Interests

Several themes are apparent from analysis of the evolution of land systems in Bihar -- an analysis extending into ancient Indian history and traced through the Mogul and British periods. Among the persistent themes are the following: (a) that through successive kingdoms and empires, the ruling authority exercised a right to a share of the produce of the soil;¹ (b) that the right to a share of the produce was frequently and

¹The historical record regarding Indian land systems is variously interpreted. Some writers have contended that the ruler's right to a share of the produce meant that he "owned" the land and the peasantry were his "tenants", paying a share of the produce in the form of "rent". Others have argued that the cultivating peasantry "owned" the land and paid a share of the produce in the form of "tax". Still others have argued that the juristic concept of "ownership" never existed in Indian history until the advent of British rule. The weight of evidence appears to rest with those who suggest (with Danial Thorner) that no system of absolute ownership of land has existed in India. From this perspective, not even the British introduced private property in land. "To no holder was granted the exclusive right to occupy, enjoy and dispose of land which, in practice, is the hallmark of Western private ownership." (Thorner, The Agrarian Prospect in India, p. 7.) While the British did introduce rights normally associated with "ownership" of private property (e.g., rights of transfer, mortgageability and heritability), these rights were always subordinate to the rights of the State, acting as a "super-landlord" claiming a rent-share of produce from the actual cultivators of the soil, many of whom claimed a traditional right of occupancy to the lands they tilled. To this day, it can be argued that private property in agricultural land does not exist in India. This is the de facto situation in Bihar where "ultimate ownership" of land rests with the State following the enactment of various land reform measures.

progressively separated from direct performance of agricultural labor; and (c) that layers of "intermediary" rights (to land and a share of the produce) were established over the centuries between the actual tiller and the ruling authority.

While the above themes can be said to apply in some respects to India as a whole, they are particularly relevant to the situation prevailing in "Permanent Settlement" regions, such as Bihar. The "Permanent Settlement", established by the British in 1793, was made applicable to parts of Bengal, Bihar, Orissa and North Madras. The Settlement was the East India Company's attempt to assume the "ultimate landlord's" right to a share of the produce from the land, while conferring, formally, certain subordinate rights to zamindars of the period. These zamindars were in no sense owners of land, but had been receiving a share of the produce from a defined land area while collecting revenue due to Mogul authorities in the pre-British period. By the "Permanent Settlement" these zamindars were given the right in perpetuity to collect "rent" from lands considered to be under their control in the understanding that a fixed amount in cash would be transferred by them to the Company and, later, to the British Government of India. The zamindars were given absolute authority to make their own terms with their "tenants," the actual

cultivators, the rights to land of such cultivators being entirely ignored by the Settlement.

In this fashion, the British perpetuated and further institutionalized a system of land tenure having many negative consequences. In regions such as Bihar, the actual cultivators were compelled to continue to share their produce with an essentially parasitic class of non-cultivating intermediaries.

Under British rule, little was accomplished (particularly in areas in which the Permanent Settlement applied) to prevent zamindars from demanding increasingly higher shares of the produce from their "tenants" or sharecroppers; also little was accomplished to prevent the eviction from the land of tenants who displeased the zamindar for one reason or another. Yet, the abuses of the system were increasingly recognized by the British and repeated attempts were made (largely through the enactment of difficult to enforce legislation during the latter part of the 19th century) to provide some security of tenure for certain classes of cultivators and to prevent the progressive transfer of rights in land to non-cultivating classes. These legislative attempts to protect the cultivator were of limited value. They addressed some obvious problems, but did not deal with the question of modifying the prevailing land systems. As one British

economist has observed, "Government (meaning the British Government of India) has invariably and necessarily aimed at maintaining and interpreting justly the traditional land systems, radical reforms being politically impossible."¹

Whether radical reforms were "politically impossible" during the British period is open to question. From one perspective, it would not have been an act of political wisdom for the British to restructure Indian land systems in a fashion that would alienate the zamindari classes. To have done so in the regions covered by the Permanent Settlement would have been to break a commitment to rent collecting intermediaries and to jeopardize the collection of the State's land revenue. And, land revenue was for the British Raj (as it had been in the past for others who held the ultimate right to land) a chief source of income for many years. Given such a perspective, an explanation of the absence of radical reforms in Indian land systems during the British period would not rest with the impossibility of such reforms, but instead would suggest greater British concern for the reliable collection of land revenue than for improvement of the well-being of the cultivating peasantry.

¹Anstey, Vera. The Economic Development of India. 4th edition. Longmans, Green & Co., 1957, p. 103.

Whatever the motivations of those who ruled India during the British period, Indian nationalists would later argue that decisions such as the Permanent Settlement would have to be reversed when Independence was achieved for reasons which were largely social and political rather than economic. The Permanent Settlement, they argued, had strengthened the non-cultivating, zamindari classes and had contributed to the degradation of the actual tillers of the soil. The whole system would have to be abolished so as to provide an end to the exploitation of one class by another.

The goal of zamindari abolition was enunciated by the Congress long before 1947 and made explicit following Independence. For a time, "zamindari abolition" became almost synonymous with "agrarian reforms".

III. Abolition of Intermediary Interests (Zamindari Abolition) in Bihar

Background to 1950 Act

Prior to the Bihar Land Reforms Act, 1950, there had grown up in Bihar an intricately stratified system of relationships of people to land. In the Permanent Settlement areas of the State, especially, there were numerous kinds of land holdings. At the apex of the hierarchy was the State. Below the State were the zamindars, tenure-holders, and under-tenure-holders (i.e., those intermediaries who extracted shares of the produce from the land -- meeting their fixed revenue obligations to the State, while reserving a substantial share for themselves).¹ At the base were the peasants with limited rights to land and the landless laborers -- wage laborers with no rights to land.

The hierarchy of interests in land existing in rural Bihar at the time of the vesting of all intermediary interests in the State is shown in the following illustration. The illustration is representative, only,

¹When zamindari abolition legislation was enacted in Bihar in 1950 there were some 474,000 revenue paying intermediaries with permanently settled "estates", representing ninety per cent of the total area of the State.

HIERARCHY OF INTERESTS IN LAND IN BIHAR PRIOR TO THE
ABOLITION OF INTERMEDIARY INTERESTS

The State of Bihar

(the "super-landlord")

The Zamindar

(legally, a "proprietor",
but acting as an intermediary
of the State in the collection
of rent from tenants.)

The Tenure-holder

(acting as an inter-
mediary of the State
in the collection of
rent from tenants.)

The Occupancy Raiyat

(a rent paying holder of land
having the right of occupancy
on the land held by him.)

The Non-Occupancy Raiyat

(a rent paying holder of
land not having the right
of occupancy on land
temporarily in his
possession.)

The Under-raiyat

(a rent paying holder of land having temporary possession
of a holding under a raiyat.)

The Muzdur

(a wage laborer having no rights in land.)

of the hierarchy of interests in land; there were many
unusual relationships which existed according to local
custom. Moreover, many who had interests in land com-
bined roles, functioning simultaneously, for example,
as tenure-holder¹ (i.e., rent collector) over a portion

¹"Tenure-holder" -- "a person who has acquired
from a proprietor or from another tenure-holder a right
to hold land for the purpose of collecting rents or
bringing it under cultivation by establishing tenants
on it, and includes also the successors-in-interest of
persons who have acquired such a right." [Bihar Tenancy
Act of 1885].

of a holding and as a raiyat¹ (i.e., rent payer) over another portion. In practice, the distinction between a tenure-holder and a raiyat was often hard to draw. For this reason provision had earlier been made (in the Bihar Tenancy Act of 1885) that local custom would be a determinant in defining the nature of a tenancy. There was the stipulation also in the Bihar Tenancy Act of 1885 that where a raiyat held more than one hundred bighas (62.5 acres), he would be presumed to be a tenure-holder until the contrary had been shown.

There is a particularly stormy history associated with the eventual enactment of zamindari abolition legislation in Bihar. Powerful intermediary interests in the State used every legal means (and some extra-legal) to forestall action by the State. Legislation, initiated in 1947, to "abolish the zamindari" was challenged in the courts which issued injunctions restraining the State Government from acting. The early Act was eventually repealed. The Bihar Land Reforms Act, 1950, was also challenged and was declared by the local

¹ "Raiyat" -- "primarily a person who has acquired from a proprietor or from another tenure-holder a right to hold land for the purpose of cultivating it by himself, or by members of his family or by hired servants or with the aid of partners, and includes also the successors-in-interest of persons who have acquired such a right." [Bihar Tenancy Act of 1885].

(Patna) High Court to have contravened Article 14¹ of the Constitution of India. Whereupon, the Central Government introduced and the Central Legislature passed the Constitution (First Amendment) Act which validated the Bihar Land Reforms Act, 1950. At this, intermediary interests in Bihar proceeded to challenge the constitutionality of the First Amendment itself in a suit brought before the Supreme Court of India. The Supreme Court unanimously held that the constitutional amendment was valid. At which, legal proceedings designed to test the constitutionality of the Bihar Land Reforms Act, 1950 were once more initiated by interested Bihar zamindars and the matter eventually reached the Supreme Court. Finally, in 1952, the Supreme Court upheld the validity of the Bihar Land Reforms Act, 1950.

The obstructionist tactics of the Bihar zamindars had delayed validation of legislation affecting their interests for five long years. By using every means at their disposal to prevent, delay or dilute the legislation, these intermediaries had served their own interests well. While the public record of the activities of intermediaries during these years remains

¹"The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India." [The Constitution of India, Article 14].

incomplete, the files of the Bihar Pradesh Congress Committee (BPCC) contain papers which, if published, would partially document this chapter in Bihar history. Many appeals to higher authority¹ were channeled through the BPCC. One such appeal reflects the desperation of a particular sub-group of intermediaries, and captures something of the flavour of the period. The appeal was contained in a long memorandum, dated March 25, 1947, from the Maharaja of Chota Nagpur to the Prime Minister of Bihar. Protesting the apparent commitment of the Government to abolish all the zamindaris in the State, the Maharaja urged reconsideration. "The interests of the raiyats and of the zamindars are not antagonistic," he argued; "...they can be adjusted within the present social structure. The rights and interests of the raiyats now-a-days are well protected by codified laws and the zamindars have got no authority over them except the right to realize rent and the rent is an insignificant item in the budget of the raiyat." Elsewhere in the same memorandum, the Maharaja pointed out that, in any event, he hoped he would not be placed in the same category with the other zamindars of the province. He was,

¹ "higher authority" -- for example the late Rajendra Prasad, first President of the Republic of India, a conservative barrister and a son of Bihar, who was expected to give a sympathetic hearing to the pleas of zamindari interests -- and did.

after all, the 61st in a line of "sovereign ruling chiefs" of the area; his credentials had been attested to by the British and by the Moguls before them. He emphasized that his zamindari rights pre-dated the Permanent Settlement of 1793. And, to cap his argument, the Maharaja stated that "Up to the end of last century, the Maharaja was considered as a Feudal Chief and not a Zamindar."

The intermediaries were also well represented in the Bihar Congress Party¹ in an era when that party was overwhelmingly dominant in the State legislature. Exercising leverage on the Party, they influenced its legislative behavior. The provisions of the Bihar Land Reforms Act, 1950, reflect the lobbying skills of those who opposed this legislation. Sufficient loopholes were written into the Act to assure the intermediaries maneuverability within the law in the years which followed.

Provisions of Bihar Land Reforms Act, 1950

Through the Bihar Land Reforms Act, 1950, the Government of Bihar legally abolished the interests²

¹It is no exaggeration to suggest that the dominant leadership in the Bihar Congress came from the "petty and big landlord class", to employ the phraseology of some who do not view that Party with reverential respect.

²"interests" -- referring specifically to their interests in land, including interests in trees, forests, fisheries, bazaars, mines, and minerals, etc. [Bihar Land Reforms Act, 1950, "Introduction".]

of zamindars and tenure-holders¹ and vested those interests in the State. In so doing, the Act abrogated the Permanent Settlement of 1793 as well as such settlements of temporary duration which had existed in Bihar.² By vesting the intermediaries' interests in the State, the Act provided for what is, substantially, a "raiyatwari system".³ That is to say, by vesting the intermediaries' interests in the State, the Act re-established the State's position not only as "ultimate landlord", but also as the direct, revenue-collecting agent.⁴ By means of the 1950

¹"zamindars and tenure-holders" -- those classes holding intermediary interests between the State, the holder of the superior proprietary right, and the peasant.

²There were 739 "temporarily settled" estates in Bihar in 1950.

³"raiyatwari system" -- a system in which the State deals directly with the raiyat, rather than through an intermediary. The raiyat possesses a right to his holding subject to the payment of land revenue to the government.

⁴In the Permanently Settled areas of Bihar prior to the Bihar Land Reforms Act, 1950, as amended, a distinction could be made between the terms "rent" and "land revenue": "rent" was paid by the peasants to intermediaries; the intermediaries, in turn, paid a fixed sum to the State; the sum paid by the intermediaries to the State was "land revenue" [revenue received by the State from its interests in land].

Following the enactment of the 1950 Act, as amended, the distinction between "rent" and "land revenue" is blurred somewhat because the State now holds an exclusive proprietary right to "all rents, cesses and royalties accruing in respect of lands..." not specifically excluded from the terms and provisions of the legislation. Thus, "rent" collections become "revenue" collections now made

Act, even as subsequently amended, the State of Bihar holds exclusive proprietary interest in land, notwithstanding provisions permitting ex-intermediaries to retain certain "revenue-free" lands.

By placing the State in a direct relationship to its "tenants" with an exclusive right to all rents, cesses, and royalties from lands vested in the State, the Act of 1950 provided for an eventual increase in State income from the land (following the development of new administrative machinery for collecting revenue and the fixation of revenue demand on holdings for which no records, or only out of date records, existed).¹

by the State.

It should be noted that there is nothing in the Act of 1950, as subsequently amended, to prevent ex-intermediaries and other classifications of raiyats from "subletting" lands still in their possession and deriving what could be called a rent-share of the produce from those lands.

To avoid confusion in this paper, we shall use the term "land revenue" to refer to payments made to the State; the term "rent" will be used to designate payments [in cash or in kind] made by one private party to another for the use of land.

¹Problems associated with determining revenue demand from the lands and of collecting revenue will be alluded to elsewhere in this paper, but not discussed in detail. It should be noted, however, that revenue collections have lagged from the beginning and costs associated with implementing the Act of 1950 have mounted. Bihar's potential revenue from the land has been estimated to be approximately 85,850,000 rupees or, possibly, as much as 100,000,000 rupees considering potential revenue from agricultural lands, forest lands, and royalties from mines and other miscellaneous sources.

Because the Act seemed to curtail the extractive powers of the intermediary classes, it was hoped by some that the Act would provide new production incentives for certain classifications of raiyats. Yet, there is little indication that the legislators gave serious consideration to the agricultural production implications of zamindari abolition. Indeed, to study the legislation, as enacted, amended and implemented, is to come away with the view that consideration was given mainly to the development of escape clauses and loopholes sufficient to assure minimum change in the agrarian structure of Bihar -- a structure dominated before the Act of 1950 and after it by those traditional elites with superior rights in land.

Implementation of 1950 Act

In May of 1952, having finally established the validity of the Bihar Land Reforms Act, 1950, the Government of Bihar still lacked the means of implementing it fully. (Whether it had the "will" to do so has always been in doubt.) The latest Survey and Settlement records (concerning land-holdings) were nearly thirty years old, and the most obsolete, relating to certain portions of the State, were over fifty years old. Revisional Survey and Settlement operations would take time.¹

¹With some uncertainty, it can be said that Survey and Settlement operations in Bihar have not been

Moreover, the State needed to enlarge its Revenue Department so that there would be revenue machinery capable of coping with added responsibilities -- the collection of revenue without the aid of intermediaries, as well as the creation of up-to-date Survey and Settlement records.

All the Department had required prior to "zamindari abolition" was a record of the number of zamindars or intermediaries in the State and the revenue payable by them. Even these records, however, were not reliable and up-to-date when the Bihar Land Reforms Act of 1950 was to be implemented. With the removal of the intermediaries' function in the collection of revenue, the Revenue Department had to establish direct relations with landholders in more than 68,000 villages. The names of the raiyats had to be recorded together with the nature of their relationships to the land, and the revenue payable by them to the State had to be determined. The out-of-date Survey and Settlement records were consulted, but were essentially useless. Field surveys

completed, as of February, 1970. Interviewed on December 7, 1967, at his residence in Patna, Bihar, K. B. Sahay [the former Revenue Minister and Chief Minister] confirmed that Survey and Settlement operations had not been completed by that date. "Had my Government remained in power" [the Congress had been defeated in the General Elections of 1967], said Sahay, "these operations would have been completed by 1971; this was my deadline."

(the process is known as "field bujharat") were initiated and painfully slow progress was made in creating new revenue rolls. Indeed, by 1963, 13 years after the intermediaries had been legally "abolished" and the State placed in direct relationship with its "tenants", the "field bujharat" (a much less precise exercise than Survey and Settlement operations) had not been completed and verified throughout the State.¹ What is more, this process had apparently not been completed as of December, 1967.²

The failure of intermediaries, zamindars and tenure-holders, to provide Government with personal "estate records"³ further impeded the implementation of the land reforms Act of 1950. In many instances, the zamindars withheld (or did not have available) rent rolls pertaining to their interests. This was in spite

¹See the "Report of Shri Ameer Raza, Joint Secretary, Planning Commission, on Implementation of Land Reforms in Bihar" in Implementation of Land Reforms, A Review by the Land Reforms Implementation Committee of the National Development Council, Planning Commission, New Delhi, August, 1966, p. 43.

²Reliable information regarding the progress of field bujharat in Bihar is difficult to acquire at a distance. Congress Governments were no doubt sensitive on this issue. The statement in the text above is based on conversations with former officials of the Government of Bihar, including Shri K. B. Sahay, in December of 1967.

³"estate records" -- documents pertaining to their right to land.

of the fact that Sections 56 and 57 of the Bihar Tenancy Act of 1885 had entitled a tenant to a rent receipt on payment of rent and stipulated that a landlord "shall prepare and retain a counterfoil of the receipt.". While some of the intermediaries' ancestors may have complied with the provisions of that 19th Century Act, by the time the Bihar Land Reforms Act of 1950 was to be implemented the "white ants" of Bihar (both literally and figuratively) had long since reduced those receipts to dust. Others among the intermediaries' ancestors clearly had not complied with the provisions of the 1885 Act and had (for obvious reasons) maintained a tradition of "oral" leases with their tenants. In any event, few receipts were available for consultation in forming new revenue rolls.¹

Consequently, the first phase of the abolition of intermediary interests, from May through September, 1952, affected only 155 zamindars. That is to say, the first phase of abolition enforcement affected only those intermediaries whose gross annual incomes from their "estates"² had been in excess of Rs. 50,000.

¹In recent years an additional obstacle to the formation of new rent rolls has been the pledge of some of the successor governments [to the Congress] "to abolish" the existing system of land revenue.

²"estate" -- means "any land included under one entry in any of the general registers of revenue-paying lands and revenue-free lands, prepared and maintained under the law for the time being in force by the collector

Amendment of 1950 Act (Bihar Act XX of 1954)

Implementation of the Bihar Land Reforms Act, 1950, continued to proceed slowly until 1954 when the Bihar Land Reforms (Amendment) Bill, 1953 (Bihar Act XX of 1954) removed some of the procedural impediments to more expeditious implementation of the 1950 Act. Whereas the original Act provided for individual notification of "proprietors" or "tenure-holders" that their estates had been vested in the State, the 1954 Amendment Act provided a means of general notification of all intermediaries.¹ Instead of proceeding to "abolish" several hundred thousand intermediary interests in laborious fashion through individual notification, the State was now empowered to publish a proclamation signaling its intention to take over within a specified time all intermediary interests located in any region of the State, or indeed all such interests in the State as a whole.²

In an attempt to assure that the intermediaries relinquished documents relating to their "estates" to the

of a district, and includes revenue-free land not entered in any register and a share in or of an estate..."[Bihar Land Reforms Act, 1950, as amended in 1954, Section 2, Clause (i).]

¹Bihar Land Reforms [Amendment] Bill, 1953 [Bihar Act XX of 1954], Section 3A.

²Bihar Land Reforms [Amendment] Bill, 1953 [Bihar Act XX of 1954], Section 3B.

appropriate officials of Government, the Amendment Act provided for penalties to be imposed on those failing to do so. The District Collector, for example, was empowered to levy fines--up to Rs. 500--on intermediaries who, following the general notification regarding the vesting of their estates, did not submit the necessary information regarding their holdings.¹

The Amendment Act also tightened provisions governing the intermediaries' right to transfer and lease lands held by them prior to zamindari abolition legislation. Where, after the 1st day of January 1946, zamindars were considered to have taken anticipatory action to circumvent the provisions of the Bihar Land Reforms Act, 1950, by transferring or fragmenting their interests for the purpose of defeating any provision of the Act or causing loss to the State, the transactions could be annulled by the District Collector (after "suitable" investigation).²

Similarly, the Collector was empowered to inquire into cases in which zamindars ("at any time after the first day of January, 1946") reduced or remitted rents on their holdings with a view toward denying the

¹Ibid.

²Ibid., Section 4 Clause (h).

State of Bihar its full share of land revenue. And, if the Collector found that reductions or remissions of rent had been made to limit the effectiveness of subsequent legislation, he could cancel these and order restoration of the rents (now revenues) at their original rates.¹

With the authority of the 1954 Amendment Act, some sections of the Bihar Land Reforms Act, 1950, were soon implemented, though it would be difficult for anyone other than a zamindar to suggest that the Government moved precipitately at any stage during the long process leading to what is commonly--if somewhat incorrectly--referred to as the abolition of zamindari interests. In any event, the Amendment Act of 1954 made possible the general notification by which the remaining intermediary interests in Bihar were taken over, legally, on the 1st of January 1956. Yet, much remained to be done--in the face of inadequate land records, rent rolls, etc.--to assure meaningful administration of the Bihar Land Reforms Act, 1950, as amended. There continued to be strong opposition from the zamindars to the enactment or implementation of all measures of land reform in Bihar.

¹Ibid., Section 4 Clause (hh).

Amendment of 1950 Act (Bihar Act XVI of 1959)

Within a few years another Amendment Act, Bihar Act XVI of 1959, was passed and received the assent of the President of India. This Amendment Act made further attempts to clarify the meaning of the original Act and, belatedly, to eliminate loopholes which were impeding implementation of the 1950 Act. The 1959 Act was another episode in the continuing struggle between the State, acting as the super-landlord to protect its interests, and the erstwhile landlords, or intermediaries, whose interests had been assumed by the State. As such, the Amendment Act of 1959 continued to focus on the primary interests (land revenue and compensation) of the principal antagonists, rather than on the interests of the peasantry having a direct, cultivating interest in the land. Nowhere, of course, in any of this "land reform" legislation were the interests of the landless laborers or "bataidars" (sharecroppers) considered. Such was never the intent of the Act of 1950, or the amending Acts of 1954 and 1959.

Effects of 1950 Act, as amended, on Intermediaries

It is sometimes suggested, incorrectly, that (through the vesting of all intermediary interests in the State) the zamindars and tenure-holders of Bihar

lost all rights in land. Such is not the case. Though the State assumed the right to collect revenue directly from its tenants (rather than indirectly through these intermediary classes) and took over the interests of intermediaries in trees, forests, fisheries, minerals, mines, bazaars, etc., in addition to any buildings of an estate used, primarily, for rent collection purposes,¹ Sections 5, 6, and 7 of the Act specifically provided for the retention by intermediaries of certain interests. These Sections have not been altered in substance in the Amendment Acts of 1954 and 1959. The following are excerpts from these important Sections of the Act as amended.

Section 5. (1) With effect from the date of vesting, all homesteads² comprised in an estate or tenure and being in the possession of an intermediary on the date of such vesting shall . . . be deemed to be settled by the State with such intermediary and he shall be entitled to retain possession of the land comprised in such homesteads and to hold it as a tenant under the State free of rent (payment of revenue):

¹The Bihar Land Reforms Act, 1950, as amended by Bihar Act XVI, 1959, Section 4, Clause (a).

²"homestead"--means "dwelling house used by the intermediary for the purposes of his own residence or for the purpose of letting out on rent together with any courtyard, compound... and includes any out-buildings used for purposes connected with agriculture or horticulture and any tank, library, and place of worship appertaining to such dwelling house." [Ibid., Section 2 Clause (j).]

Provided that such homesteads as are used by the intermediary for purposes of letting out on rent shall be subject to the payment of such fair and equitable ground-rent as may be determined by the Collector in the prescribed manner.

(2) If the claim of an intermediary as to his possession over such homesteads or as to the extent of such homesteads is disputed by any person within three months from the date of such vesting, the Collector shall, on application, make such inquiry into the matter as he deems fit and pass such order as may appear to him to be just and proper.

Section 6. (1) On and from the date of vesting, all lands used for agricultural or horticultural purposes, which were in khas¹ possession of an intermediary on the date of such vesting, ... shall ... be deemed to be settled by the State with such intermediary and he shall be entitled to retain possession thereof and hold them as a raiyyat under the State having occupancy rights in respect of such lands subject to the payment of such fair and equitable rent (revenue) as may be determined by the Collector in the prescribed manner:

Provided that nothing contained in this sub-section shall entitle an intermediary to retain possession of any land ... in respect of which occupancy right has already accrued to a raiyyat before the date of vesting.

(2) If the claim of an intermediary as to his khas possession over lands referred to in sub-section (1) or as to the extent of such lands is disputed by any person prior to the determination of rent of such lands under the said subsection, the Collector shall, on application, make such inquiry into the matter as he deems fit and pass such order as may appear to him to be just and proper.

¹"Khas possession"--refers to land cultivated personally by an intermediary or by his own stock or servants or by hired labor or with hired stock. [Ibid., Section 2, Clause (k).]

Section 7. (1) Such buildings or structures together with the lands on which they stand, other than any buildings used primarily as offices... (for the collection of rent)... as were in the possession of an intermediary at the commencement of this Act and used as golas,¹ factories or mills, for the purpose of trade, manufacture or commerce or used for storing grains or keeping cattle or implements for the purpose of agriculture and constructed or established and used for the aforesaid purposes before the 1st of January, 1946 shall; notwithstanding anything contained in this Act, be deemed to be settled by the State with such intermediary and he shall be entitled to retain possession of such buildings or structures together with the lands on which they stand as a tenant under the State subject to the payment of such fair and equitable ground-rent (revenue) as may be determined by the Collector in the prescribed manner.

(2) If the claim of such intermediary as to the possession over such buildings or structures, or lands on which they stand or as to the extent of such buildings, structures or lands is disputed by any person within three months from the date of vesting, the Collector shall make such order as may appear to him to be just and proper.

(3) Where a building or structure, constructed by an intermediary in his estate or tenure after the first day of January, 1946, is used for the purposes mentioned in sub-section (1), the intermediary shall be entitled to retain the possession of such building or structure together with the land on which it stands as a tenant under the State subject to the payment of the rent...if and only if the State Government is satisfied that such building or structure was not constructed or used for the aforesaid purposes with the object of defeating any provisions of this Act.

¹"golas"--used for storage.

The key words of these "saving" sections were "khas possession" and "homestead". Note that "khas possession" referred not only to land cultivated personally by the intermediary, but also to lands cultivated by his servants, hired labor or stock. This broad definition of possession allowed the ex-intermediary to claim land which he did not cultivate himself (prior to "zamindari abolition" legislation)--even though that land was in the personal, cultivating possession of a raiyat, so long as the raiyat did not possess the means (monetary or documentary) of establishing his right of occupancy. Zamindari interests were quick to exploit the "khas possession" provision of the Act. They not only used this provision to evict, legally, their former "tenants" from lands traditionally cultivated by those "tenants," but also attempted to enlarge on the definition of "khas possession" in order to add "new lands" to the estates they planned to maintain, within the law, following zamindari abolition.

The attempt to enlarge the definition of "khas possession" received support, initially, from the Patna High Court. That Court ruled that the term "khas possession" was broad enough to include what was referred to as "constructive possession" of land; this interpretation would have further expanded the right of the intermediary to recover possession of lands which

were, in reality, in the actual possession of a raiyat on the date when the intermediary's estate had been vested in the State. Eventually, however, the Supreme Court overruled the "constructive possession" interpretation of the Patna High Court.¹ This fact notwithstanding, the "khas possession" provision has continued to make possible the legal eviction of thousands of raiyats in Bihar who could not prove that they possessed an occupancy right to the lands they have customarily tilled. In effect, the "khas possession" provision in the Land Reforms Act of 1950, as amended, has enabled even absentee zamindars to abuse grossly the rights of the cultivating peasantry. The existing social order in Bihar has been such that the peasant cultivators generally have been in a subservient position to the ex-intermediaries--even in a Civil Court. Moreover, the dominance of the ex-intermediaries outside the Court has been indisputable. Pressures have been applied to assure that the "cultivating tenant" recognized that he had been working only as a personal servant of the zamindar, or even as his hired laborer. In this fashion, "actual cultivators" not only have lost possession of the lands they had tilled, but also,

¹See the Supreme Court decision in Ramranvijoy Prasad Singh and others v. Bihari Singh, C.A. 195 of 1961 decided on April 25, 1963.

ironically, have sometimes continued to till the same lands under leases which do not jeopardize the absentee zamindars' "khas possession" of the land.

In much the same fashion, the "homestead" provision of the Act has served the interests of the ex-intermediaries. Note that homesteads could be retained revenue free by ex-intermediaries if the homesteads and the lands integral to them were used as private residences. And, in the event that an ex-intermediary decided not to occupy his homestead, he could rent it to someone else within the terms of the law-- so long as he remembered to pay "fair and equitable ground-rent" (revenue) to the State.¹ What constituted "fair and equitable ground-rent" was, in practice, a matter to be "negotiated" between the ex-intermediary and the District Collector. Not infrequently, the Collector could be persuaded to set the revenue payment at a level considered reasonable by the ex-intermediary. If an ex-intermediary was known to have political connections, a Collector might show himself to be particularly amenable to the ex-intermediary's persuasion.

¹Bihar Land Reforms Act, 1950, as amended in 1954 and 1959. Section 5, Clause (1).

To summarize, the saving provisions of the Act (a) allowed the ex-intermediary to retain certain portions of his original estate as an occupancy raiyat (i.e., as a tenant of the State with occupancy rights), subject to the payment of revenue to the State and (b) permitted the ex-intermediary to retain another portion of his estate revenue free. Finally, the loose definitions of the terms "khas possession" and "homestead" have been fully utilized by the ex-intermediaries, permitting some of them to retain all of the lands they held prior to abolition, excepting only those lands to which an occupancy raiyat had incontrovertible, documentary evidence in support of his claim. Consequently, it was possible, as recently as March of 1968, to find ex-intermediaries in possession of estates comprised of 2000 acres or more. Some were held within the terms and conditions of the Bihar Land Reforms Act of 1950, as amended. Others were evidence of the capacity of some of the more powerful zamindars to circumvent the legislation.¹

¹Queried on this subject on December 7, 1967, the former Chief Minister and Revenue Minister, K. B. Sahay, confirmed the existence of such estates and admitted tersely that "The largest zamindars have managed to circumvent the legislation."

Effects of Ceiling Legislation in Bihar

Dividing their "estates" among family members living, dead, and nonexistent, withholding and tampering with records applying to their "estates", establishing bogus "cooperative farms", and employing the savings provisions of the Act of 1950, as amended--using these and other means available many ex-intermediaries have demonstrated ingenuity in adjusting to "post-abolition" conditions.

In this connection, they also acted to delay the enactment of legislation that would have fixed a ceiling on the size of existing and future family holdings. Such legislation was introduced in Bihar as early as 1955 when the Bihar Agricultural Lands (Ceiling and Management) Bill was framed and referred to committee. When the Bill was presented, Shri K. B. Sahay, the Revenue Minister, supported it with the following argument.

"About eighty-six per cent of the total population of this State is dependent upon agriculture for its livelihood. Owing, however, to limited availability of land for cultivation and the existing inequitable distribution...(of it)...about thirty per cent of the agricultural population of the State is landless and a vast bulk of the rest own fragments which prove far too uneconomic for efficient cultivation. One of the ways to provide land to the agriculturists of this class is to fix ceilings

on individual holdings and to distribute the lands in excess of the ceiling to them.

Most of the land-holders do not cultivate all their lands themselves and employ sub-tenants to bring the same under cultivation...Such an arrangement, by which large areas of land are cultivated through sub-tenants, is not conducive to efficiency in agricultural production. It has been found by experience that unless the land is owned by the tiller his incentive to production does not reach the optimum point....(If) surplus lands are taken away from the land-holders and distributed to landless workers or holders of uneconomic fragments it will contribute to efficiency in agricultural production."¹

Without going into the merits of Sahay's argument or the provisions of the proposed Ceiling Bill (which contained some stringent and some flexible clauses)², it should be stated here only that the Government of Bihar was able to develop neither public nor governmental support sufficient for the Bill's enactment, and the Bill was put into storage until a

¹Sahay, K. B., "Statement of Objects and Reasons", Bihar Agricultural Lands [Ceiling and Management] Bill, 1955. Secretariat Press, Patna, Bihar. 1955 [Parenthetical expressions, my own.]

²As an example of a fairly stringent clause, the following might suffice: "Lands held separately by different members of the family of a land-holder shall be deemed, for the purposes of fixing the ceiling area under this section to be lands held by the land-holder."

As an example of a "flexible" clause, consider the following: According to Clause 11 of the proposed Bill, it would be possible for a land-holder to hold lands in excess of his personal ceiling so long as he held less than three hundred acres, and so long as he farmed his "excess" lands in "...accordance with the principle of good husbandry."

diluted version was enacted into law in 1962 (Bihar Act XII of 1962, i.e., The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961).

Little has been done to implement this Act. By June of 1964, the Government had managed to appoint a small staff ("consisting of one upper division clerk for each sub-divisional headquarters"...), but no higher staff had been designated and printed forms related to data collection required for the Act's implementation were just then becoming available.¹ Nor was there indication by March of 1968, when the author last talked to officials of the Government of Bihar, that significant progress was being made toward implementation of the Ceiling legislation, notwithstanding periodic exhortations from the Central Government to enforce the law. Indeed, there was every indication at that time that even non-Congress governments would not push for implementation of the legislation in its present form.

¹See "Implementation of Land Reforms" (A Review by the Land Reforms Implementation Committee of the National Development Council), Planning Commission, New Delhi, August, 1966. p. 47.

IV. Post-Abolition Status of Intermediaries in Bihar

Comprehensive and valid statistical information on the post-abolition status of the several hundred thousand ex-intermediaries whose interests were affected by the Bihar Land Reforms Act of 1950, as later amended, is not available. Indeed, as pointed out earlier, such information has largely been lacking for the implementation of the Act itself. State-wide statistical analysis having to do with the effects of the legislation on those whose interests were most directly concerned is therefore impossible.

However, a profile of the effects of the legislation on the ex-intermediaries can be drawn from case examples. In general that profile would differ in accordance with the size of the ex-intermediary's holdings and his income from them prior to the abolition legislation. In other words, the larger the holdings, the greater was the power of the intermediary both prior to and after the enactment of the legislation. Using his power, he was able to exercise political leverage, legal evasion, and "social persuasion" to protect himself against the excessive erosion of his interests. Using his power, he was more able to ensure that he received some compensation for those interests

that he did lose--more able, that is, than intermediaries whose holdings were small.

The smaller intermediary was less able to exercise political leverage, even at the district level and below. He was less able to afford extended litigation and less able to assure the outcome of such litigation into which he was obliged, by circumstance, to enter. And, even at the village level, he was less able to preserve or enhance his rights by intimidating his tenants. In this general category of intermediaries were thousands with "estates" which had yielded the rupee equivalent of \$200 or less per annum. Many so classified could be considered "resident zamindars" (and tenure-holders) who lived in rural areas and supervised their interests personally, but at a distance from the plow. Others so classified, had migrated to the cities and towns of Bihar prior to the enactment of the Act of 1950 and had acquired, for example, positions in the "services", frequently at clerical grades which permitted few frills and barely allowed the maintenance of an image of "middle class respectability" or genteel poverty. For many such, zamindari abolition legislation ended forever their indirect association with the land. For them, losing even a tenuous link with the land was to be reduced in social status and self-esteem, whatever the economic loss.

Yet, an unknown number of ex-intermediaries have preserved or enhanced their socio-economic status. By way of illustration, consider the evolving situation since 1956 in one of Bihar's 68,000 villages.¹

Prior to the Act abolishing intermediary interests in Bihar, a single zamindar held exclusive intermediary rights over all lands of the village. His estate in this village encompassed 600 acres. This zamindar, though a non-resident, was the most powerful figure in the village. Essentially, his was a life and death hold over the people who tilled the lands over which he exercised control. Because this zamindar was numbered among the leading intermediaries of Bihar (having gross annual income from his several estates² in excess of Rs. 50,000), he was among those whose interests were first vested in the State in September, 1952.

In December 1956, more than four years after the abolition of the zamindar's intermediary interests, he still retained absolute control over approximately

¹The village is well known to the author of this paper. He lived in it for substantial periods in 1956-57 and visited it on other occasions in the period 1956-68.

²"estates" -- referring to the zamindar's holdings in the village being discussed together with holdings elsewhere in the District of Muzaffarpur.

500 acres of land in the village. This was his "homestead" within the terms of the legislation. In 1968, eighteen years after the abolition of his interests, he exercised control over a few more acres than he had in 1956. He held these lands, and still holds them, in accordance with law. (Ceiling legislation, as discussed above, has not been enforced with regard to his holding.)

He is still an absentee landlord, but now has the status of an occupancy-raiyat. He has established little more direct interest in the land than he had years ago. His lands are tilled exclusively by hired laborers. These laborers are employed on a daily basis at piece rates which have not changed substantially in 20 years, though increases in output on these "homestead" lands have been registered in this period.

What, one asks, has changed in this village as a result of "land reform" legislation? Where before the zamindar exercised control over an estate comprised of 600 acres, he now cultivates in absentia a revenue free holding of something over 500 acres of "homestead" land. Where before abolition, 12 households had leased lands of the zamindar and tilled them, now the same households and their descendants are landless laborers--having been evicted from the "homestead lands" they had tilled. Reduced in status and income, they now till the same

lands as "hired laborers." Nor is the record in this village complete. The ex-zamindar may yet institute legal proceedings to claim approximately 100 acres of land over which his control has been loosened. Sixty-one households believe that they have the status of occupancy-raiyats (within the terms of the Bihar Tenancy Act of 1885, as amended)¹ and can retain the lands they currently hold. But, without unusual outside intervention in their behalf, the likelihood is that not too many more years will pass before the ex-zamindar again enjoys control over all the lands he once had within his "estate" in this village.

¹See Chapter V of the Bihar Tenancy Act of 1885, as amended. It is not implied here that those who are claiming occupancy-raiyat status do so by referring to chapter and verse of the Act of 1885.

V. Rural Reactions to "Zamindari Abolition"

As early as 1956, the peasants in the village discussed above tended to view zamindari abolition with mixed feelings. Few could be said to be articulate on the subject, but some were capable of expressing both resentment and acceptance--resentment that the ex-zamindar retained 500 acres of land and a dominant place in their lives, resentment from discovering that they would be expected to make revenue payments to the State at rates at least equal to those previously paid to the zamindar, and acceptance of conditions as they were, had been and were likely to remain. Their sense of acceptance seemed related to a belief, reinforced by experience, that little would happen in their lives that would positively affect their personal circumstances.

Over the next twelve years (through March of 1968), changes did occur in the village, though few of the changes were perceived as favorable by the people who lived there. A school was built with a Government subsidy. A power line reached the village, making possible the introduction of electric-powered tube wells on the lands of the ex-zamindar. Two tractors were purchased by the ex-zamindar for use on his homestead lands, reducing demand for hired labor on his lands.

Hybrid seeds, developed at the local PUSA agricultural research station, were introduced on the ex-zamindar's lands, as was chemical fertilizer. By 1968, by some standards, the absentee ex-zamindar could be classified as a "progressive" farmer--well deserving of Government credit at reasonable rates and of subsidized inputs.

The years since 1956 have been ones of unprecedented penetration of this village by outsiders. There has been the penetration produced by the rhetoric of the politician soliciting votes in successive General Elections. There has been the penetration produced by the son who migrated to the city in search of employment and returned frustrated, but with new perspectives on the world outside. There has been the penetration of those functionaries of Government who, while failing frequently to institute programs that have produced substantial change in the villager's standard of life, have nonetheless articulated new concepts of "social justice" and "agrarian reform" and of rights that extend to the weaker sections of a village community. There has been the penetration of the printed word and other media of communication. The total effects of these various penetrations of the village are difficult to discern and still more difficult to measure. Yet some changes in attitude among the people are obvious. Where

in 1956 the physical, social and economic structure in the village was accepted as datum, there was, in 1968, a new capacity for even the lowest in the village hierarchy, the totally landless laborers, to express the need for change and to become agents for change. Deepening frustration was expressed by all classes of villagers regarding their status and economic vulnerability. The inarticulate were becoming articulate. Many who earlier had referred to the immutability of their condition were now prepared to cry out in protest against the circumstances which denied them the capacity to provide the barest necessities for their children. In general, there was a new capacity among the villagers in 1968 to express anger and to look toward the day when the "homestead" lands of the landlord might become their own.

The mood of frustration and anger was being nurtured by the village school teacher who seemed intent on focusing attention on "landlord and government interests". His own inspiration was derived openly from Maoist and neo-Maoist writings.^{1 & 2}

¹Reference is made here particularly to some of the writings of Le Duan, First Secretary of the Communist Party of North Vietnam.

²Ignoring the prevailing mood in the village, there are government officers who consider this a model community--a village in which the benefits of new tech-

The rising and increasingly articulated sense of fear and frustration expressed by these villagers is representative of the mood existing in several districts of Bihar--a mood of anger based partly on a misconception of the purposes of zamindari abolition legislation.

The general purposes of the Bihar Land Reforms Act, 1950, as amended, together with the specific provisions of the Act, were not well known in villages intensively surveyed by the author. Nor is there evidence that specific information regarding the meaning of land reforms legislation has been disseminated purposefully in rural areas of the State by the Government of Bihar. This seemed to be the situation in 1956-57, and there appeared to be little change ten years later. "No steps appear to have been taken by the State Government for educating the people about the rights conferred upon them by the various land reform measures through the distribution of publicity material (apart from some material about the consolidation of holdings and survey and settlement)."¹ New systems for the collection of

nology in agriculture are obvious, a village worthy of being shown to outsiders (including a U. S. Government official in 1968).

¹Implementation of Land Reforms, A Review By the Land Reforms Implementation Committee of the National Development Council. Planning Commission, New Delhi, August, 1966, p. 44.

land revenue and the previously mentioned process of field bujharat have contributed to peasant awareness that changes were taking place in the traditional land system, but "No systematic attempt appears...to have been made to inform them in detail of the rights conferred upon them and the action they should take to avail of these rights."¹

Having learned about land reform legislation mainly through non-official channels of communication, the peasants entertained confused notions about the meaning of the legislation. It was widely known that Government had "abolished Zamindari interests", but there was imperfect understanding of what this meant. Some, particularly the few who were literate, had high expectations. These can be summarized as follows: first, it was understood that "forced labor"² on lands of the zamindar or tenure-holder had been abolished; second, it was understood that "high"³ rents

¹Ibid.

²Whether large numbers of intermediaries in Bihar customarily used forceful methods on laborers working their (the intermediaries') estates is not known. However, forms of "forced labor" have existed in Bihar and were in evidence in some of the surveyed villages. Some landless laborers remain scarcely more than indentured servants.

³"high" rents--referring to the villagers' attitude toward rent in the rural areas surveyed.

would be lowered; third, it was understood that the land reforms Act would bring with it sweeping tenancy reform.

Among the enumerated expectations, the understanding that zamindari abolition would bring tenancy reform seemed to be most commonly held. Tenancy reforms meant different things to various classifications of villagers. The occupancy raiyats, who believed they could confirm their rights in land, were the least concerned about tenancy reform.¹ The non-occupancy raiyats, whose rights in land were insecure² expected

¹Under the Bihar Tenancy Act of 1885, an "occupancy raiyat" has security of tenure. His "landlord" (previously an intermediary) and now the State could eject him legally only "...in execution of a decree for ejection passed on the ground that he has used the land in a manner which renders it unfit for the purposes of the tenancy, or that he has broken a condition consistent with the provisions..." of the Bihar Tenancy Act of 1885. (Bihar Tenancy Act of 1885, as amended, Section 25.)

²"insecure"--referring, especially, to the ease with which the zamindar could (or the State can) legally eject the non-occupancy raiyat. The ejection provisions pertaining to non-occupancy raiyats are included in Sections 44 and 46 of the Bihar Tenancy Act of 1885. Excerpts from these provisions are presented below.

Section 44. "A non-occupancy raiyat shall, subject to the provisions of this Act, be liable to ejection on one or more of the following grounds, and not otherwise, (namely): - (a) on the ground that he has failed to pay an arrear of rent, (b) on the ground that he has used the land in a manner which renders it unfit for the purposes of the tenancy, or that he has broken a condition consistent with this Act and on breach of which he...is liable to be ejected;...(d) on the ground that

the tenancy reform accompanying zamindari abolition to mean that they would receive occupancy rights. Even the landless, who generally derived the major portion of their incomes from labor in the fields of the non-cultivating zamindar or tenure-holder, had some expectations, generated by rumour, that they would be granted occupancy rights over some parts of the land they cultivated as wage laborers.

Unfortunately for the villagers, whatever their rights in land, the Bihar Land Reforms Act, 1950, as amended in 1954 and 1959, was not designed to meet their expectations. Nor could it have been. The opposition to the Act would have been increased had there been provisions in it affecting meaningfully the occupancy rights of cultivating tenants, sharecroppers and landless laborers. The record of long and difficult political and legal struggle necessary for the

he has refused to agree to pay a fair and equitable rent determined under Section 46, or that (the) term for which he is entitled to hold at such rent has expired."

Section 46. "A suit for ejection on the ground of refusal to agree to an enhancement of rent shall not be instituted against a non-occupancy raiyat unless the landlord has tendered to the raiyat an agreement to pay the enhanced rent, and the raiyat has, within three months before the institution of the suit, refused to execute the agreement." If a fair and equitable rent, as determined by a competent court of law, is accepted by the raiyat, "he shall be entitled to remain in occupation of his holding at that rent for a term of five years from the date of the agreement" after which he is liable to ejection unless he has acquired a right of occupancy.

enactment and partial implementation of the Act of 1950 provides some documentation for the view that the Act was the most progressive measure possible under the circumstances existing in Bihar at the time of the legislation. A State legislature controlled by essentially conservative forces enacted legislation which impinged on the interests of the intermediaries only in so far as was necessary to redefine the rights of the "super-landlord", the State. The mass of the peasantry would have to wait a bit longer for the structural changes in the land system that a few were beginning to want.

As information regarding the Act began to filter down from the administrative heights in Patna to the districts and villages of Bihar, those who had had high expectations, based as they were on false interpretation of the purposes and provisions of the Act, were most filled with disillusionment. New rumours replaced the old. Some observed cynically that Government had no intention of ending systems of forced labor on the lands of ex-intermediaries. Others saw the likelihood that land rent would be enhanced by the State to assure payment of compensation to ex-intermediaries.¹

¹In order to meet the compensation payments provided for in the Bihar Land Reforms Act, 1950, and to secure additional revenue for State development

Cynicism deepened as time passed and the ex-intermediaries, in claiming khas possession of land, evicted peasants who had previously tilled the land, even those who assumed that they had an occupancy right to the land and could not be evicted.¹ Even occupancy raiyats began to feel insecure, and with good reason if they had no means of proving their right to the land they tilled personally or with hired labor.²

projects, there has been persistent talk among some economists and politicians of the need to tax the peasantry more heavily. For example, K. B. Sahay, interviewed by the author in March of 1968, said that land revenue needed to be doubled, at least. As Sahay put it, "The State is almost bankrupt and despite all that is said to the contrary, I am convinced that the people have the capacity to pay enhanced land rent-- but I would be quickly attacked for daring to suggest this." Of course, the rumour mentioned in the text above that land rent would be enhanced as a consequence of the Act of 1950 was no more than that; the Act neither explicitly nor implicitly provided for increasing the amount to be paid by the peasant landholder.

¹To claim khas possession of lands held by non-occupancy raiyats is legally in conformity with the provisions of Section 6 of the Bihar Land Reforms Act, 1950, as originally passed and as amended.

²To claim khas possession of lands held by occupancy raiyats is forbidden by Section 6 of the Bihar Land Reforms Act, 1950, as passed and subsequently amended. Hence, occupancy raiyats were legally protected if they could produce documents to support their claim. In the absence of such documents, they could, of course, be evicted--and many were.

Cynicism was soon replaced by fear as evictions grew in number and no man knew whether he had security of tenure. All evictions, whether achieved within or outside the law, were threatening and came to be considered by raiyats and under-raiyats alike to be infringements on their "right" to hold, indefinitely, lands in their cultivating possession. An eviction notice was especially feared by the bataidar, or share-cropper, who realized that his only option was to join the ranks of the landless laborers.

Showing apparent responsiveness to the fears being articulated by a section of the peasantry, some legislators introduced a bill in 1954 which, if enacted, might have given increased security of tenure to a number of the weaker peasantry, especially those classified officially as "non-occupancy raiyats." "The bill aimed to protect this group of very weak tenants against unlawful dispossession...(mainly). As soon as these provisions were announced serious opposition developed, particularly to the clause conceding to the under-raiyat the right to obtain a summary inquiry for restoration of possession. The employees of the Secretariat of the Government of Bihar held a meeting to voice objection to the measure. Local bar associations attacked it as a threat to 'proletarianize the middle classes.' A

prominent Congressman and Bhoodan worker, Mr. Baidyanath Choudhary, expressed fear that the land owners might lose their 'right to cultivate the land themselves at any minute they may like... Under the proposed legislation they would not be able to claim their land once let out to bataidars.' Although the Chief Minister described the opposition to the bill as reactionary, and the Revenue Minister was reported to have said he would stake his career on the issue, the landlords carried the day. The measure was sent back for revision, i.e., put into storage."¹

Evictions of raiyats, under-raiyats, and bataidars continued and fear was unabated in the countryside. Uncounted thousands of cultivators unable to prove occupancy-raiyat status lost whatever interests in land they had customarily held. This was the situation in 1954 in rural areas of Bihar. It was the situation in 1968. Nothing seems to have happened since which would lead one to believe that the cultivating peasantry of the State are any less liable in 1970 to eviction from the lands they have tilled.

¹Thorner, Daniel, The Agrarian Prospect in India. Delhi University Press. 1956, pp. 33-34. (Parenthetical insert, the author's.)

VI. Some Political Repercussions of "Zamindari Abolition"
Conversion of Peasants' "Apathy"

Disappointment, fear and anger is increasingly articulated in villages in Bihar, especially in those districts where an "organizing force," such as our village school teacher, is present. The possibility that peasant frustration may be converted to action is increasingly evident.¹

Thus it is that one of the more important effects of "zamindari abolition" in Bihar will be in the socio-political arena rather than the purely economic one. This effect is not rooted in the successful application of legislation to eliminate the intermediary interests between the State and the peasants nor is it rooted in the abortive attempts to restrict abuses of such legislation. It is, on the other hand, rooted in the failure of such legislation to meet the needs and expectations of the rural masses.

It is not our purpose here to argue that "zamindari abolition" did not weaken the economic and social position of many ex-intermediaries. It is our

¹"evident"--e.g., in the political realm in 1967 when pro-Congress votes were less easily mobilized in rural areas, and in violent action taken by bands of peasants to reap forcibly the fields of "petty" ex-intermediaries.

purpose to point out that by raising the expectation of change in the lot of the peasant and not fulfilling that expectation to the satisfaction of the villagers, "zamindari abolition" has contributed to the development of a new (and as yet little organized) political force in Bihar. Whether that power can be successfully tapped and controlled by those who have traditionally held power in Bihar now becomes a question of consequence.

Weakening of Traditional Power Structure

Those who have dominated the political power structure in Bihar have been, generally, of high caste and economic status. That is to say, the high ritual and social status of castes such as the Bhumihars, Brahmans and Rajputs has been reinforced by high economic status derived from proprietary interests in the land.

The political history of Bihar since Independence is one of shifting government coalitions organized largely on caste lines (perhaps more purely on such lines than in any other Indian State). Personal and other rivalries have, until recently, been confined to and acted out within and among the dominant communities. Members of opposing dominant groups have been able, in the past, to unite when the interests of all

were threatened. The successful opposition to the enactment and implementation of radical land reform measures is an example of the power of the politically dominant to exclude other communities from the decision-making process. Thus, until the Elections of 1967, the appearance of political stability was maintained in Bihar; the in-fighting among the traditional elites was contained essentially within the Congress monolith which they controlled.

During the 1967 General Elections in Bihar, it became evident that those holding power were no longer able to reach consensus regarding the "rules" that should be applicable to the politics of shifting coalitions previously employed within the Congress. It seems that the traditionally dominant groups no longer can decide among themselves how to divide the prerogatives of power.

The breakdown of the Congress monolith in Bihar adds significance to the increasing demands of groups lower in the traditional hierarchy for a role in decision-making within the existing political structure, or, failing that, for the destruction of that structure.

Opening of Alternatives to the Traditional Power Structure

During the next decade, it seems likely that there will be a continuous, though not always obvious,

erosion of the power of the established high caste and landed interests of Bihar. New demands are being generated from below. Once generated, these demands will not cease. And, the masses of Biharis will be much less easily manipulated in the 1970's than in the 1950's,¹ when promises of change were acceptable substitutes for action. The more traditional elites, in order to maintain power, will undoubtedly weigh alternative strategies. Some will attempt to maintain power through the more traditional Bhumi-har, Brahman, Kayastha, and Rajput understandings and trade-offs. Others will seek to build alliances of convenience with rural-based caste and interest groups in the hope of maintaining indirect control over rural voters. Such a strategy implies the making of specific concessions to the demands of numerically strong groups, such as the Yadavs. Still others may attempt to involve themselves directly in the mobilization of segments of the peasantry through the utilization of local issues.

It is this last strategy which some believe could lead to peasant uprisings in Bihar during the next decade.² While there is little evidence to suggest

¹Gone forever, one suspects, are the days (1957) when Minoo Masani (now a Swatantra leader) could run for office and be elected from a region of Bihar settled by tribals, whose language Masani did not know.

²Jaya Prakash Narayan, when interviewed by the author in March of 1968, was among those predicting violent uprisings in Bihar in the years immediately ahead.

that revolutionary activities are likely to be initiated by the peasantry themselves, such activities could be brought about through an alliance of a disgruntled and potentially revolutionary intelligentsia in the cities and groups seeking dominance in the countryside. Such an alliance would exploit the persisting gap between those who rule and the masses of the peasantry (the classic gap between town and country which one finds in so many developing societies); it would exploit existing and growing tensions in rural areas between those who control land and those who want land, between those most able to benefit from new technology in agriculture and those least able to benefit from such technology; it would build on the frustration and anger which is believed to be widespread among various classes of the Bihar peasantry, particularly those evicted from lands they once tilled as a result of land reform legislation and those who still hold land in daily fear of losing it.

It remains possible that the ruling elites in Bihar will successfully absorb key elements of a new rural leadership into the existing structure of power-- thus broadening political participation in a fashion which undermines the efforts of any who would exploit latent discontent in rural areas.

It is also possible that potential revolutionary leaders will be slow to recognize the revolutionary poten-

tial of the peasantry. The attention of those who want to change the Indian political system may continue to be focused on the cities, rather than the countryside. Yet, the existence of Maoist literature in India (indeed, even at the village level as reported in this paper) suggests that the Chinese revolutionary model may provide inspiration for some who already identify the peasantry as the critical group in India now that political mobilization is increasingly a phenomenon of the countryside. While the applicability of Maoist thought in India may be questioned, it should be recognized by now that "The peasants, as Furtado has observed in Brazil, are 'much more susceptible to revolutionary influences of the Marxist-Leninist kind than the urban classes, although the latter, according to orthodox Marxism, should be the spearhead of the revolutionary movement'".¹

"Remove the secondary causes that have produced the great convulsions of the world and you will almost always find the principle of inequality at the bottom".² Given the existing structure of power

¹Huntington, Samuel P., Political Order in Changing Societies. Yale University Press. New Haven, 1968, p. 296.

²de Tocqueville, Alexis, Democracy in America, Vintage edn., New York, 1954, II, p. 266.

in Bihar--a structure which has perpetuated traditional inequalities in the social and economic system and fostered new inequities--it is easy to predict that issues such as distributive justice and land to the tiller will again become fashionable in the days ahead as the old elites and those who oppose them wrestle for effective control over the peasantry. The results of this competition cannot be anticipated at present, but of one thing we can be certain: the competition will further the process already in motion by which the masses are being politicized. The next decade will determine whether the peasantry will be stabilized or destabilized as a political force.¹ It is here asserted that the peasantry are the critical group in Bihar (and in India) today. He who controls them will control the future of India. Whether or not this is obvious to those currently in power or seeking power in Bihar is questioned by some. However, efforts on the part of leaders in the Central Government of India to identify their regime more closely

¹Huntington's argument is considered to be relevant to the situation in Bihar--and compelling. "The role of the countryside is variable: it is either the source of stability or the source of revolution. For the political system opposition within the city is disturbing but not lethal. Opposition within the countryside, however, is fatal". Huntington, op. cit., p. 292.

with the plight of the peasantry are evident.¹ Whether or not the Central Government has the power to take action directly affecting the demands of the peasantry in a state like Bihar is less clear.

¹The resurgent rhetoric of Mrs. Gandhi's dominant faction of the Congress--including the promises to implement existing laws on land reform by no later than 1971 and to check the rich, uplift the poor and make the country more self-sufficient--can be seen as part of these efforts.

VII. The Role of the Government of India in Enforcing Implementation of Land Reforms in Bihar

So long as India was ruled by what appeared to be a Congress monolith, it was fashionable to refer to the strength of the Center in dealings with the constituent parts of the Indian Union. It was widely agreed, by students of the Constitution of India and others that in a trial of strength, no state could withstand the will of the Center. The illusion of Central control was enhanced during the life time of Nehru when it appeared that national decision-making took place almost exclusively in New Delhi.

What many failed to realize (until the period following Nehru's death when it became fashionable to discuss problems associated with Center-State relations) is that the relationship between the Center and the states has, almost from the beginning, been one in which the former often exercised the right to initiate and the latter to vitiate. The right of the states to vitiate Central initiatives is by no means unrestricted within the terms and conditions of the Constitution, but the States have enjoyed an "exclusive power" to make their own laws with respect to any of the matters enumerated in List II in the Seventh Schedule of the

Constitution. Among those matters are (1) agriculture ("...including agricultural education and research, protection against pests and prevention of plant diseases"), (2) land ("...that is to say, rights in or over land, land tenures including the relation of landlord and tenant, and the collection of rents; transfer and alienation of agricultural land; land improvement and agricultural loans; colonization."), (3) water ("...that is to say, water supplies, irrigation and canals, drainage and embankments..." etc.), and (4) moneylending and the relief of agricultural indebtedness. Even this partial listing of the matters over which the states continue to exert power is sufficient to emphasize the point which has already been made: namely, that the residual powers of the states are enormous and have enabled them to ignore, block or modify Central Government directives relating to land reforms and other agricultural development programs

With respect to the issue of land reforms in Bihar it can be asserted that that State must rank first in its capacity to twist the meaning of or ignore Central initiatives, particularly those initiatives of an exhortatory nature issued by bodies such as the Land Reforms Implementation Committee of the National Development Council.

Given the history of land reforms in Bihar, considering the Constitutional prerogatives which Bihar retains over such matters, given the record of political instability in that State since the General Election of 1967, and notwithstanding the new exhortations from the Center that existing land reforms (including Ceiling legislation) should be fully implemented by 1971, the Government of India, as presently constituted, does not have the capacity to enforce the implementation of land reforms in Bihar. This estimate should hold for legislation on the books as well as for such new legislation as may be in the minds of men.

VIII Policy Options

A Policy of Benign Neglect

If the Central Government of India has limited capacity to influence agricultural development policy in Bihar, which seems incontrovertible, one wonders about the advisability and feasibility of external aid instrumentalities becoming involved in agricultural programming there -- particularly programming which lacks creative control over development policy, but which nevertheless affects directly the outcome of issues such as "distributive justice" among various classifications of raiyats, under-raiyats, bataidars, etc. There may be compelling reasons for the United States Government to attempt to do nothing to affect the agricultural sector in Bihar,¹ either directly and by means of sub-contracts or indirectly by making assistance available through the Central and/or State Governments.

Among reasons for such non-involvement may be the following:

A. The principal offices of United States aid instrumentalities both governmental and non-governmental, are located at the Center and lack capacity for sophisticated programming in the Bihar region.

B. This is a time of budgetary constraints which will influence programming decisions of governmental agencies, as well as private institutions, such as foundations. In these circumstances arguments against new or expanded programming in India generally,

¹This might imply phasing out such U.S. programs as may exist in Bihar.

and in "backwash" regions such as Bihar in particular, can appear incontrovertible.

C. There is an apparent interest in making the American presence in India less conspicuous. The adoption of a "low profile" requires a diminished American presence in New Delhi itself, not to mention regions which have never been considered focal points of interest or attention.

D. The Government of India is more sensitive about foreign assistance in recent years than on occasions in the past (say in the period 1962-66) and might be skeptical about, or hostile to, enlarged U.S. programming in Bihar (whether supported by governmental or private institutions) -- particularly given Bihar's demonstrated political instability and administrative shortcomings.

Following a policy of non-involvement in Bihar would offer such benefits as might accrue from inconspicuousness. As tensions in Bihar between "haves" and "have-nots" grow in this decade or diminish in intensity, outsiders would not be present and would be somewhat less likely to be scapegoated by the forces contending for power.

However, if the Bihar region is neglected, an opportunity¹

¹"opportunity" -- We will suggest later that some opportunity may exist for outsiders to affect positively the problem of income distribution as well as the problem of agricultural production in Bihar, despite the fact that agricultural policy in that State (as in others) will be determined essentially internally, rather than externally.

will be lost to affect the existing situation in that State -- a situation in which existing inequalities so prevalent in the agrarian sector may be exploited in a fashion leading to peasant uprisings. The effects of peasant uprisings in a State which includes roughly ten per cent of the population of India might be localized. On the other hand, should such uprisings prove contagious, the political stability of an entire region, indeed of India itself, could be negatively affected.

A Policy of Working with the "Haves"

A decision could be made to rely on a strategy of rural development which assumes that the new technology in agriculture can be widely enough disseminated among the "haves" to assure spectacular increases in yields -- the benefits of which percolate downward in the hierarchy rapidly enough to assure broadly distributed increases in income and well-being, thus reducing the tensions which can be disruptive of political stability.

Such a policy offers the advantage of working with those most able and, perhaps, most willing to adopt the new technology in agriculture -- those with security of tenure over substantial land holdings. It can be argued that such a strategy would yield, most quickly, significant increases in agricultural production. It can be argued, also, that the benefits from increases in agricultural production have percolated downward in certain regions of India, e.g., the Punjab. It can be argued, in other words, that the strategy has been tried and tested and found to be successful.

Even if the above argument were verified by the facts in the Punjab, the primary problem associated with the implementation of the above strategy in Bihar stems from the fact that Bihar is not the Punjab.

The differences between the Punjab and Bihar are too numerous to elaborate here. But it must be emphasized that a whole constellation of favorable factors have combined to benefit the Punjab -- factors, incidentally, which pre-date the "green revolution" and are related in part to programs initiated by the British long before Independence. "So because Punjab had a conjunction of favorable factors in the past, in the present it has been able to plan on sounder lines, and the outlook for increasing production is far more promising."¹ If Bihar had less population on the land, twice as much land irrigated², more medium sized agricultural holdings on which the cultivators had security of tenure³ and human resources with the apparent motivation and agricultural tradition of the Sikhs, then perhaps we could sit back comfortably, make fertilizer available, improve administrative and agricultural extension services, and watch the situation take care of itself.

It is most unlikely, however, that anyone can establish in Bihar in the near future the conjunction of favorable factors

¹Warriner, Doreen. Land Reform in Principle and Practice. Clarendon Press, Oxford. 1969, pp. 211, 212.

²There is a great need for minor irrigation works in many regions of Bihar, particularly some south of the Ganga where the variability of the monsoon has led to famine-like conditions on a repetitive basis and where traditional irrigation facilities (pynes and ahars) have not been maintained systematically since zamindari abolition legislation was introduced many years ago.

During the 1966-67 famine crisis attempts were made to increase irrigation facilities in Bihar. However, with the official

³Among the many differences between Bihar

which seem to have applied in the Punjab. In Bihar, without the required constellation of favorable physical factors, the introduction of new technology in agriculture among the "haves" may be less successful in increasing production. Furthermore, even if the strategy were successfully applied to increase production within the existing rigid social-economic-political hierarchy in Bihar, the benefits of increased production are likely to flow to and be contained mainly within the top levels of the hierarchy. The result would be an acceleration of political and economic polarization-- a process by which the traditional elites derive the principal benefits from economic development while the masses of the peasantry derive few benefits and experience declining social and economic status relative to the elites.¹

ending of the famine crisis, many irrigation programs initiated at the height of that crisis were stopped. Additional administrators were pulled out; foreign agencies showed diminished interest in sustained programming. Bihar lapsed into its pattern of inactivity -- except the activity associated with political in-fighting.

(3. continued from previous page.)
and the Punjab is the fact that the Punjab does not have the blight of absentee landlordism which is so typical even of post-zamindari abolition Bihar.

¹

We have many examples in the world outside India of the dangers inherent in the situation. The demands placed on the political and economic system by the American Negro have not diminished as the benefits of our economic growth "trickled down" to him. Indeed, his demands have become more urgent-- especially as he increasingly perceives that those above him in the hierarchy have derived proportionately greater benefits from the growth which has taken place. It is the recognition that his position in the hierarchy relative to others is static or declining that contributes to his politicization.

Some argue that a decision to employ new technology in agriculture within the existing socio-economic structure in Bihar (or similar areas) would offer another advantage: it would avoid connecting our aid program with "politically sensitive issues" such as land reform. At the risk of stating the obvious, it must be said that all development programs influence the structure of power in a country. By refraining from involvement in programs which seem to be risky, inherently, we do not insulate ourselves, or the countries we are assisting, from the destabilizing effects of economic development and the sometimes explosive repercussions which can flow even from "safely structured" and "purely technological" programs. Purely technological transfers (in the Bihar situation) are not neutral within the existing agrarian structure. They are highly political; they reinforce an inegalitarian structure which is as incompatible with the ideals enunciated in the Constitution of India as it is incompatible with the ideals annually invoked in foreign aid enabling legislation in the United States. We have referred persistently to our policy in language such as the following: "The Congress declares that it is the national policy of the United States to support the quest of the peoples of the world for dignity, freedom, and a decent standard of living and realizes that effective steps toward economic development and social justice may involve fundamental change."¹ We also invoke assistance criteria such as the following: "In furnishing development assistance under this chapter the President shall take into account... the extent to which the recipient country is responsive to the vital economic, political and social concerns of its people and to increasing their participation in the development process..."² If such language is to be more than window dressing,

¹See, e.g., page 2 of H.R. 14580, 91st Congress.

²Ibid.

there is a responsibility for us to recognize how even our most successful programs (possibly, for example, the "green revolution") can contribute directly to political instability when made operative in inegalitarian societies in which distributive justice is an even more distant goal than in the United States.

It is toward the long-term political side-effects of our "successful" "non-political" programs that we must look, while recognizing, of course, that there are other forces operative than our own which are of greater magnitude in determining the future of any given country.

A Policy of Using Aid as a Lever

Attempting to address the problems of the "have-nots" (and recognizing that land reforms in Bihar have not reduced inequalities, provided increased security of tenure for the cultivating peasantry, or substantially altered the traditional agrarian structure) a decision could be made to use aid as a lever to compel the implementation of meaningful land reforms. Such reforms, whatever their economic significance, would have what Samuel Huntington calls "... a high saliency to politics" in the present situation.¹ That any foreign aid instrumentality would make such a decision is highly unlikely in present circumstances, nor is such a decision advocated here. Such a decision would imply an interventionist role in Indian affairs not favored by the Government of India. Moreover, if the

¹Huntington (citing Bruce M. Russett et al., World Handbook of Political and Social Indicators, New Haven, Yale University Press, 1964) considers India to be among those

Government of India itself has limited power to force land reforms in the states, the power of an instrumentality of the United States Government to "force" reforms in an Indian state could be considered negligible.

A Policy of Regionalizing Foreign and Indigenous Assistance

If we reject a policy of "benign neglect"; if we reject a policy which increases production but which disproportionately benefits the "haves"; if we reject a policy of using aid as a lever to force structural reforms -- if these options are rejected, what can be done in a region such as Bihar? Or, indeed, in other regions of India which have a range of similar problems?

We would suggest here that there is a need for a modified rural development strategy in contemporary India -- a strategy which seeks fulfillment, simultaneously, of a double goal: increased agricultural production and a lessening of the disparities between the "haves" and "have-nots", particularly within a region such as Bihar. Approaching this two-fold and (in the opinion of some) self-contradictory goal.¹ will

developing countries in which "...the long-run stability of the political system may well depend upon the ability of the government to carry through land reforms." The inclusion of India among such countries is based on the argument that she is among those "which combine high inequalities of land ownership with substantial agricultural labor forces." Huntington, op. cit., pp. 383-384.

¹The goals of increased production and "social justice" can be considered contradictory by those who argue that economic growth, by definition, implies growing inequalities among classes within a region, growing inequalities among regions within a country, and growing inequalities among nations. As John Mellor has observed, "...the development process, while providing the long-term basis for amelioration of poverty and economic inequality, may in the short run exacerbate it." (Mellor, John et al., Developing Rural India, Plan and Practice., Cornell University Press, Ithaca. 1968. p.259.)

require the tailoring of programs to meet specific local conditions in each region. Specific local conditions should govern which aspect of our double goal takes primacy at any given time in any given area.

To pursue our dual goal in a variety of regions will require the creation of ^amore sophisticated programming capacity -- one which does not consider any single approach as a "panacea", one which attempts a regional analysis of needs and goals as well as means and effects. In regions in which inequalities are great and political instability is imminent, it may be advisable to sacrifice production maximizing efforts and to concentrate attention on maximizing the distribution of the benefits of whatever growth is stimulated. In other areas of India -- areas perhaps where physical and institutional changes have taken place-- we may attempt to maximize output as a means of bolstering social changes under way. To state the obvious: while remaining cognizant of both goals that have been enunciated, we should give varying degrees of emphasis to each from region to region.

Recognition of the need to develop a more sophisticated and diverse programming capacity highlights, in turn, the need for a regionally dispersed research effort. Such regionally dispersed research would address questions posed by the introduction of existing and new technology in the agricultural sector. How can existing technology be adapted and new technology be developed to assure, for example, that the introduction of technological reforms is compatible, to the extent possible, with the need to utilize a

growing rural labor force? Which forms of technology are labor utilizing rather than labor displacing?¹ Under

¹The need increasingly (given the fact that the numbers of people residing within India's agricultural sector and primarily dependent on agriculture for employment will continue to grow through the remainder of this century, notwithstanding industrialization efforts which may absorb some underutilized rural labor and increased migration from rural to urban areas) is for forms of technology which are labor utilizing rather than labor displacing. Fortunately, we know that not all technological reforms need be displacing of labor. The utilization of new plant varieties and the subsequent use of additional purchased inputs, particularly fertilizer, require additional inputs of labor. Dwarf wheat varieties, for example, require an increased number of plowings, more weeding, more applications of water, and additional labor in the harvesting period. And greater labor input is needed not only in the planting, irrigation, harvesting and processing of crops; the need for labor is increased as multiple cropping becomes possible on lands favored by dependable water supplies. There is increased need for labor in connection with the maintenance (and refurbishment) of irrigation works, including traditional "pynes" and "ahars" in a region such as Bihar. There is, with the expanded use of fertilizer, increased need for labor in collecting and spreading it. "The same is true of proper weeding and the preparation of contour bunds. Improvements in cropping patterns, mainly in the direction of greater diversification, also call for the more intensive use of labor. The killing of rats and flies and the undertaking of other measures to protect the crops--and the health of the people-- against insects, pests and diseases are tasks requiring manpower." (Myrdal, Gunnar. Asian Drama. Vol. II, pp. 1295-96). And, there could be other means of more intensively utilizing rural manpower resources in a fashion compatible with technological reforms.

On the other hand, as John Mellor has pointed out in Developing Rural India, Plan and Practice, technological reforms "...may provide their benefits to the peasant farming class roughly in proportion to landholdings rather than in proportion to labor inputs. Already substantial income disparities will thus be widened between the landed peasantry, or landlord classes, and the huge landless labor class." And, Mellor has gone on to state that it is distinctly possible that "...with increasing incomes of peasant farmers, the higher returns to precise timing of farming operations, and the problems of handling hired labor, farmers will be encouraged to displace some labor with the most efficient types of mechanization. These may be unspectacular in capital requirements but they still save a great deal of labor-- as in the case of electric or diesel pumps or simple threshing machines, and perhaps even chemical herbicides." (Mellor, op.cit., pp. 360-61).

what conditions can labor saving technology be introduced without leading to social/political conflict? Where in India do such conditions exist? In what regions and circumstances should we assume a neo-Gandhian posture, setting "penalties" on the introduction of mechanized means of production? In what other regions and circumstances is mechanization likely to offer economic advantages which clearly outweigh the social costs of unemployment directly produced by that mechanization?

Regional research should also be focused, more than in the past, on the needs of the small cultivator who has limited rights in land, a small fragmented holding, and limited capital. How can farming methods be adapted to meet his requirements and capabilities? How can he be educated, encouraged and enabled to attempt successfully the utilization of new methods? How can India's agricultural extension services be strengthened and redesigned¹ better to meet the needs of the small farmer?

In general, regional research would concentrate on an enumeration of local conditions and needs-- political as well as economic. Research would focus, also, on the development of flexible and diverse approaches to agricultural development, approaches designed not to meet the needs of a theoretical all-India situation but to affect directly the conditions of a given limited region.

¹ Closely associated with research aimed at making even existing technology more applicable to the needs of those cultivators with small holdings and limited capital is the continuing need for strengthening India's agricultural extension services. This is a task easier talked about than done, as experience to date in Community Development and National Extension Service activities has shown. But one cannot expect the relevant technology to permeate lower levels

(Of course, regional programs as designed by regional research centers would have to be modified somewhat as we seek policy which meets certain intra-regional needs. However, starting with an up-to-date and detailed statement of regional conditions and proposals designed regionally may provide decision-makers with a more enlightened basis for nation-wide policies.)

The need for regional research and planning in turn implies the need for changes in the way aid dispensing institutions conduct their operations in so complex a country as India. Though we recognize

of the rural hierarchy (particularly in the absence of reforms in the agrarian structure, including reforms producing security of tenure) if the peasant cultivator is expected to experiment "on his own" with new inputs, largely unaware of the interrelated nature of these inputs. While even the illiterate agriculturist is capable of rational economic behavior in connection with the utilization of new inputs, he will not "automatically" understand that his output will be determined by the manner in which he plants potentially high yielding seeds, applies fertilizer, and utilizes his water resources. (We are making the highly favorable and seldom realistic assumption here that he has access to adequate and timely supplies of these inputs.) Nor can we expect him to emulate the successes of cultivators above him in the rural hierarchy who, enjoying greater security of tenure on large holdings, easy access to credit and other necessary inputs, may be prepared and able to assume greater risks associated with breaking with traditional practices of cultivation, and to use modern technology suited to large holdings. If the cultivator who does not enjoy such advantages is to experiment with new methods of cultivation, we must help him pointedly in many ways. This implies not only strengthening the weak agricultural extension services but also linking them to regional research -- once again, regrettably, tasks more easily talked about than accomplished in contemporary India.

that India is not a monolith, we persist in relating mainly to New Delhi-- ignoring as we do so the fundamental reality that the states are the prime determinists of policy and program, particularly in the sphere of agriculture. Ideally, those who wish to contribute to India's economic development should have their own up-to-date information from regionally based representatives who are capable of evaluating local development needs and current programs from a perspective that transcends any one specialization. (In other words, in the context of this paper, the need is for men capable of keeping the dual goal that we have enunciated in mind.) In addition to serving as regional researchers and planners, such men might identify the side-effects of programming on a constant evaluation basis. (For example, when increased production results from the use of new technology in agriculture they would attempt to determine who benefitted from the increased output and how.) It is recognized that it may be late in the day for most institutions, already established in New Delhi, to consider establishing regional offices. Apart from budgetary considerations, the idea of regionally dispersed aid-giving institutions (whether governmental or private) would be threatening to the Government of India. What we are stressing here (whether the ideal of regional offices is feasible or not) is the need for access to up-to-date information of a regional nature before programming decisions are made which affect the regions. This is a need not only of foreign aid dispensing instrumentalities, but also, increasingly, of the Government of India itself.

Increased regional research and planning might be fostered by outsiders in a manner which would be palatable to the Government of India if attempts were made to strengthen existing Indian institutional resources in the regions. This would involve ignoring the model established by some American foundations and followed, to some extent, by the Government of India-- a model which is based on providing assistance almost exclusively to centers of excellence, particularly if they can be located on Ring Road in New Delhi so that they can be distinguished by high rather than low profiles. Given the needs of contemporary India, this model must be set aside. Instead, those in the business of providing aid must be innovative enough to risk assisting little known institutions in various provincial areas of India, including regional universities commonly held in low esteem. Such institutions, in most cases, do not measure up to "international standards of excellence" (as defined by outside experts who frequently have limited knowledge of conditions and needs in India). Yet, we should be interested in them not because they have snob appeal, but because they are where they are and may provide us with data and perspectives otherwise unavailable. To plunge into programming in a region such as Bihar (even with the consent of local authorities and the approval of the Government of India at the Center) without such data and perspectives is to program ineptly in a fashion which produces changes in the existing social, economic and political system which are unpredicted and nondiscernible until we establish the wisdom which comes belatedly with hindsight.