

## Working Paper Number 163

### Narrowing possibilities of stateness: The case of land in Gujarat

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*This paper investigates the transformation of the Indian state from a stance of developmental interventionism towards increasing support for economic liberalisation. The definitional dilemma of ‘the state’ is resolved by constructing a conceptual map. This portrays the state as an idea, a system of government and as embedded in politics. The map forms the template for undertaking an empirical exploration. Ongoing changes in land policy in Gujarat provide a case study. Ostensibly, the state’s position has shifted from the active promotion of ‘land to the tiller’ to an ongoing disengagement from a liberalising landscape. However, re-evaluating this scenario against a multi-layered conceptual map leads to conclusions against the grain of existing perceptions. State ideas of land serving the greater common good have continued into the post-liberalisation era, as has the petty land administration’s proprietariness, expressed in reluctance to fast track land transactions. At the same time powerful, alternative sets of ideas and institutional actions have come to the fore. These urge rapid land liberalisation to foster industrialisation, and have been promoted by the highest bureaucratic and political echelons. While the high state - big business alliance is neither new nor the only feature of the state today, it is perhaps the one with the most significant politico-economic consequences. This alliance represents not a homogenised pro liberalisation or pro big business state but one in which other possibilities of stateness have narrowed. The narrowing of the possibilities of action within the still interventionist and dynamic state mark the liberalising landscape.*

*Keywords: the state, India, economic liberalisation, land, Gujarat*

**January 2008**

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<sup>1</sup> This paper has emerged from my doctoral project undertaken at the University of Oxford (2003-07), and from a paper titled ‘The Indian state in a liberalising landscape’ which was presented at the conference of the British Association of South Asian Studies in Cambridge in March 2007. In both these projects, I have benefited from discussions with Nandini Gooptu, Edward Simpson, Gavin Williams and Achyut Yagnik. I am solely responsible for any inconsistencies that remain.

Introduction: a state in transition, and a quest to conceptually explain this phenomenon

In the middle of the 20<sup>th</sup> Century, states all over the world were considered fundamental for economic and social development. In Europe, this was necessitated by the project of state-led reconstruction after the Second World War. Similarly, in policy and academic commentary on the newly independent postcolonial world, the interventionist 'developmental' state was projected as being at the forefront of initiatives for industrial and agricultural expansion, infrastructure building and new welfare and social development regimes. Simultaneously, this interventionist state was modelled as a moderniser- one that would forge together nations from diverse social and cultural groups, write laws and constitutions, and nurture historical and cultural heritage (Kohli 1986, Oomen 1990, Woo-Cumings 1999, Frankel 2005). Perhaps even more so than for the western world, postcolonial states were seen as having the policy mandate and legitimacy to influence their emerging nations in myriad ways. Thus, one of the most prominent newly independent states- India, adopted a modernising and developmental role at independence in 1947.

On scanning literature on the Indian state today, one comes across the dominant notion that the days of the modernising, developmental state are now past. Having embraced economic liberalisation, this state has been in rapid withdrawal from its developmental functions from the late 1980s. In the sphere of social modernisation as well, a state that strived towards secular equidistance from a multi-religious nation is now seen as leaning more and more towards its Hindu constituents (Corbridge and Harriss 2000). In fact, phrases like 'fundamental change' (Larson 2004) and 'paradigm shift' (Bidwai 2002) express the transformation of the Indian state quite unambiguously.

Like the studies cited above, this paper aims to contribute to emerging scholarship on the nature of the state, particularly the contemporary transformation that it is undergoing. The first port of call in this exploration would have to be the question- what is the state? After all, this entity may be much studied, but it is widely acknowledged that it is also notoriously difficult to define (Nettl 1968, Abrams 1988). The state has been varyingly seen as a set of discourses (Mitchell 1999, Hansen and Stepputat 2001), a web of bureaucratic personnel, institutions and practices (Evans et al 1985), a field of politics and power (Miliband 1969, Jessop 1977, Bardhan 1984), a set-up in which the distinction between public and private is blurred (Gupta 1995), or

even a unit in which significant action often takes place in proto-state 'shadows' dominated by non-state actors (Harriss-White 1997).

This sort of definitional diversity leads one to ask- where is change happening in the Indian state? Are we seeing a shift in the state as an institution as indicated in the work of Evans (1995) and Kohli (2004)? Or is the change in social and politico-economic relations that shape a state (Yagnik 2002, Kohli 2006)? Alternatively, as the neo-liberal perspective would have us believe, has the interventionist state that was a mere inefficient, rent-seeking conduit of social demands been made so irrelevant in contemporary times that it has ceased to matter (Lal 2002)? Or is it that the very culture, power, labels and discourses that construct the state according to the post structural tradition, have changed (Gupta 1995, Corbridge et al 2005)?

The theoretical richness and variety that the preceding questions throw up on the road to understanding the Indian state has been negotiated in this paper by the construction of a conceptual map. This conceptual map of the state is a product of a selective, eclectic combination that has come about through an iterative back and forth movement and search for resonance between some established theories of the state and the complexity of empirical evidence. In this conceptual map, the state exists simultaneously as (a) the state idea comprising norms, ideologies, rhetoric and discourse, (b) the government system including bureaucratic practices, personnel as well as institutions, and (c) embedded in the realm of politics and political economy<sup>2</sup>. This map forms the template for undertaking a thorough empirical investigation of the Indian state.

Gujarat province in western India shall be the empirical focus of this paper. Gujarat was at the core of Gandhi's movement for independence and Nehru's subsequent project of modernisation and development. Today, it has the reputation of being one of the most rapidly liberalising provinces in the country (Hirway and Mahadevia 1999, Government of Gujarat 2003). Within Gujarat, the paper will present glimpses of land policy from independence in 1947 to the present to illustrate a prime arena through which the postcolonial state has come to be defined, viz. interventionist developmentalism and its supposed ongoing redundancy in an era of liberalisation.

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<sup>2</sup> The conceptual map has been influenced by Abrams (1988), who describes a state system, which is a nexus of institutions and practices, and a state idea that societies perceive and believe in. While I have been influenced by Abrams' analysis of the nature of the state, the conceptual map that I have developed goes beyond his thesis.

Land is quite symbolic in the study of the changing nature of the state. It has been a key medium for state intervention in post-independence India both in the sphere of increasing national economic production, and in the encouragement of social justice through land reform and redistribution. In contemporary India, even though economic liberalisation tends to be associated with industrialisation, increased foreign direct investment, banking reforms, etc., the deregulation of land laws has provided the infrastructural base for this liberalisation of the economy. The movement of Gujarat's state from ideas of 'land to the tiller' to its current apparent withdrawal from control over land use, is thus an apt case study for tracing the shifts in the nature of the state (see also Sud 2007a).

Data for the paper was collected during doctoral fieldwork in Gujarat in June 2004-January 2005. Research sites were the state capital Gandhinagar, the main cities Ahmedabad, Baroda and Surat, and a block of villages in northern Gujarat called Bhiloda. The span of the study however goes beyond the sites of data collection because of the variety of sources being referred to. Interviews were conducted with government officials, politicians, members of farmers organisations, social and environmental activists, political analysts and journalists. The names of those interviewed have not been revealed in the following pages to maintain confidentiality in what is a politically charged arena. Information gained in interviews was corroborated through documentary sources such as Gujarati and English newspapers, pamphlets brought out by civil society organisations, farmers groups and political parties, as well as government publications such as gazettes, manuals of land laws and policy pronouncements.

The next section discusses the land policy of the postcolonial state from independence till the mid-1980s. This period is symbolised by the slogan 'land to the tiller'. In the section after next, the shift towards 'land liberalisation' from around 1988 will be analysed. Each section explores the state's engagement with land first at the level of ideas, then as an institution, and finally as embedded in a layer of politics and political economy.

#### The state in the era of 'land to the tiller'

Looking at Gujarat's land policy till the late 1970s through the haze of history, many people today associate it with land reforms and the 'progressive' slogan 'land to

the tiller'<sup>3</sup>. Ranging from academics to social activists and government administrators, they see this as a period in which a newly independent state endeavoured to redistribute land from large landowners to landless labourers and small farmers for greater equity and productivity. Some do acknowledge that land reforms were more successful in Saurashtra and Kachchh than in mainland Gujarat that was part of Bombay province till 1960. Gujarat as we know it today was of course formed in that year by combining the three regions<sup>4</sup>. At the same time, the fact that land reforms were launched in each of these areas, and the achievement of moderate results in a sphere as politically contested as land ownership is considered commendable.

When the triple-layered conceptual map of the state is applied to independent Gujarat's initial land policy, the slogan of land to the tiller and the developmental, interventionist thrust of the state can be unpacked. It is clear that early ideas which eventually led to this policy originated in the agrarian land programme of the Congress party's Karachi and Faizpur sessions of 1931 and 1936. As the leading party of India's independence movement, the Congress comprised and catered to diverse social groups. It was also a receptacle of different ideological perspectives. Thus, the objectives of economic growth, efficiency as well as social justice influenced the declaration of its agrarian land programme. The programme stood for land reforms that would reduce the rent of the tillers, abolish the *zamindari* system and therefore eliminate all landed intermediaries between the state and cultivators (Shah and Sah 2002: 21).

Like the agrarian plans of the Congress party, the Gujarat state's ideas of land contained several layers of meaning. There were the socialist ideals of land redistribution and social justice espoused by a section of the Congress. There was also a strong modernist capitalist paradigm of growth and efficiency, which reflected in the state's desire to abolish pre-capitalist modes of agricultural production symbolised by *zamindari*. The ideas of land policy that the early state was conveying then, were

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<sup>3</sup> Interviews with Sociologist, South Gujarat University, Surat, 21/7/04 and retired civil servants, Gandhinagar, 17/6/04 and Ahmedabad, 14/10/04.

<sup>4</sup> This paper does not differentiate the types of land tenure in the three regions, nor does it examine the assorted courses their governments adopted during land reforms. The idea is not to focus on these variations, but to build a narrative of the multi-layered state's engagement with some significant land reform measures. Looking at Gujarat per se also leads to a smoother analytical transition to the post-1960 and especially the contemporary period. The latter, of course, is the focus of this paper. For a discussion of land reform in Gujarat before 1960 see Shah and Sah (2002) and Sud (2007a).

emotive and powerful. They were also rather complex, a fact that the seemingly simple slogan 'land to the tiller' masks.

Moving a step along the conceptual map, one comes to the government system that was charged with institutionalising ideas of land to the tiller. Several simultaneous and not necessarily complementary scenarios become apparent at this level. One sees, for instance, elaborate machineries comprising scores of Agricultural Land Tribunal officers and Tenancy Deputy Collectors in Gujarat's districts authorised to dispose off applications for ownership rights by tillers. When such applications hit hurdles, we know of cases when the highest of officials, including Ministers and Secretaries mediated to manoeuvre around these. For instance, due to drought in 1950-51, only 86 of the 55,000 tenants on former zamindari lands could pay the six times revenue assessment which was the agreed sum for purchasing occupancy rights. To solve the problem, the Chief Minister of Saurashtra held negotiations with his officials, the Bank of Saurashtra and the Reserve Bank of India to devise a loan scheme which would allow farmers to purchase land. The result was the formation of a Land Mortgage Bank. This was a cooperative venture of farmers, with 20,000 members. The legal titles of the lands of tenant-occupants were mortgaged with the Bank till they had paid the full amount required for ownership<sup>5</sup> (Mehta 1995: 103-5).

While sections of the government system worked hard to make land reform possible, other units did just the opposite. For instance, a survey conducted by Indian Administrative Service (IAS) probationers in 1988-91 to assess the impact of land reforms in Gujarat recorded widespread evasion of the legislation regarding the ceiling of large landowners' surplus lands and the transfer of tenancy rights to actual tillers of these properties (Land Reforms Unit 1994). This evasion was made possible with the complicity of the government apparatus. For instance, in Visavdar, Junagarh district, the Circle Officer failed to take possession of surplus land declared in 1976 till December 1984. Even in 1984, possession was taken by a Harijan Co-operative Mandali (Scheduled Caste Co-operative Society) only on paper and no entries were made in the mutation register. In fact, necessary entries had not been made in village

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<sup>5</sup> Interviews with Gujarat Administrative Service officers, Ahmedabad, 13/8/04 and Ahmedabad, 14/10/04

records even in the early 1990s and the original owner, who belonged to a dominant caste, continued to till the land. Village officials seemed indifferent to the case.

The preceding paragraphs describe diverse institutional scenarios that saw land actually transferred to tillers, land transferred to tillers but only on paper, and land that should have been transferred to tillers remaining with the original owner with the collusion of members of the government. This picture can also be represented in statistics. Peninsular and north western Gujarat, i.e. Saurashtra and Kachchh saw 21.4 million hectares of land transferred from former princes and large landowners to tenant tillers. This was largely made possible by the fact that with the abolition of princely estates as well as zamindari after independence, the government faced little resistance from these former intermediaries.

On the other hand, in areas, especially of mainland Gujarat where land owners were expected to declare surplus land for takeover by the state and tenant tillers, the story is quite different. Thus, the Statistical Atlas of Gujarat tells us that the area of surplus land acquired till 1981 was 74877 hectares out of which possession had been taken of 38995 hectares. That is, only half the land declared surplus had actually been taken over by the government. Further to this, only 20804 hectares had been distributed to 16541 beneficiaries (Government of Gujarat 1984: 41). From secondary accounts we know that even out of these 20804 hectares, many are possessed by beneficiaries only on paper.

The varied performance of the government in the redistribution of land, despite the lofty ideals of land to the tiller, can be contextualised within the field of politics. The engagement of the state idea as well as government system with the land reforms was embedded in this field. It is well known that those formulating and implementing land policies in post-independence Gujarat tended to be from the upper and middle castes and classes. Yet, it cannot be assumed that these politicians and officials automatically favoured their brethren during disputes or negotiations over land. Other layers of politics also became involved in this process.

Quite expectedly, powerful landed sections were opposed to land reforms in Gujarat. Despite this general resistance, we have seen that the abolition of intermediary zamindars was quite successful. Intermediary abolition was mostly relevant to Saurashtra because this was the region where the system was prevalent. One of the factors for success was the strength of the state ideas and the will of the

government system to end this practice, seen as exploitative, regressive and detrimental to productivity. Also, significantly, the majority of zamindars in Saurashtra were British loyalist upper caste Rajputs with no links with the Congress party and little independent political organisation. Thus the Congress party, the dominant political formation of the time, had no stake in obstructing the government system in its task of reform.

The chief beneficiaries of zamindari abolition on the other hand, were the former tenants of the Rajput intermediaries- mainly from the Kanbi-Patidar caste. The latter had deep links with the Congress. In fact, they had based their quest for socio-political mobility on participation in the freedom movement and support to the party (Hardiman 1981). Land ownership owing to the reforms also set this important group, which comprises 12 per cent of Gujarat's population, on the path of economic mobility (Rutten 1991).

The will of the state to abolish zamindari in Saurashtra could function unhampered by considerations of riling important political constituencies. On the other hand, mainland Gujarat evinced a situation in which upper and middle caste raiyats or peasant cultivators often controlled substantial tracts of land. These came under the tenancy reform legislation of the Bombay Tenancy and Agricultural Lands Act 1948. The same upper and middle caste Brahmin, Baniya and Kanbi-Patidar caste groups whose politicians and bureaucrats had zealously uprooted Rajput zamindars and granted ownership rights to former tenants in Saurashtra, 'failed' to do so as successfully in mainland Gujarat. This explains much of mainland Gujarat's status quo in land ownership despite the lofty ideas of land to the tiller and the elaborateness of its government apparatus.

In short then, a multi-layered conceptual map of the state has facilitated movement beyond unitary empirical categorisations. Given the varied scenario represented above, painting the state till the late 1970s with a monochromatic 'interventionist' or 'land to the tiller' brush is too simplistic. The many, and not necessarily contiguous descriptions that can fit this entity at this stage include, among others, (a) an interventionist state that strove to promote social justice, (b) an interventionist state that was simultaneously status quoist, non-interventionist, even regressive, (c) a state of and for the privileged, and (d) a state of the privileged but with a wider social and developmental vision. The state can be, indeed the Gujarat



state in 1947-1985 was, different things to different causes and people at the same as well as different times.

In the preceding paragraphs, the state has been portrayed as multi faceted. It is clear that it goes well beyond notions of 'the' state that propagated land to the tiller ideals. The question that now arises is- if what we have been looking at till now is not 'a' type of 'developmental-interventionist' state, then how can it be possible to trace a neat line through the changes it is currently undergoing to reach another homogenous, modelled 'liberalising' form? In an essay that set out to trace the changing nature of the state, where does one go from here?

At one level, suggesting that the state takes on multiple forms can be perceived as escapism from needing to take a stand. One can be charged with claiming that the state is so many things that it is everything and therefore nothing in particular. While this could be one way of looking at the preceding analysis, an alternative perspective could help take matters forward. This other view, supported by field data from Gujarat would be that the sheer multi-layeredness of this entity imbues it with a dynamism that opens up conceptual possibilities, as well as potential for action.

To elaborate, we have seen that the land to the tiller ideal was never fully implemented in post-independence Gujarat. By the late 1970s, its injunctions had lost steam totally. At the same time, legislation and policies based on land to the tiller ideas were very much around. These laws and norms got a final breath of life in the early 1980s when a political confluence brought lower and backward caste, Muslims and Adivasi tribal groups from within the Congress party to power in the state. The leaders of these groups used existing laws to somewhat resuscitate land to the tiller. For instance, this period saw the channelling of 1750 acres of land to cooperatives comprising landless former 'untouchables' in Bhiloda block of Sabarkantha district despite resistance from local bureaucrats and politicians. The transfer of land in Sabarkantha may not have been on a large enough scale for one to herald the revival of land to the tiller in Gujarat province. At the same time, this development was not an insignificant achievement in a politically recalcitrant set up like rural Gujarat (see Adhvaryu 1982, Sud 2007a).

In the Bhiloda case, a new political executive is shown to have creatively engaged with existing but weakened state ideas. The fortuitous coming together of the

state's analytically differentiated layers of ideas and politics was thus able to temporarily galvanise this entity. Taking this line of argument allows one to suggest that the conceptually and empirically multi-layered state gives rise to certain *possibilities of 'stateness', i.e. possibilities of what the state can be and do.* Simultaneously, this same multi-layered state fosters the maintenance of status quo or even a regression of affairs in other areas that it influences. Moving on to the contemporary state then, the task that this paper could undertake, despite acknowledging complexity and the lack of linear movement from one homogenous state type to another, is to highlight the sort of possibilities of stateness that do exist today. Once again, land policy provides the analytical window.

### The state and land liberalisation

One of the earliest indications that the state intended to withdraw from the hitherto ostensibly regulated arena of land use came in 1988. In that year, Chief Minister Amarsinh Chaudhary's government decided to revoke the 'eight kilometre rule' that was enshrined in Section 2(6) of the Bombay Tenancy and Agricultural Land Rules 1956. This injunction had disallowed any purchase or sale of agricultural land beyond an eight kilometre residential limit. To keep land in the hands of actual tillers or at least their direct supervisors, rather than well-off people residing in distant places, successive governments had upheld this rule in Gujarat (Vyas et al 1989)<sup>6</sup>.

By withdrawing the eight-kilometre rule, Gujarat's government was floating the idea that the land market would no longer be limited by 'sons of the soil' or residency restrictions. In one sense, this was an indication that the 'nanny' state intended to stop controlling decisions about who would buy land and where. The implication could have been that the tillers that it had undertaken to protect through residency, sale and purchase restrictions were now capable of looking after themselves. These tillers would be able to participate in a free land market in their best interest.

At the same time, another set of ideas emerges from Gujarat's changing land policy from the late 1980s. This set of ideas, in fact, appears to be dominant in the province's current milieu. Interestingly, it is also diametrically opposed to those expressed in the previous paragraph. When current policy pronouncements in land are

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<sup>6</sup> Joshi, C.M., 'Tinkering With Gujarat Land Laws', *Times of India*, Ahmedabad Edition, 10/9/88

analysed, it becomes clear that the state has not withdrawn from the land market per se. Its ideas in the field continue to be selectively interventionist. Who it purports to be intervening on behalf of and when is the real issue.

At one level, the state, through policy pronouncements, seems to be making clear its preference for a free market in land. However, when the rhetoric and policy statements about the freeing up of this market are analysed, the state seems also to be leaning towards specific actors in this 'free market'. These actors, of course, are not Gujarat's tillers, but local, national and even international investors and entrepreneurs who are evincing an interest in post-liberalisation Gujarat<sup>7</sup>.

To illustrate, in 1995, the province's Bharatiya Janata Party (BJP) government decided to seek amendment of Section 65 of the Bombay Land Revenue Act. This would remove existing restrictions on the conversion of agricultural land (referred to as A) to non agricultural (NA) status for the purpose of industrial development. Now, no permission would be required from revenue officials for conversion of farm land up to 10 hectares to NA status for setting up a bonafide industrial unit. Calling the move 'revolutionary' the Industries Minister said this would remove the hurdles in acquiring land for industrial purposes, thus ensuring faster industrial development<sup>8</sup>.

Ideas of land as a priority for industry in a free market were also expressed during a summit for business investors titled 'Vibrant Gujarat' in 2003 and reiterated in Gujarat's Industrial Policy for that year. Programme brochures for the event indicated that 'the government should encourage free market forces to decide the course of development and intervene only when the interests of society in general and the investor community in particular, are found to be at peril'. Moreover, 'The state is now determined to lead the rest of the country by emerging as a Model Industrialised State in Asia' (Government of Gujarat 2003: 7-8). In the contemporary state's thrust for rapid economic growth through avenues like mass corporate farming and large-scale or 'mega' industry, the base is undoubtedly land<sup>9</sup>.

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<sup>7</sup> See also Kohli (2006), who suggests that what we see unfolding in India today is a 'business friendly' process of liberalisation, rather than a 'market friendly' one.

<sup>8</sup> Times of India 'Curbs on conversion of farmland lifted. State to amend land revenue Act', *Times of India*, Ahmedabad Edition, 2/12/95; Indian Express 'Land Acts to be amended to favour industry', *Indian Express*, Ahmedabad Edition, 4/1/96

<sup>9</sup> In pointing to the on-going shift in ideas towards land liberalisation for industry and corporate farming, it is not being suggested that activities like industry and mining were not part of the older, 'developmental' vision of the state. Indeed, they were, including in rural areas (Parry 1999). The difference today has to lie in the almost singular onus for 'development' on large scale private

Even at the level of ideas and conceptualisations, the state's shift from 'land to the tiller' to 'land liberalisation' and 'land for industry' cannot have been devoid of some deft manoeuvring. This would be especially pertinent in a democratic context like India where land to the tiller slogans also have high emotive value. In this case, how are ideas pertaining to land liberalisation expressed in fora that concern a wider audience than summits of industrialists?

Ideas of development through economic liberalisation, including the liberalisation of land, are not projected prominently and by themselves at the public level in Gujarat today. Instead, these ideas are correlated with other powerful, if vague and unsubstantiated corollaries such as employment generation, migration control, and 'development'. For instance, the text of a resolution presented before the province's legislative assembly, which sought to delimit the area of a wildlife sanctuary in Kachchh, north western Gujarat so that mining and industrialisation could be facilitated on that land declared that

...the rich minerals in this area are very essential for the development of Kachchh...which is a backward district.... The area is frequented by droughts leading to large scale migration of (the) population...unemployment and poverty. Minerals are the main resources over there and it is of paramount importance that the mineral based industry should be established as key to the future development...a number of cement plants can be established with the use of the large deposits of limestone leading to economic prosperity of the area. ...unless these areas are taken out of the sanctuary these projects will run into serious difficulties... and also lead to loss of investment already tied up. Government has received several applications for setting up cement factories...

- Text of the Assembly resolution, 1995<sup>10</sup>

Interestingly, ideas that legitimate the state, including development and employment generation may well have been linked with the ideas of land to the tiller in a previous era. Today, notions of the best possible use of land for the province's development project may have shifted. However, the populist, vague, yet compelling corollaries from which these derive authority show some continuity. Even as it makes significant shifts in ideas then, the state holds on to some tried and tested legitimating themes and slogans.

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enterprise- be it in agriculture, manufacturing or services. Rapid economic growth driven by narrow, entrepreneurial cohorts, has obliterated even the rhetoric of redistribution in Gujarat.

<sup>10</sup> Reproduced in Economic Times, 'Text of Assembly resolution on sanctuary', *Economic Times*, Mumbai Edition, 28/7/95

The powerful slogan of land to the tiller has all but disappeared from Gujarat's state's serious, implementable lexicon today. Multiple other ideas have taken its place. First, is the idea of a liberalising land market which has minimal state intervention. Second, is the very prominent notion of the pro-big business state that is actively intervening in and managing to change the land regime to facilitate industry. Third, is the fuzzy but still articulated idea of a pro-poor state that will encourage employment and mass prosperity despite a narrowing economic agenda. All these ideas are pitched at different constituencies and are thus audible in varied contexts. Yet, it will come as no surprise that some of them have greater efficacy in present day Gujarat than others. Which ones these are becomes clear when we match them with other layers of stateness- i.e. the institutional practices of the government in land and the political context.

As a final point, one must add that while there have been discernible shifts in state ideas of land in the last two decades, this gives no indication about the lessening of importance of the state as idea in this field. In fact, by being the generator of multiple ideas related to land today, the state manages to maintain a presence in diverse contexts.

The multiple layers of the state need not function contiguously. In contemporary Gujarat, just because the normative state as idea most often proclaims (a) non-intervention in land and (b) giving all out support to industry, government institutions cannot be presumed to have kept up with changing notions of the state's role in the liberalising landscape.

Enterprises that seek to enter Gujarat's 'liberalising' land market today are likely to encounter, and must necessarily deal with, Gujarat's vast bureaucratic land apparatus. Among others, this comprises of village and block-level revenue officers, the office of the District Collector, and then goes right up to the highest echelons of the land bureaucracy and political executive in the provincial capital. For instance, a private company in the energy sector in South Gujarat had completed all the technicalities for obtaining land formerly owned by the government in 2003-04. However, the Company's Managing Director rued needing to grease many a palm from those of local officials to those in the capital Gandhinagar, to actually gain possession of the property. In the end, when the Company's land file appeared to be

stuck in Gujarat's officialdom, recourse had to be taken to 'contacts' in the Chief Minister's Office to get the paperwork moving again<sup>11</sup>.

Along similar lines, foreign and Indian companies today include a heading in their budget plans for specific industrial or construction projects called 'extra items and additional quantities'. This category has ample space for the inclusion of 'grease money'<sup>12</sup>. The practice of greasing palms as a project lubricant is a continuation of old business-state relationships. That members of the government system have persisted with some of the pre-liberalisation 'license permit *raj*'<sup>13</sup> ways in which cuts were taken for awarding contracts to private parties, points to a resistance towards the free, permit-less nature of the new land liberalisation policies. This of course is quite understandable. It would be hard to imagine an official custodian of the land market voluntarily and smoothly giving up control over this crucial resource. This would be tantamount to the vast government system undercutting and making itself irrelevant just because there has been an ideational and official policy shift in Delhi or the provincial capital Gandhinagar. As evidence from Gujarat shows, this voluntary undercutting of the government- by the government- in the field of land, has not happened.

At the same time, the point at which institutional change has come about under liberalisation to a significant extent is at the higher echelons of the political and bureaucratic executive. It has been influenced by changing state ideas as well as shifts in political economy. Thus, while the political and bureaucratic executive may not be above taking a cut from land transactions, those at decision-making levels have really pushed to make land liberalisation work.

For instance, the Chief Minister's Office and the political and bureaucratic apex of the Department of Industry in Gujarat has repeatedly emphasised 'single window' and 'fast-track' clearance for land transactions instead of the earlier system of getting multiple permits from the departments of Revenue, Agriculture, Industries, Forests and Environment as well as the District Collector (Government of Gujarat 2003, 2004: 8). The push for a single window, apart from generating efficiency in the liberalisation process, is also of course an attempt to override the layers of potentially corrupt and slow moving layers of government. Second, large and important land

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<sup>11</sup> Interview with the Company's Managing Director, Surat, 17/7/04

<sup>12</sup> Interview with an Indian Audit and Accounts Service officer, Ahmedabad, 20/10/04

<sup>13</sup> rule

transactions have seen the personal involvement of senior bureaucrats and ministers to smoothen the process (Collectorate Kachchh 1995).

Third, it is not uncommon for senior government officials to advise private companies that plan to invest in Gujarat to employ retired land or revenue department officials in order to speedily manoeuvre through land acquisition<sup>14</sup>. Finally, the government executive has expressed its willingness to invoke the Land Acquisition Act of 1894 and obtain land on behalf of industry when private market channels do not work (Government of India 1985, Government of Gujarat 2003). That the Act allows the state to acquire private land for a 'public purpose' is not considered dichotomous to the use it is being put to now. After all, in the current reasoning of the state, liberalisation induced industrialisation is a public purpose that is likely to generate employment and overall prosperity.

Despite the continuity of pre-liberalisation tendencies in the government then, it is clear that there has also been an institutional transformation. This transformation though has not been in the form of previous intervention on behalf of tillers, to non-intervention in a liberalising landscape. Nor is this transformation merely limited to the contemporary state facilitating or easing out of the land market in favour of entrepreneurial investment. Instead, the state we behold is actively intervening legally as well as less than legally, i.e. in an openly partisan manner, on behalf of selected private companies. This then is still an institutionally interventionist state. Who it intervenes on behalf of has now undergone a further concretisation. This seems to be the significant point in the transformation of the contemporary state.

Why has a concretisation in the relationship between the state and big business been possible in the last two decades? It has been convincingly demonstrated that the post-independence Indian state has consistently allied with and also been comprised of dominant proprietary classes, including industrial capitalists, rich farmers and professionals or white collar workers (Bardhan 1984). The difference from the present time though lay in the normative stance, institutional and political compulsions that also led to the promulgation of land to the tiller programmes. Few such compulsions exist today and one can see a powerful coming together of the idea of fast-track land liberalisation for industry, with the institutional momentum within the higher echelons of the government that seek to form alliances with big business in a liberalising

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<sup>14</sup> Interview with a senior Revenue Department official, Government of Gujarat, Gandhinagar, 26/9/04

landscape. In this context, alternative state ideas as well as alternative institutional impetus' for, say, a more socially or environmentally just distribution of land are easily sidetracked<sup>15</sup>.

To conclude, aided by changing state ideas, institutional transformation in Gujarat's state post-liberalisation seems to have been in the narrowing of the agenda and spaces for what remains possible in the sphere of land. A shift is certainly discernible in the unabashed narrowing of the stakeholders the government can facilitate and act on behalf of in the land market. This phenomenon of narrowing institutional policies of stateness, importantly, connotes the deepening of an alliance between big business and the higher echelons of the state, to the exclusion of the lower rungs of private entrepreneurship as well as the lower rungs of the government and political systems.

The preceding sub-sections have sketched out lines of continuity with pre-liberalisation state ideas and institutional practices as well as a top-heavy transition in Gujarat's normative state and its government system. This leads to the question- what is the socio-political and politico-economic context in which these continuities and shifts have been possible? Moreover, what is happening to the tillers and others like them who the top-heavy shift does not bring into its fold?

The state's engagement with the liberalisation of land in contemporary Gujarat influences and is influenced by at least two sets of politics. First, there is the broader political context in which liberalisation is equated with the greater common good before a general Gujarati audience. This can alternatively be seen as the politics of diversion from the issue of a narrowing agenda around land liberalisation per se. Second, is the more immediate political context of a 'high' state - big business alliance in which land liberalisation has been pushed through, which I will discuss later.

Within the first, broader political setting, one can discern several strands. There is for instance Hindu nationalist and regional chauvinistic politics which, though never absent in Gujarat, has been on the ascendant from the late 1980s with

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<sup>15</sup> Gujarat's Forest Department has been known to raise objections to the rapid conversion of forest land for industrial purposes. Its officials, for instance, vociferously objected to the destruction of mangroves in order to build a private port for a cement company in Kachchh in 1995. These reservations however, were overridden by the pro-liberalisation policy consensus at the apex of the government system (see Conservator of Forests 1995)



the decline of the national multi-stakeholder Congress party and the rise of regional and religion centred political formations. Gujarat's current ruling party- the BJP has risen in this milieu and held power in the province almost continuously from 1995.

From the mid-1990s, all Gujarati Chief Ministers, their Council of Ministers, other ruling party members and the affiliates of the larger Hindu nationalist movement have generated the rhetoric of 'Gujarat as the Number One State in India'<sup>16</sup> and Gujarat and Gujarati Hindus being under siege from the Muslim/Christian/Western 'other' (Sarkar 2002). As a convenient corollary, the need to make sacrifices in the face of competition from religious, regional and international others has also been made clear. Those who have opposed the rhetoric of chauvinism and sacrifice have been readily termed 'anti-national terrorists'. This, for instance, was done by Gujarat's Minister for Industries when he condemned social and environmental activists and local residents of Lakhpat, Kachchh district, for questioning the conversion of 321 square kilometres of a wildlife sanctuary into a limestone mining zone in 1995. In their creation of 'unnecessary hurdles' for land liberalisation and subsequent industrialisation, these individuals were also accused by the Minister of aiding international governments in keeping Gujarat underdeveloped (Mehta, in Nambiar 1995).

So on the one hand, political actors in the state have actively contributed to the prevailing economic and political jingoism and insecurity. At the same time, they have attempted to deflect and mitigate popular discontent at growing economic competition and the opening of the economy. Thus, from the early 1990s, the ruling party and the government it heads have promised 80 per cent of jobs in all private industry in Gujarat to Gujaratis<sup>17</sup>. While this promise has proved impossible to implement, at times of land acquisition for industry, it has popped up and played a part in confusing and splitting the opposition. For instance, in 1996, in a case of acquisition of village common land for building a factory in Kachchh, protests by residents who used the common as pasture and a recreation space were countered by a local Industries Development Committee. Comprising petty businessmen and traders, this Committee was convinced that as promised by the government and the private company, the factory would bring employment and therefore prosperity to the

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<sup>16</sup> Interview with Narendra Modi, Chief Minister of Gujarat, in *The Economic Times*, 'No red tape, only red carpet in Gujarat: Modi', Delhi Edition, 4/1/05

<sup>17</sup> Interview with Dhirubhai Gajera, then BJP leader (BJP dissident and Congress party member at the time of writing) and ex Member of Legislative Assembly from Surat, Surat, 16/7/04

majority of the villagers. This had been something that the land per se had been unable to do (Paschim Kachchh Udhhyogic Vikas Samiti 1996).

As an additional channel for diverting the discontent that emerges (and has been generated) in a liberalising context, the state has been invoking its role in development policy. The promise, usually rhetorical, of access to employment guarantee schemes, poverty alleviation programmes and the like is being made to those who are being or are likely to be dispossessed by land liberalisation or other liberalisation projects. For instance, in 1998, Gujarat's state produced a list that declared 35.45 per cent of the population Below Poverty Line (BPL). BPL status is of course the first step to accessing state-run welfare-development programmes. By 2000, the BPL list had to be revised significantly to include 40.39 per cent of the population, i.e. people who had protested at being left out of the previous list. When a similar protest arose in 2001, the list was finally revised to cover 52.32 per cent of the population (Director of Rural Development, Government of Gujarat, in Sud 2007b: 140). In this way, an exercise that is undertaken once in five years was repeated thrice in three years. Given that Gujarat's budget allocation to development programmes has fallen in the past decade (Hirway and Mahadevia 1999: 209-10), there is no doubt that a mere fraction of the 52.32 per cent supposed BPL population will ever be included in a state-run scheme. At the same time, with the exaggerated BPL exercise, Gujarat's state was able to engage, even if rhetorically and peripherally, with people it has otherwise overlooked in a liberalising landscape.

The preceding paragraphs have sketched out one set of politics in which the state continues to be active in Gujarat. This is the politics that involves the electorate in the larger but peripheral politico-economic context of a liberalisation project that is not really about them. Another set of politics, propelled by the state ideas and institutional changes discussed above, brings the state into contact with the entrepreneurs who are the chief supporters and beneficiaries of land liberalisation.

From the 1970s, Gujarat's powerful upper and middle caste groups such as the Patidars have moved from primarily agricultural to agro-industrial occupations. From being staunch supporters of the Congress party, they have also gradually shifted to more caste and Hindu nationalist political formations. This has been a reaction to the centralisation of decision-making in the Congress under Indira Gandhi, and to the socialist slogans and nationalisation of banks and industries carried out under her (Sanghavi 1996).

The opening up of the land market, which can be traced to the late 1980s, has been pushed for, not just by the international neo-liberal policy wave, but also by these upwardly mobile groups. They have, for instance, benefited from the lifting of the eight-kilometre residence rule for sale and purchase of land, and the easy conversion of agricultural land (A) for non-agricultural (NA) purposes, which have been discussed earlier. That Gujarat's growing entrepreneurial middle class has managed to influence the land regime indicates just how closely it works with the state. For one, members of the political executive and state bureaucracy are comprised of Gujarati upper caste, entrepreneurial groups. Second, from the outside, these groups have been able to lobby to have Ministers and Secretaries of their choice in significant positions. Thus, Industries Ministers from around 1995 have tended to be influential Gujarati industrialists in their own right. These Ministers have in turn preferred ethnic Gujaratis to head their key departments as Secretaries<sup>18</sup>.

Gujarat's business groups have used the ethno-nationalist politics of Hindu nationalism to their advantage in the current liberalising context. Thus, given the dichotomy within the BJP which supports liberalisation but also has affiliates with an economic nationalist agenda, these business groups have tended to act as middlemen in large land and other commercial deals involving foreign capital. For instance, Sea King Infrastructure Limited, a firm owned by Gujarat's Gandhi brothers, initiated a massive port project in Positra, south Gujarat in 1993. They acquired 240 square kilometres of land for the venture with the help of the government, which not only sold its own revenue land to them but also acquired private agricultural land on Sea King's behalf. By 2004, after doing all the risky liaising with the government for land and other resources, Sea King had profitably sold its 54 per cent share in the project to Danish shipping giant Moeller-Maersk<sup>19</sup>. This transaction could not be objected to by Gujarat's Hindu nationalists. However, had the government directly entered into negotiations with Moeller-Maersk, it would have alienated vocal elements of the BJP's constituency.

Quite clearly then, in the more immediate political context of individual private projects and instances of post-liberalisation conversion of agricultural / state revenue / forest land for industry, the factor that stands out is the close state-business alliance that characterises contemporary Gujarat. Lest this alliance be seen in

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<sup>18</sup> Interview with former Industries Minister, Government of Gujarat, Ahmedabad, 14/10/04

<sup>19</sup> Shah, R. 'Danish group takes over Pipavav port', *Times of India*, Ahmedabad Edition, 3/6/06

homogenous tones though, it is important to end with the point that the high state - big business relationship is riven with nuances of caste, class, religion or other socio-political networks. This underlies the undulating nature of economic liberalisation in Gujarat, with the success of particular mega land deals and the stalling or even failure of others.

The micro politics that surrounds land deals in Gujarat is difficult to research. It often takes place in the shadows of legitimate business as well as state spaces. Yet, interviews with journalists, civil servants, social activists, lawyers and politicians give some idea of this field. For instance, it would appear that the head of an Urban Development Authority (UDA) in Gujarat through the late 1990s and early 2000s was one of the area's best known real estate builders. He was also the Treasurer of the ruling party. His tenure was marked by a rapid expansion of the city into peri-urban areas, accompanied of course by conversion of agricultural land into urban housing, commercial property and business parks. Upper caste Hindu Builders close to the UDA Chair and his BJP party are said to have benefited enormously by buying agricultural land per acre and selling it per square foot when the area was finally designated an urban zone<sup>20</sup>.

At the other end of the spectrum, an ambitious Special Economic Zone project fell through in the final stages because the developer had a close personal relationship with one of the state's BJP Chief Ministers and his team of confidantes but could not establish a similar rapport with the new political executive, also from the BJP, which took over power in 2001. Ostensibly, this deal failed because of protest from environmentalists over the project. However, as people from within the state confirm, and as preceding pages have shown, the political and bureaucratic executive has been known to waive environmental considerations in other industrial projects. That this was not done in the case under discussion is down to reasons of inadequate finances flowing from the developer to the new political team, and to the consequent 'lack of rapport'. This developer subsequently shifted the project from Gujarat to the neighbouring state of Maharashtra<sup>21</sup>.

To conclude this sub-section, like the two other layers of the state, this entity's engagement with its political context shows continuity with the pre-liberalisation days, as well as significant changes. In the former case, the state continues to function

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<sup>20</sup> Interview with two social activists, Ahmedabad, 23/8/04 and 31/8/04

<sup>21</sup> Interview with senior civil servant, Gandhinagar, 25/9/04

in a context of mass, democratic electoral politics in which promises of universal welfare and development are made and jingoistic, nationalist causes furthered. At the same time, change is visible in the form of a state that has gone out of its way to attract regional, national and international economic investors. This state, more than ever before, is dominated by an upper caste, Hindu, business-oriented alliance in which even rare occurrences like the Bhiloda Dalit land movement of the early 1980s, discussed in the previous section, seem unlikely. That the high state - big business alliance is not without its ups and downs is indicated by the continued prevalence of considerations of caste, region, religion and party affiliation in the liberalised land market. Yet, that this alliance is a reality in contemporary Gujarat, and that it is not likely to be diluted by the more peripheral, jingoistic, largely election time concerns of Hindu or pan-caste/class Gujarati unity is significant.

### Conclusion

Gujarat's state and the Indian state more generally are in transition. To say that this transition is symbolised by the slogans 'from land to the tiller' to 'land liberalisation' is not inaccurate. However, to halt analysis at this point is definitely inadequate. The concrete certainty of these slogans and the transition that they suggest, hide contours and edges. To uncover these was the aim of this paper. Indeed, this exploratory process has been much more revealing of the nature of the contemporary state and its ongoing transition than are the slogans per se.

To sum up the nuances of the transition, one would first have to conclude that the post-liberalisation shift in the state has not been smooth or straightforward. This is to be expected given the size and multi-layeredness of the state as a set of ideas, a system of government institutions and practices and as embedded in politics. The three layers of the state need not move contiguously, thus causing the shift in the state to be multi-pronged as well as messy. A second, connected point would be that it is difficult to trace a straight line from 'the' pre-liberalisation state to 'the' contemporary liberalising state simply because the state has worn many different hats then as well as now.

Within the many layers and roles of the state, if a discernible shift were to be identified, it would have to be in the concretisation of the class coalition between big business and the upper echelons of the state which underpins the liberalisation project. There is little doubt that the post-independence state has tended to be pro-business

and pro-‘dominant proprietary class’. At the same time, alternative state ideas such as pro poor development, land to the tiller and land redistribution, as well as alternative dispositions within the government and political set-up meant that the space existed for unique initiatives like the transfer of fertile agricultural land to landless former ‘untouchables’ in north Gujarat as late as the 1980s. These ‘alternative’ state ideas, political and institutional impetuses still exist in Gujarat’s state. However, their space for manoeuvre and fruition has narrowed from the 1990s.

Since the paper focused on the state as a political, and not just a normative or institutional entity, it was able to answer why a narrowing of spaces of stateness has occurred in a context that continues to be democratic and answerable to multiple constituencies. Its suggestion was that the coming together of the political economy of liberalisation with ethno-nationalist Gujarati-Hindu politics has allowed otherwise unpalatable decisions to be pushed through in an atmosphere that insists that Gujarat is under threat from the Muslim / Christian / Western ‘other’ and must therefore be collectively supported in becoming the Number One State in India.

So on the one hand, the state today engages with a wide-ranging politics of insecurity, ethno-nationalism and jingoism. The legitimacy it gains through this engagement allows a parallel and much more concentrated focus on a high state - big business alliance that characterises post-liberalisation Gujarat. A specific and visible manifestation of this alliance of course is the acquisition of large amounts of state owned, forest and private agricultural land by Gujarati, national and international industrial enterprise, with the active facilitation of the state. The high state - big business alliance which is supposedly fast-tracking Gujarat into a developed, industrialised zone, along with the tag of protector of Gujarati-Hindus, provides a *raison d’être* to the still very active state.

In highlighting the high state - big business alliance, which is apparent in the ideas, institutions as well as politics of the state, this paper has indicated the narrowing of alternative spaces of stateness. A similar narrowing of more secular options and an increasing focus on ethno-nationalist, pro-Hindu ones has also been touched upon and could be the subject of a political sociology of Gujarat’s state. The key concluding point of this essay would thus have to be the assertion that the closing of possibilities of stateness and not a withdrawal of the state from a liberalising context per se is the key change in the nature of the contemporary Indian state.

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