International Journal for Multidisciplinary Research (IJFMR)

E-ISSN: 2582-2160 ● Website: www.ijfmr.com ● Email: editor@ijfmr.com

Land Reforms in Kerala: Politics, Policy and Social Justice

Dr Nowfal N

Assistant Professor, Department of Political Science, Sreenarayanaguru Open University, Kerala

Abstract

Kerala's land reforms are often seen as one of the most important agrarian reform programmes in post-independence India. This article traces the journey of these reforms, examining the major laws, political developments, and social movements that influenced their course. It discusses both the successes and the shortcomings of the reforms, especially in relation to Dalits, Adivasis, and other marginalized communities. Although the reforms ended the traditional landlord system and provided greater security to tenants, they did not ensure equal access to land for all. The study concludes that the continuing problem of unequal land ownership highlights the need for a second phase of land reforms that is more inclusive and centred on social justice.

Keywords: Kerala Land Reforms, Agrarian Relations, Land Redistribution, Land Ceiling, Tenancy Reforms, Kudikidappukaran

Kerala Experience of Land Reforms

In 1956, the state of Kerala was formed by combining three regions: Malabar, Travancore, and Cochin. Malabar was directly administered by the British until Independence, but the latter two were princely states ruled by Maharajas but under indirect colonial supervision. These regions were not identical as their socioeconomic features differed significantly. The land relation pattern and the caste-class aspects related with it was different in these three regions (Mannathukkaren, 2011).

After the formation of Kerala State on November 1, 1956, several significant changes occurred in the tenurial system in Travancore, Cochin, and Malabar. Since the rules in the three areas differ substantially, the state was forced to act and regulate the tenurial relationship. Different laws prevailed at the time of the formation of the Kerala State, each conferring privileges to tenants to varying degrees, albeit the nature of the tenures prevalent in the three areas was nearly the same (Jose, 2021).

The Communist movement in Kerala, strengthened in the first half of the 20th century, demanded the reallocation of excess land owned by Brahmins to the landless laborers, primarily composing the Dalits (Mohan, 2011). Communist movement also demanded limiting the maximum amount of land held by them. The Communist party gained grassroots support by raising the land for land laborers. Demand for land redistribution became the catalyst of agrarian movements led by the communist party.

The resolution that the communist party adopted in 1955 underscores the idea that land should be given to the tillers of the land. Criticisms were there regarding the leadership of the communist party that most of the leaders of that time sprang up from higher castes and classes.

Land Reforms and Its Evolution

The left front pledged drastic agrarian reforms, including the distribution of all cultivable government waste lands among landless and destitute peasants, as well as the reinstatement of all evicted tenants. In 1960, 1963, 1964, and 1969, the legislature enacted land reform bills. However, on January 1, 1970, the historic land reform act came into effect, putting an end to the feudal system and ensuring the rights of land dwellers. However, on January 1, 1970, the historic land reform act came into effect, putting an end to the feudal system and ensuring the rights of land tenants. This Act abolished landlordism and other sorts of exploitative tenancy schemes. The "Land to the Tiller" slogan was vigorously implemented. Landless peasants in Panchayath regions received 0.10 acre (10 cents) of land, while those in Municipal areas received 0.03 acre (3 cents). The most important initiatives carried out as a result of land reforms are as follows;

- Setting a limit (ceiling) on the total size of holdings, with the surplus transferred to people who did not previously own land.
- The termination of rental payments from actual operators to non-cultivating landlords, which was planned to be achieved by abolishing the rice land tenancy system. The reform is meant to prevent landlords from evicting tenants.
- The abolition of tenancy in home garden lands and, as a result, the abolition of rents to landlords who held title to them. Eviction stays, like provision 2, protected renters from being expelled from the land.

Land Reforms converted the status of tenants from Kudikidappurakan to land owner. The term kudikidappurakan refers to a person who lacks the ownership rights of an estate or land exceeding five cents in value and who is allowed by the land owner to use a small portion of the land as his shelter with or without the responsibility to pay tax. Franke (Franke, 1992) points out that, as a result of land reform, land users who lacked ownership rights were permitted to compensate the real owners of the land by paying a quarter price of the market value. As per the land reform law, they were allowed to pay the cost of the land in 12 installments and were required to pay only fifty percent of the price, and the government would pay the rest. The end result of the land reform was anticipated to give ownership rights of the land to the tenant, thereby ensuring economic independence and enabling them to acquire the ownership rights of the farmstead where they had their small hut for a long time.

The Kerala Agricultural Reform Bill (KARB)

The Communist party, even before coming to power in Kerala, took into account the fact that, in the absence of other protective measures, limited land redistribution or cooperative organization would not succeed in challenging the age-old feudal land relations existing in Kerala. All well-intentioned legislation would be undermined by the same old forces that had previously oppressed the rural population. The Kerala Agricultural Reform Bill (KARB) of 1957 was thus not only comprehensive in and of itself, but it was preceded by a series of preliminary ordinances, such as issuing a stay on all eviction procedures against tenants, sharecroppers, and kudikidappukars (hutment dwellers) (Farber, 1967).

“The statutory provisions for land ceiling meant for transferring the surplus land to the landless turns into its opposite and becomes the legal mechanism for mass eviction of sharecroppers," noted peasant leader Bhowani Sen (Land Reform Failure Even in Kerala, 1977). It reduced the fair rent payable by the tenant to the owner considerably. The rent was reduced between one-fourth and one-twelfth of the gross yield, depending on the soil fertility. All arrears of rent owed by a tenant to his landlord should be considered fully discharged upon payment of one year's rent for renters with less than five acres and three years' rent for those with five to fifteen acres. Furthermore, the Bill called for the entire abolition of tenancy over 15 years (Raj, Panikar & Krishnan, 1972). All land above the ceiling limit (15 acres of double-crop paddy land per family) was surrendered to the Land Board. Land Board would distribute it to tenants whose land had been resumed, agricultural laborer's, expropriated small landlords with less than three acres, and finally small peasants in terms of priority.

When the government introduced the bill which was a part of national policy by the Nehru government, it became difficult for the opposition to launch an open attack on the Bill because the united CPI carefully adhered to the Constitution and intended to implement the Congress party's policy. Yet they attempted to impede the passage of the KARB, along with the leaders of the two communities, who had prominent share in land ownership, the Nairs and the Christians. They together launched an open attack on the Namboodiripad government on the question of educational reform (Lietan, 1977).

President's Rule was imposed on the state as a result of the chaos produced in the state. The Supreme Court pronounced the KARB unconstitutional and referred it back to Kerala Legislature for revisions. A Congress-dominated united front administration issued new legislation, the Kerala Land Reforms Act (KARA) which was mostly a modification of the KARB, diluting it down to a significant amount (Herring, 1980).

A new coalition government had been formed, led by the Congress party. The administration submitted a new land reform plan within a few weeks. The Kerala Agrarian Relations Act was passed in 1960 (Krishnaji, 1979). The changes were crucial because they eroded land reform ideals, effectively reducing the original goals. The Kuttanad area, for example, was excluded from the land ceiling's rules introduced by the Congress government. This revealed one of the most significant divisions between the CPI and the Congress in their approaches to the agrarian crisis (Land Reform Failure Even in Kerala, 1977).

The 1963 KARA had a minor positive impact. Kerala's landlords had indeed adjusted their strategies. They knew that mobilizing religious fervor against communist land reformers would only keep them alive for a short time unless they were willing to make some compromises to the masses' demands (Krishnaji, 1979). As a result, except the die-hards who formed the Kerala Congress, a number of them began to favor agrarian legislation. Meanwhile, the Bureau of Economics and Statistics in Trivandrum's 1968 Survey of Land Relations in Kerala demonstrated that the land reformers have carried out plenty of benami transfers. Furthermore, the people had no say over how the Act was implemented. The people in command of the legislative, judicial, and executive branches of government were those who had never supported the land reform policy. This also adversely affected the prospects of land reforms. They were implementing it technically and not wholeheartedly. The Planning Commission has repeatedly emphasized this drawback.

The three main components of the land reforms were:

1. The abolition of landlordism and the allocation of ownership rights to all tenants, including oral tenants, sharecroppers, and a wide category of 'deemed' tenants.
2. There is a ceiling on existing landholdings and the redistribution of surplus lands to landless laborers and poor farmers.
3. All hutment inhabitants, who were mostly SCs, had the right to own up to 10 cents (one-tenth of an acre or 0.04 hectare) of land around their homes in rural areas, 5 cents in municipalities, and 3 cents in corporation districts. (Arya, 2017)

While old landlordism was eliminated, a new land-owning class was developed and legitimized, primarily dependent on agricultural laborers for cultivation (many of whom were not full-time farmers but had other interests like as business, government positions, education, politics, and so on).

The Kerala Agrarian Relations Act

The Kerala Agrarian Relations Act, implemented in 1961, was a comprehensive piece of legislation. But there were several loopholes in its implementation. This law offered **ownership rights for tenants.** As per the law, the optional right to purchase ownership has been given to tenants. For gaining ownership rights, the tenant was required to pay a purchase price that is identical to sixteen times the fair rent of the land, in addition to the value of permanent natured structures, wells, and embankments in the land belonging to the owner.

The act was meant to improve the living conditions of the Kudikidappukaran Kudikidappukaran was the person with no land of his own to erect a homestead. Traditionally they were permitted by the landlords to occupy a minor portion of the land to erect a hut but with no permanency. They lived with the insecurity of getting evicted by the landlord. But with the new act, they were entitled with the security of tenure. When the landowner requires the land for his own use, he can shut the kudikidappukaran to alternative land, which should not be less than 3 cents and not more than 10 cents. Law also put forward a provision for maintaining a register containing the details of kudikidappukars in each village (Jayadev, 2015).

The Jenmikaram Payment Abolition Act, 1960.

Enforced on 23rd February 1961, this law abolished Jenmi rights of compensation by the government. Before this law, the government compensated religious or charitable institutions of a public nature annually, in perpetuity, at a rate ranging from 4 to 12 times the annual Jenmikaram minus collection charges of 2%, and religious or charitable institutions of a public nature are to be compensated annually, in perpetuity, at a rate ranging from 4 to 12 times the annual Jenmikaram minus collection charges of 2%. The tenants (Kudiyans) become complete owners and must pay an amount equal to 8-1/3 times the annual Jenmikaram in 16 equal half-yearly instalments, plus a 5% interest rate. It was struck down by a High Court judgement in June, 1963 but was revalidated by constitutional amendment act of 1964. Even with a year’s break, the fact remains that this Act's implementation has been weak.

The Kerala Land Reforms Act of 1963 sets a ceiling on existing holdings and future acquisitions. The ceiling for a household of five (husband, wife, and unmarried children) was 12 standard acres. A typical acre varies by property class in different places, ranging from 12 to 4 acres). Larger families with more than five members have been given an allowance of one standard acre per extra person, up to a maximum of 20 standard acres. However, the ceiling limit cannot be less than 15 acres or greater than 36 acres in terms of ordinary acres (Balakrishnan, 2002).

When the second Namboodiripad government was elected in 1967, the Kerala Stay of Eviction Proceedings Act 1967 (with retrospective effect) and the Kerala Land Reforms (Amendment) Act 1969 were among the first pieces of legislation passed (Dasgupta, 2017). The amendment greatly expanded the scope of the 1963 Act by including new categories of tenants not covered by the original legislation and by eliminating the special benefits provided by the previous Act to charitable, religious, educational, and similar institutions. Compensation, which according to the government's leading partner, the CPI(M), should have been completely abolished, was reduced (Krishnaji, 1979). The kudikidappukarun was given the right to buy a portion of the land in which he was living for 25% of market value, and civil courts' jurisdiction over disputes arising from the implementation of land reform measures was eliminated.

The KLR (Amendment) Act 1971 was enacted following the toppling of the CPI(M)-led coalition and the swearing-in of a Congress-CPI coalition (Pillai, 1974). It simplified the shilling of kudikidappukar, exempted fields converted into plantations after the Act's enactment from ceiling limitations, increased the rate of compensation to be given for surrendered land, and so forth.

Impact of Land Reforms on Kerala Dalits

Widely acclaimed land reforms had contributed to stridently skewed land distribution bypassing the landless sections. It also caused the decline of the agricultural sector of Kerala and the strengthening of service sector-led economic growth. This service structure-focused growth, which happened at the cost of the agricultural sector's blatant decline, also accentuated the inequality. Agriculture and allied sectors contributed 16.75 percentage less between 1960 and 1980 than they had in the previous 20 years. During the next two decades, spanning the reform period, the decrease was a severe 24.88 percentage reducing to a low of 8.59 percent in 2009–2010, and has remained below the construction industry for numerous years in recent years. Non-agricultural sectors account for roughly 92 percent of the total. The service sector, which grew from 40.09 percent in 1990–1991 to 63.84 percent in 2009–2010, was clearly the most important driving force (Oommen, 2014).

The service sector, even today, remains as a structure where Dalits are comparatively invisible. when the agricultural sector faced a decline, it affected the living conditions of these marginalized sections most as they had a higher degree of dependency on agriculture. A state long accustomed to a low per capita income and caste–class iniqualities of the worst order, Kerala acquired significant human development and social justice mainly through a process of public action involving the state and society (Oommen, 2014).

Kerala's land reform is widely regarded as a success story (Franke, 1992; Herring, 1983; Oommen, 1971, 1993; and Radhakrishnan, 1989).

After 40 years of implementation data reveals that Kerala does not have an egalitarian society, and that advantages have not trickled to the most vulnerable groups, particularly agricultural laborers made up of erstwhile untouchables (Dalits or scheduled castes) and tribals (scheduled tribes), after 40 years of implementation. While landlessness was the most pressing issue for the scheduled castes (SCs), land dispossession was the most pressing issue for the scheduled tribes (STs) (Sikkor & Muller, 2009).

Need for second Land Reform – Approach from Civil and Political Societies

Land question was considered as a settled problem by the political society of Kerala until the emergence of movements demanding cultivable land to Dalits in the late 1980's. Dalits realized landlessness as an intergenerational problem affecting the prospects for upward mobility. Movements were formed by Dalit activists and intelligentsia raising a claim on land questioning their role in the Kerala Model Procession. Gradually political society and the state was forced to reopen the 'already settled problem.'

Debates emerged within the core power groups of Left parties, who spearheaded the first land reforms. Opinions were voiced within CPIM regarding the need for a second Land Reform. But oppositions were formed within the party against the second land reform proposal. The opposition within the party was of the opinion that it would be like admitting that the entire episode of land reform that left implemented had loopholes. Despite minimal dissent voices, both left and right parties took the stand that the land question in Kerala is solved. They feared that any action taken to alter the status quo related to the land ownership pattern in Kerala would upset their vote base and electoral success. It is the context which triggered new mode of struggles by marginalized communities in Kerala rising the demand for land rights. Land struggles strengthened in Kerala after 2000 and it acquired wide spread support from new social movements all around the nation. It could be discussed in the upcoming chapter.

The right to own land, especially cultivable land is a fundamental human right. This is pertinent in the case of Dalits and Adivasis, who are Kerala's indigenous people. This is the high time to raise a movement targeting second land reform, which should be a more comprehensive one. Strong political will is essential to take the necessary measures towards a second land reform in Kerala that benefits Dalits, Adivasis, and other marginalized people.

Reference

1. Aiyar, S. S. (1925). *Economic Life in a Malabar Village: A Study in Indian Rural Economic Organization*. Bangalore printing and publishing Co. Ltd, Bangalore.
2. Aldridge, S. (2003). “The Facts about Social Mobility”. *New Economy*, 10(4), 189-193.
3. Arunima, G. (1996). “Multiple Meanings: Changing Conceptions of Matrilineal Kinship in Nineteenth-and Twentieth-century Malabar”. *The Indian Economic & Social History Review*, *33*(3), 283-307.
4. Appu, P. S. (1997). *Land Reforms in India: A Survey of Policy, Legislation and Implementation*. Vikas.
5. Arya, P. (2017) “Irrational Land Distribution among Dalits and Tribes: An Enigma before Kerala Economy”, *International Journal of Development Research*, 7, (11), 16828-16831.
6. Banerjee, A. V. (1999). “Land Reforms: Prospects and Strategies”. *Available at SSRN 183711*.
7. Bebbington, A., Woolcock, M., Guggenheim, S. E., & Olson, E. (Eds.). (2006). The Search for Empowerment: Social Capital as Idea and Practice at the World Bank. Kumarian Press.
8. Dasgupta, A. (2017). Land Reform in Kerala and West Bengal. The Land Question in India: State, Dispossession, and Capitalist Transition, 242.
9. Deshpande, A., & Newman, K. (2007). “Where the Path Leads: The Role of Caste in Post-University Employment Expectations”. *Economic and Political Weekly*, 4133-4140.
10. Farmer, B. H. (1967). Agrarian Reforms in India. By Grigory Kotovsky (Trans. KJ Lambkin). People's Publishing House: New Delhi, 1964. Pp. xiv+ 182, Rs. 12.50, 25s. Modern Asian Studies, 1(3), 303-303.
11. Franke, R. W., & Chasin, B. H. (2000). “Is the Kerala Model Sustainable”. *Kerala: The Development Experience: Reflections on Sustainability and Replicability*. London: Zed Books.
12. George, K. K. (2011). “Higher Education in Kerala: How Inclusive is it to Scheduled Castes and Scheduled Tribes”. *Education Exclusion and Economic Growth Working Paper Series, Centre for the Study of Social Exclusion and Inclusive Policy* [CSSEIP], 1(4), 7.
13. Gough, K. (1965). “Village Politics in Kerala-II” The Economic Weekly, 17(9), 413-420.
14. Government of Kerala (GoK). (2005). “Economic Review”. State Planning Board, Thiruvananthapuram.
15. Herring, R. J. (1980). “Abolition of Landlordism in Kerala: A Redistribution of Privilege”. *Economic and Political Weekly*, A59-A69.
16. INDIA, P. (2011). Census of India 2011 Provisional Population Totals. *New Delhi: Office of the Registrar General and Census Commissioner*.
17. Jayalakshmy, K. A., & Sankaranarayanan, K. C. (1983). *Economic Impact of Land Reforms in Kerala* (Doctoral dissertation, Cochin University of Science and Technology).
18. Oommen, M. A. (1971). “Land Reforms and Socio-Economic Change in Kerala: An Introductory Study”. CISRS Social Research Series.

19. Oommen, M. A. (2014). "Growth, Inequality and Well-being: Revisiting Fifty Years of Kerala's Development Trajectory". Journal of South Asian Development, 9(2), 173-205.
20. Pillai, K. (1970). *Elamkulam: Studies in Kerala History*. Kottayam: NBS.

21. Prabhakaran Pillai, P. N. (1974). Historical Introduction to the Kerala Land Reforms Act and the Working of the Land Tribunals.
22. Prakash, A. (2020). Dalit Capital: State, Markets and Civil Society in Urban India. Routledge India.
23. Radhakrishnan, P. (1989). Peasant Struggles, Land Reforms and Social Change: Malabar 1836-1982.
24. Sorokin, P. A. (1959). *Social and Cultural Mobility*. New York, 4, 99-145.
25. Tharamangalam, Joseph. (1998). "The Perils of Social Development without Economic Growth: The Development Debacle of Kerala, India. Bulletin of Concerned Asian Scholars", 30(1), 23–34
26. Varghese, T. C. (1970). Agrarian Change and Economic Consequences: Land Tenures in Kerala 1850-1960".
27. Veluthat, K. (1978). *Brahman Settlements in Kerala: Historical Studies*. [Calicut]: Sandhya Publications, Calicut University.
28. Lopreato, J. (1973). "Notes on the Work of Vilfredo Pareto". *Social Science Quarterly*, 451-468.
29. Kuznets, S. (1955). "Economic Growth and Income Inequality, in American Economic Review" 45. Una traduzione italiana si può trovare in Kuznets S. (1990), Popolazione, tecnologia, sviluppo, Bologna: Il Mulino, 191-224.
30. Persson, T., & Tabellini, G. (2012). "Is Inequality Harmful for Growth?". Prieiga per Internetą:< http://www. eco. uc3m. es/~ mkredler/ReadGr/LoBelloOnPerssonTabellini94. pdf>,(prisijungta 2015 02 25).
31. Adelman, I. (1973). *Economic Growth and Social Equity*. Stanford University Press..
32. D Ostry, J., Berg, A., & Tsangarides, C. G. (2014). "Redistribution, Inequality, and Growth". *Revista de Economía Institucional*, 16(30), 53-81.
33. Rawls, J. (1971). 1971: *A Theory of Justice*. Cambridge, MA: Harvard University Press.
34. Stiglitz, J. E. (2012). "Macroeconomic Fluctuations, Inequality, and Human Development". *Journal of Human Development and Capabilities*, 13(1), 31-58.
35. Zachariah, K. C., & Rajan, S. I. (2012). *Kerala's Gulf Connection, 1998-2011: Economic and Social Impact of Migration*. New Delhi: Orient Blackswan.
36. Oommen, M. A. (2014). "Growth, Inequality and Well-being: Revisiting Fifty Years of Kerala's Development Trajectory". *Journal of South Asian Development*, 9(2), 173-205.
37. Sikor, T., & Müller, D. (2009). "The Limits of State-led Land Reform: An Introduction". World Development, 37(8), 1307-1316.
38. Morrison, B. M. (1997). "The Embourgeoisement of the Kerala Farmer". Modern Asian Studies, 31(1), 61-87.
39. Arya, P. (2017). "Irrational Land Distribution Among Dalits and Tribes: An Enigma Before Kerala Economy". *International Journal of Development Research* Vol. 07, Issue 11, November, 2017.
40. Sethi, M. (2006). "Land Reform in India: Issues and Challenges". *Promised Land: Competing Visions of Agrarian Reform*, 73-92.
41. Narayanan, M. 2013. *Perumals of Kerala*. Thrissur: Cosmo Book
42. "Who is kudikidappukaran as per land laws in Kerala?." (n.d.). Real Estate Law http://www.bizandlegis.com/in/realestate/faq/category/kerala-real-estate-law/page/2/

43. Sreerekha, M. S. (2010, May 22). “Challenges before Kerala’s Landless: The Story of Aralam Farm”. *Economic and Political Weekly*, pp. 55-62.
44. Krishnaji, N. (1979). “Agrarian Relations and the Left Movement in Kerala: A Note on Recent Trends”. *Economic and Political Weekly*, 515-521