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The Forgotten 1953 Paddy Lands Act in Ceylon: Ideology, Capacity and Response

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Introduction: Ideology and Paradigm

A venerable Western intellectual tradition with roots in the cynicism of Machiavelli and the sociology of Marx, Mannheim, *et al*, views political ideology as an epiphenomenon, essentially a reflection of the concrete interests of individuals and classes, its function being to rationalize and justify those interests in terms of higher ideals, such as the general welfare. [1] The problem with this view is that it narrows our vision to exclude some of the important findings of contemporary psychology, especially the recognition of a strain towards consistency in the cognitive and evaluative mechanisms. [2] Most simply, there tends to be consistency between the individual's evaluation of the world and his perception and understanding of the world; the retention of certain values is possible only through concurrent retention of an empirical model of the way the world works. Such values tend to dominate perceptions of empirical evidence; there is a selective screening and weighting process decisively influencing what counts as evidence, what weight should be given various perceptions. We may call this organisation of values, a picture of the way things should be, a normative model.

The corresponding empirical model of the world is necessarily a simplification of reality; in science, such models, or "paradigms," facilitate great advances by focussing and concentrating attention, defining the significant questions, establishing rules for the use of evidence, and so on, but only within limits; the Newtonian paradigm in physics, for example, was useful until it could not incorporate important new evidence; a paradigmatic (and scientific) revolution followed. [3] We can distinguish social science paradigms as well,

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1. Cf. Karl Marx and Friedrich Engels, *The German Ideology* (New York, 1939). Karl Mannheim, in *Ideology and Utopia* (London, 1936), explores the Marxist formulation of ideology and presents his own.
2. The classic work is Leon Festinger, *The Theory of Cognitive Dissonance* (Stanford, 1957). The proliferation of studies is voluminous; see, e.g., J. Brehm and A. Cohen, *Explorations in Cognitive Dissonance* (New York, 1962). For an innovative treatment of ideology and perception in terms of political myth and metaphor, see Murray Edelman, *Politics as Symbolic Action* (Chicago, 1971).
3. As developed by Thomas Kuhn, *The Structure of Scientific Revolutions* (Chicago, 1965).

which are largely empirical, and subject to change on empirical grounds (though resisting such change by defining the rules of evidence and procedure); one sub-paradigm which is important in agrarian reform policy, for example, is the set of beliefs regarding the negative productivity effects of tenancy. But we also have empirical models of the world which serve paradigmatic functions but are less open to challenge on empirical grounds, usually more intricately bound to values and hence more emotionally charged; these models, forming the prevailing social mythology,[4] are also often important in agraian development — the mythical model of the cooperative village in the thinking of Nehru for example.

To suggest an alternative to the rather narrow and cynical standard conception of ideology, and to incorporate the notion of consonance, let us conceptualize ideology as a confluence of normative and empirical models [5] and recognize that in the ideology of decision-makers the empirical model is itself frequently a confluence of myth (often derived from the cultural tradition) and paradigm (often borrowed uncritically, sometimes unconsciously, from the external environment). A political ideology presents a more or less coherent body of values and beliefs about the nature of reality. Is there a discernible strain toward congruence between understandings of, values relating to, and prescriptions for, the agrarian system?

The study of ideology is important *per se*; its application to land reform policy is suggested by Doreen Warriner's injunction that we should first ask about a land reform: what did they do? and then: what did they think they were doing?[6] The gap between the two, between theory and practice, is often explainable in terms of a politically dominant normative-empirical (ideological) model. Moreover, if we wish to measure the level of "political development" of a system, and take that development to mean in part the existence of specific capabilities for restructuring the agrarian system in pursuit of certain goals, then the broad conception of ideology suggested above should be useful in assessing the system's cybernetic capability—the capacity to evaluate correctly the state of the agrarian system and its dynamics so as to intervene efficaciously, with predictable consequences. [7]

4. "Myth" should not be taken as a pejorative term, nor are myths totally inaccurate. Indeed, myths prevail in the grey epistemological regions where most people do not have enough information, or the issue is hopelessly entangled and few have the time or inclination or capability to come to a reasoned conclusion. For example, consider the complex of social mythologies related to the presuppositions and implications of a world-view such as "man is basically evil" or "society is inevitably hierarchical." Such mythological paradigms conform to experience often enough to remain vital, and are from time to time supported by more rigorous or empirical formulations (Michels and Pareto in the second example, for instance), but for most people remain more in the realm of myth because the mode of transmission, verification, and support are typically more akin to those of what we ordinarily mean by myths than to those of scientific paradigms.
5. An illustration of the utility of this approach, though not conceptualized in these terms, is Robert Lane, *Political Ideology* (Free Press, 1962).
6. Doreen Warriner, *Land Reform in Theory and Practice*, (Oxford, 1962) p. 3.
7. The use of "capacity" as a standard of political development is widespread in many conceptualizations and avoids some of the normative complications of other popular models. My adaptation is rooted in the approach of Karl Deutsch, *The Nerves of Government* (London, 1963).

This emphasis on ideology should not obscure the obviously central point in assessing political development and agrarian reform: "The balance of political power will determine the extent of the reform."[8] In Sri Lanka, probably the relatively low percentage of the work force engaged in agriculture,[9] and certainly the disenfranchisement of the bulk of the agrarian proletariat and the absence of rural class-based mobilization, clearly limited the political system's capacity to transform land relations in the 1950's.[10] But precisely because autocthonous [11] reform was not possible in Ceylon, analysis of the factors which shaped the actual policy becomes more important. In the absence of autocthonous forces for change, why did the Government promulgate a land reform and how can we explain the type of reform that occurred? The formulation suggested above, stressing ideology, should not preclude attention to the links between ideology and the class base of political support of policy-makers. A variety of values, myths, and paradigms will be current, and more or less legitimized, in any period; the selective acquisition and retention of particular ideologies by particular individuals or groups is not random, but requires investigation to define recurrent tendencies.

Preserving the cybernetic-developmental perspective, the plan of this paper is to describe the agrarian situation to which the Paddy Lands Act (PLA) No. 1 of 1953 was a response. What relationship is there between the character of the response and the ideology of its creators? To what extent does the deology explain the adequacy of the response? And finally, I will present briefly an alternative vision, the ideoolgy which produced the 1958 PLA that replaced the 1953 Act. In these opposed conceptualizations—the first classically

8. Warriner, *op. cit.*, p. 15.

9. The percentage of total work force in the category "agriculture, forestry, and fishing" was given as 52.9% in 1946 (Department of Census and Statistics, *Census of Ceylon*, 1946, Vol. I. Part I, p. 226). Only 3% of the total in this primary sector were engaged in forestry and fishing (my calculations from Table 159, *ibid.*, and data on page 227).

10. The diversity and commercialization of the economy which results in a low percentage of the work force being employed in agriculture may, however, have increased the system's capacity to design more radical reforms in the early 1970's when heteronomous forces (see note 11) virtually forced a re-evaluation of the land situation. The argument is simply that a small agricultural work force decreases the political attractiveness of sponsoring a land reform; commercialization in Ceylon diversified the elite so that resistance to redistribution of land was not so overwhelming [as in, for example, most Indian states. Commercialized agriculture allows alternative non-land opportunities which may be enhanced by a land reform which offers compensation: e.g., capital-intensive cultivation, or investment in processing, marketing, etc. The heteronomous forces included a serious deterioration in the terms of trade, critical food shortages, and high unemployment. The insurrection in 1971 was the primary catalyst for these reforms, particularly the redistributive Land Reform Law (No. 1 of 1972), though it is difficult to characterize this force as autocthonous because (1) the expectations and demands of participants were not primarily agrarian, (2) the target was not the agrarian elite, but the instruments of state power, (3) the brevity of the upheaval, and its coup-like character, prevented the formation of stable agrarian groups organized around agrarian grievances.

11. Autocthonous reforms would be those which, preserving the fortuitous pun, "spring from the ground itself." The reform emerges from agrarian groups within a particular system demanding changes in that system. For linguistic consistency, we may distinguish other reforms which are largely "autonomous" from those which are "heteronomous," borrowing the Kantian, and literal, distinction between "law" imposed by self and "law" imposed by other than self. For concrete examples, the early reforms of the Chinese Communist Party were autocthonous, the great Japanese land reform heteronomous, and Indian efforts since independence largely autonomous. Successful radical agrarian reforms seem to require a heavy dose of either autocthonous or heteronomous elements.

liberal, the other essentially Marxist — appear reasons for differences between the two Acts, but also for a marked convergence in the failure to effect a redistributive agrarian policy.

The Defective Agrarian System

We first need to examine the tenurial defects—termed "hardly tolerable" by United National Party Minister of Agriculture and Lands, Dudley Senanayake[12] — which prompted a political elite clearly attuned to the rights of private property, and in which landed interests were well represented,[13] to promulgate a land reform. It is probably inadequate to dismiss minimal reforms, such as the 1953 Act, as purely symbolic; land reforms seem to have an inherent logic generating more reforms; over time, discrepancies between proclaimed goals and actual conditions either generate dissent or provide a political-ecological niche for a counter-elite to mobilize disappointed groups. [14] Elites often recognize this phenomenon, as in the frequently expressed fear of the "opening wedge." At the very least, a precedent is set; indeed, the 1953 PLA was supplanted by the more serious 1958 PLA, and the Minister of Agriculture, in introducing the latter, acknowledged his debt to the 1953 Act and its failures in formulating new legislation. [15] In the prevailing ideology of the early 1950's, what kind of agrarian situation warranted a land reform and what understanding of the situation dominated policy prescriptions designed to correct defects?

The first and obvious answer is that tenurial relations may be counterproductive, or perceived as such. It is important to underline this point because it illustrates a continuity in the land policy of Ceylon, culminating in

12. *Parliamentary Debates*, Official Reports, House of Representatives (hereafter "*Hansard*—HR") Vol. 11, c. 52.

13. Marshall Singer shows with his data what is readily apparent to anyone who studies the period: "the overwhelming majority of the members of the (political) elite own at least some land." In the 1950's, consistently 25% of the political elite listed land as their primary occupation and of those who reported a secondary occupation, 80% listed land. Of course, one may have a considerable income from land and not consider it an "occupation," or have close kinship ties to landed wealth without considering oneself landed, so that the data may underestimate the phenomenon. See *The Emerging Elite* (Cambridge, 1964) especially p. 85. The failure to effect a redistributive reform in the paddy sector cannot, however, be attributed simply to the dominance of paddy land owners in the Government. Though I know of no direct figures on paddy ownership in the UNP, Howard Wriggins states that the party's landed base was concentrated in the plantation sector: *Ceylon: Dilemmas of a New Nation* (Princeton, 1960) p. 115. Singer's data in the source cited above confirm this observation. One characteristic of the liberal ideology as treated here is a defence of private property *per se*, rooted in both normative and empirical models of the world. If this formulation is accurate, and ideology is a factor in determining the kind of response made to agrarian problems, the number of members of the elite with paddy holdings is somewhat irrelevant.

14. Cf. Warriner, *op. cit.*, p. 14. By "political-ecological niche" I mean to suggest an analogy in the social system to an ecological niche in a biological system. Changes of various sorts produce new niches, unexploited opportunities, which may be filled either by the evolution of new forms or by changes in the existing forms. For example, marked discrepancies between the announced goals or promises of agrarian reform and the experiential reality faced by cultivators seem to constitute such a niche. The niche represents only potentiality, not inevitability, and the evolution of forms to fill the niche will depend on other structural and exogenous factors—e.g., technological change in agriculture, the political party system, rapid industrialization, the local caste and kinship structure, etc.

15. *Hansard*—HR, Vol. 30, c. 1890.

the recent spate of legislation[16] and manifests the heteronomous aspect of such policy: the critical dependence of the country on food imports and the consequent dependence of the regime at any time on ensuring adequate food supplies. In introducing the Bill, Dudley Senanayake was almost apologetic and justified the necessity for reform on the grounds of increased food production; it was introduced "solely with a view to obtaining greater production."[17] The Finance Minister, Mr. J. R. Jayewardene, likewise said the Bill was brought "with the sole intention of increasing food production."[18] Despite these statements centering on the productivity imperative, occasional mention was made of tenurial relations which violated some implicit norm of justice; in brief, the worst violations had to be curbed. In response to a flurry of criticism of the Bill in the press and elsewhere, the Minister of Agriculture and Lands stated that the Act was not to apply everywhere; "there are areas in which there is security of tenure; there is a great deal of fair play and justice in the share the cultivator gets."

Besides the concern for "justice and fair play," which is reminiscent of British musings over tenurial problems, the willingness to consider tenurial adjustments in time of food crisis shows a continuity with pre-independence land policy.[20] Although the claim for higher productivity is often used to mollify landed elites, the concern in the early 1950's probably was genuine; because of the Korean War, the cost of imported rice was rising and the cost of food import subsidies was increasing alarmingly. Indeed, on the recommendation of the Central Bank, the rice subsidy to consumers was cut, resulting in the "Great Hartal" of 1953 and the resignation of the Prime Minister.[21]

Implementation of the reform was to be in two districts where abuses were harsh and where there was evidence of conflict between productivity and tenure arrangements. The two districts specified were Hambantota and Batticaloa. The connection between productivity and tenure was based on a report from a Revenue Officer in one of the districts, from which Dudley Senanayake read extracts in Parliament.[22] It mentioned that neither owners nor tenants were accepting heavily subsidized manure from the Government. The tenants had no incentive to invest as they had no security of tenure, often being shifted yearly. Owners, for the most part, took no interest in the cultivation of the fields; absentees owned vast tracts of paddy land and either extracted well over half of the crop from tenants or employed labourers who were often indebted to the owners. The conclusion was that legislation was "urgent" if food production was to increase.

The district in the report could have been either of the two — the Minister would not say which — but the description fits Batticaloa better. B. H. Farmer reported that landlords in Batticaloa had no difficulty in extracting

16. The Land Reform Law (1972), Agricultural Productivity Law (1972), Agricultural Lands Law (1973), the last of these extending the essential provisions, though not the vision, of the PLA to all agricultural lands.
17. *Hansard*—HR, Vol. 11, c. 49.
18. *Ibid.*, c. 296.
19. *Ibid.*, c. 51.
20. Cf. e.g. *Ceylon Administration Reports* (hereafter *CAR*), Report of the Department of Agriculture, 1920, cl; B. H. Farmer, *Pioneer Peasant Colonization in Ceylon* (London, 1957) p. 116.
21. Cf. Wriggins, *op. cit.*, pp. 76, 289, 290.
22. *Hansard*—HR, Vol. 11, c. 48.

two-thirds of the harvest from cultivators *after* substracting recovery of advances of seed, buffalo hire, and harvesting expenses at 50% interest. Pressure of population on land opportunities was such that there was out-migration of a fairly large labour force, each year, in search of employment in other districts.[23] The Assistant Government Agent for Hambantota summarized the core of the problem there at the same time: "Except for a handful of landowners and businessmen, the others are mostly paddy and chena cultivators who get just enough to eat, provided the gods are kind and the rain comes in season. The failure of rains in one single season reduces them to a state of semi-starvation and acute distress."[24]

A closer look at the agrarian structure of the two districts suggests that the exploitative tenancy terms and extreme vulnerability to economic hardship of most cultivators were the result of an interaction between ecological factors of the dry zone (the "failure of rains" is frequent) and a concentration of land ownership that made most cultivators dependent on owners for a livelihood and allowed no significant economic security. After surveying the contemporary (early 1950's) situation, we can illustrate this interaction historically—there is considerable continuity.

Table I

Comparative Agrarian Structures

	Hambantota	*Batticaloa*	*Ceylon*
Percentage of Agricultural Families			
(a) Landless ..	34.0	57.8	26.3
(b) Owning less than ½ acre ..	16.7	15.1	16.0
(c) Sum of (a) and (b) ..	50.7	72.9	42.3
Median Size of Holdings (acres) ..	0.42	0.00	0.82
Mean Size of Paddy Holdings (acres) ..	3.71	6.89	1.17

Source: *Survey of Landlessness*, Sessional Paper 13 of 1952, pp. 7, 28.

According to the *Survey of Landlessness*, published in 1952, 57.8% of all families dependent on agriculture in Batticaloa were landless; another 15.1% owned less than one-half acre.[25] Only 2% of the agricultural households owned land in excess of ten acres, yet 50.1% of the *paddy* land was in holdings larger than ten acres. Although 72.9% of all agricultural families owned less than one-half acre of land, only 0.1% of the paddy land was in holdings of that size.[26] The distribution of land in Hambantota was not so skewed, though 34% of the agricultural families were landless and another 16.7% owned less than one-half acre, making slightly over half totally dependent on land owners for access to the means of production. The comparable figures for Ceylon as a

23. Farmer, *op. cit.*, p. 62.
24. *CAR*, Report of the A.G.A. Hambantota, 1948, A 58.
25. *Report on the Survey of Landlessness*, Sessional Paper No. 13 of 1952, (Colombo) p.7.
26. *Ibid.*, my calculations.

whole at the time were 26.3% landless, with 16% owning less than one-half acre,[27] but of course the one-half acre threshold typically implies more economic security and opportunity in the wet zone than in the dry zone.

This comparison raises the question of how much worse tenurial conditions were in those areas selected for implementation of the Act than in other areas. The median size of holding nation-wide was 0.81 acres for agricultural families in 1950, but only 0.48 acres in Hambantota and 0.00 in Batticaloa.[27] The median figure is perhaps more significant than the average (mean) because it tells us the holding size below which one-half of the agricultural families fall. A very low figure — note the 0.00 in Batticaloa — suggests (1) extreme competition for agricultural opportunities, giving owners the power to control tenancy terms and (2) great dependence of large numbers on local landed elites, since most households will not have enough land to stand independently outside opportunities offered by owners. Both districts are well below the island median, but what is more striking is how far these districts fell below the medians for other dry zone districts; since a larger holding is necessary for self-sufficiency in the dry zone, the points above apply with particular force.[29]

Although the great majority of agriculturalists in both districts possessed less than a subsistence holding, the average size of paddy holdings was very large: 3.71 acres in Hambantota, 6.89 acres in Batticaloa in 1946 when the Ceylon average was 1.17 acres.[30] Average paddy owners in Batticaloa were larger operators; 48% operated more than ten acres whereas in Hambantota only 21% fell into this size range. But the percentage of really large paddy owners, those with more than fifty acres, to total owners was approximately the same in both districts.[31] This concentration of *paddy* land ownership becomes more significant when we consider that most agricultural families in these districts owned less than one half acre, including risky low productivity land such as chenas and highland gardens.

Classification of the actual cultivators is conceptually complex; the usual distinction between sharecroppers and landless labourers breaks down when an individual may alternate between these roles and when many landless people are too poor to own bullocks or supply any inputs other than labour.[32] When

27. *Ibid.*

28. *Ibid.*

29. The only partial exception is Jaffna, with a median size of 0.65 acres, but Jaffna is unique for its intensive cultivation on land irrigated by wells. Typical dry zone medians were: Anuradhapura 2.09 acres; Badulla, 1.78; Trincomalee, 2.01; Vavuniya, 3.54; Mannar, 3.08; *ibid.*, Table II, p. 28. The ability of owners to control tenurial terms would not necessarily follow from the high percentage of landless if (a) there were a shortage of agricultural labour, (b) owners were totally dependent on agricultural income, (c) owners had large sums invested in depreciable fixed and working capital (as is the case under "green revolution" conditions), or (d) alternative employment was readily available for agriculturalists. None of these conditions obtained in the two districts.

30. *Ibid.*, Table III, p. 28. Batticaloa had the highest average size of paddy holdings in Ceylon, Hambantota the third highest.

31. *Ibid.*, Table VI, my calculations.

32. Known as *karu-ande*, in which the "tenant" usually receives one-fourth of the crop. For example, see University of Ceylon, *The Disintegrating Village*, (Peradeniya, 1957) p. 24 and Kapila Wimaladharma and John Clifford, "The Operation of the Paddy Lands Act in a Village in the North Central Province," *Ceylon Studies Seminar*, mimeo, 1970-72 Series, No. 3 (Peradeniya 1973) p. 8.

the sharecropper receives one-fourth or less of the gross produce, he is more a labourer working on a piece-rate scale, a share of the crop, than a tenant. Nevertheless, we may note that the sharecroppers, which the 1953 PLA sought to provide with incentives by granting security of tenure and fixing rents, tilled only 28% of the holdings in Hambantota (slightly above the island average of 23.6%) in 1946 and virtually none in Batticaloa, where hired labour and leasing were more significant. Moreover, in a situation typical in Ceylon, tenants in Batticaloa may not have been uniformly in need of special provisions. The average lessee in 1946 tilled just under eight acres;[34] many were commercial middlemen leasing vast tracts of land and in no danger of eviction.[35] The insecurity of tenants was not an independent defect in the tenurial structure, but applied to poor and powerless tenants, a manifestation of the unequal distribution of land and the large number of landless relative to opportunities.

This skewed distribution of land opportunities did not emerge suddenly, but was a cause of concern, particularly in Batticaloa, to the British from around the turn of the century. A dominant theme in official thinking attributed the problems to "capitalists," but there is reason to doubt that capitalism was the villain; it would have been odd for a UNP Government to term "hardly tolerable" the results of capitalist agriculture and British policy in general was certainly not averse to capitalist agriculture.[36]

What did evolve in some irrigated areas of the dry zone, and become particularly acute in Hambantota and Batticaloa, was actually a system of rack-renting by rentiers and their agents as land became concentrated in the hands of large holders. But it is not at all clear that these owners performed any capitalist economic function, such as the reinvestment of profits in the enterprise to increase productivity, an interest in technical change, etc. In some cases, initial wealth was required to clear new land, but most of the richest paddy land was the result of government projects. The dynamics are familiar. Between the early and late 1890's the value of Crown Land sold in Hambantota increased dramatically under the government projects. In 1899, land under the Walawe (irrigation) Scheme was noted as remarkable for bringing the highest price ever paid for Crown Land in the District — Rs. 234 an acre for a forty acre block: "only eight years ago adjoining and similarly situated land was sold at Rs. 10 per acre."[37] Likewise, land under the Tissa Scheme provoked "keen competition" among buyers, almost all of whom were natives of Hambantota and neighbouring Matara District; such competition "speaks volumes for their faith in these schemes and the advancing prosperity of the district."[38] A great demand for labour to open up and work the land arose; a supply was

33. Department of Census and Statistics, *Census of Ceylon*, 1946, Vol. I, Part II, Table 69.

34. *Ibid.*, calculated from figures, p. 257.

35. Cf. I. K. Weerawardane, Department of Agrarian Services, "A Review of the Paddy Lands Act," mimeographed (Colombo, 1971) p. 11.

36. For representative British thinking on the subject, see below, the comments by Brayne, and *Report of the Banking Commission*, Sessional Paper No. 22 of 1934, Part II and *Final Report of the Land Commissioner*, Sessional Paper No. 18 of 1929, esp. p. 12.

37. *CAR*, Report of the A.G.A. Hambantota, 1899, E25.

38. *Ibid.*

readily available from land-hungry Matara.[39] The chronically rice-deficient Matara district supplied not only labour for opening up the Hambantota frontier, but also a ready market for the rice surplus.[40] Both of these factors were probably important for the kind of development that took place, given the state of transportation and the reluctance of Sinhalese villagers to venture into the dry zone jungles. In Batticaloa, the surplus found a ready market among Jaffna traders who transported it by sea to their home district.[41] It is clear from the figures for land sales and the inevitable costs of hiring labour to open up new land that ordinary land hungry peasants were not likely to be the entrepreneurs. Some initial wealth was necessary to bid for and to develop the attractive irrigated land.[42]

In Batticaloa, government policy in the early 1920's, in response to the rice supply crisis, turned briefly toward alienation of large blocks of land to "capitalists" to stimulate production.[43] But the more typical process of concentration of land began earlier and seems to have resembled one of the archetypal models of peasant society undergoing commercialization, the land-mortgage-foreclosure cycle, aggravated less by production of commercial crops, as is often the case, than by the unique hydro-ecological conditions of the dry zone, with frequent crop failures and a constant need for credit among the peasants. Certainly the presence of some of the best soil in the dry zone must have attracted land speculators to Batticaloa,[44] often from Jaffna where land scarcity forced traders and enterprising agriculturalists south. The district was indeed known traditionally as a rice-surplus area, so much so that the Portuguese historian De Barros argued that the name itself meant "rice kingdom."[45] Despite the dubious nature of this linguistic speculation, the Government Agent in 1915 could report that "this is one of the few districts which can support itself on its crops and also export rice. Nearly 52,000 bushels of paddy were

39. *Ibid.*, the Census Publications, *Census of Ceylon*, 1921, Vol. I, Part I, p. 100. The account here and later is based on the year by reports of the Government Agents, the 1921 and 1931 Census Reports, a typescript history of Magam Pattu by a former mudaliyar, interviews with scions of some of the pioneering families, present and former government servants and a number of diffuse sources such as *Hansard* debates and administration reports of various departments.

40. For example, *CAR*, Report of the A.G.A. Matara, 1920, C11.

41. *CAR*, Report of the G.A. Eastern Province, 1917, E2.

42. For example, cf. *CAR*, Report of the G.A. Eastern Province, 1924, E8, and *passim*,

43. E.g. *CAR*, Report of the Department of Agriculture, 1923, D5, and Farmer, *op. cit.*, p. 116 ff.

44. It seems appropriate to mention briefly a few of the institutional factors which prevented the concentration of paddy land in the rest of Ceylon through the mechanisms outlined above and below. I suggest (a) extreme uncertainty and complexity of titles to land and tenurial rights, particularly in *thattumaru* (rotating cultivation rights) areas, as discussed in G. Obeyesekere, *Land Tenure in Village Ceylon* (Cambridge Univ. Press., 1967) *passim*; (b) the cultural complex of obligations attached to land ownership in some areas, particularly *rajekariya* duties; cf. E. R. Leach, *Pul Eliya* (Cambridge, 1961) for examples, especially p. 138; (c) fragmentation and parcelization of holdings, as well as inaccessibility, especially in the Central Province; (*d*) the function of land in social-factional alliances and marriages, i.e. its non-economic local importance; cf. Obeyesekere, cited above, pp. 215, 226; (e) the low level of penetration of a dependable state apparatus which would allow extraction of the surplus, particularly in the face of unified village opposition; (f) perhaps primarily, paddy was a poor alternative when status (and profit) were readily available in alternative outlets for surplus capital in the plantation sector in the wet zone. Cf. Michael Roberts, "Aspects of Ceylon's Agrarian Economy in the Nineteenth Century" in University of Ceylon, *History of Ceylon, volume III* (Colombo Apothecaries Co. Ltd., 1973) pp. 156-159.

45. Related in *CAR*, Report of the G.A. Eastern Province, 1915, E3.

exported to Jaffna in 1915."[46] As work progressed on more irrigation projects, Batticaloa had already developed vigorous commercial relations and its large rice surplus (in good years) represented a significant prize.

The process of concentration of land ownership in Batticaloa was described in 1920 as follows:[47]

> For some years past there seems little doubt that the general tendency has been for the ownership of land to pass from the small to the big man, for the peasant proprietor to be ousted by the capitalist. This means that an increasingly large proportion of the paddy-cultivating population have no land of their own, but work as cultivators or coolies under the land-owners.

The report of the Batticaloa Paddy Bank for 1921 outlined the mechanism:[48] moneylenders exploited the "improvidence of the farmer," loaning funds in September at high rates in the (correct) expectation that after paying back his loans with interest, following the harvest in May, the cultivator would have to borrow again before September for consumption needs and seed paddy; credit was progressively extended until the mortgage on land could be foreclosed. The Jaffna traders were accustomed to taking advantage of the cultivators' distress after the harvest and advanced cash for a promise to sell rice at the next harvest at a stipulated price (well below the probable market price). In 1911 the promise was typically for Rs. 6-8 per *avanam* (about one rupee per bushel) compared to a harvest-time price of Rs. 15 per *avanam*.[49] Evidently the only reliable profits made in paddy cultivation were those of such middlemen who either obtained rice at market prices and held it until scarcity produced a price increase or were able to obtain rice at less than market rates through their lending operations. There was little risk in these operations, as loans were secured against the mortgage of land; a typical net return to current capital outlay was about fifty percent per season.[50]

As to the impact on the cultivator, the Government Agent, Mr. C. V. Brayne ventured that the system "does not appear to be in the truest interests of the village population." The actual cultivators were supplied with grain "for their maintenance" by owners throughout the cultivation season (lasting five to eight months), but "in very few cases [did] their share of the crop suffice to keep them more than two or three weeks after the harvest." For the remainder of the year they led "a precarious existence" until the next sowing "by any odd jobs or cooly work they [could] get."[51] Even though holdings were large by Ceylon standards, "the larger part of the population of the district worked for wages in money or kind. .. during some months of the year." At

46. *Ibid.* In 1911, the G.A. reported 120,000 bushels exported (Report for 1911-12, E2) which is a remarkable figure, representing the entire surplus of perhaps 12,000 acres (my estimate).
47. *CAR*, Report of the G.A., E.P., 1920, E2. The G.A., C.V. Brayne, was both concerned and active with respect to these tendencies; his special system of protected land tenure became the model for that of the Land Development Ordinance of 1935. He also emphasized the need for credit for cultivators to protect their independence and their land. To this end, he started the Batticaloa Paddy Bank.
48. *CAR*, 1921, E. 7.
49. *CAR*, Report of the G.A., E.P., 1911-12, E2.
50. *CAR*, Report of the G.A., E.P., 1920, E3.
51. *Ibid.*, E2.

the other end of the scale, a Mr. Markadan, "one of the largest producers of paddy in the district," was given a permit in 1920 to export 8,000 bushels of paddy to Jaffna;[52] figuring twenty bushels to the acre, and half the gross produce for cultivator maintenance, waste, seed requirements, etc., this represents control of the surplus of at least 800 acres.

The pattern described above suggests that those who obtained large tracts of paddy land in Batticaloa were not capitalists but rather commercial middlemen ("mudalalis") and rentiers. The capitalist function of accumulating capital to alter the technique of production was performed by the State, primarily in the form of irrigation works and supporting infra-structure (a rail connection in the early 1920's, e.g.). By 1925 three-fourths of the irrigated paddy in the district was under major works constructed by the Government.[53] The efforts of capitalist combines and individuals to extend paddy cultivation on their own in the dry zone were largely failures.[54] Land speculation was, of course, a different question, and wealthy men easily outbid peasants for land that might become valuable with irrigation.[55]

Evidently the economic and institutional system allowed concentration of holdings by men with surplus resources, and exploitation of the peasantry, but did not encourage the full development of productive forces typical of capitalist accumulation. Speculation is necessary here, but it seems that the low price of rice, a consequence of the British policy of cheap imports designed at least in part to aid owners in the plantation sector,[56] discouraged capitalist enterprise in paddy. Brayne noted in 1920 that the universal complaint of the cultivators was that paddy production did not pay.[57] A second constraint on the development of capitalist agriculture was hydrological; crop failures from untimely rains and inadequate water control were serious and frequent, encouraging speculation and hoarding but discouraging investment in either production capital or land development. Farmer emphasizes these ecological factors in his treatment of the dry zone; while the G.A. in Batticaloa in 1935 stated: "There is very little wealth in the district and the landowning classes who suffer periodic losses from their paddy and coconut lands due to drought and pests are by no means prosperous."[58] This does not mean that mudalalis did not make large profits dealing in paddy and controlling paddy land (see above) —indeed these recurrent disasters facilitated both—but investment in paddy production, as opposed to paddy commodity or land speculation, was a risky business. The surplus was squeezed from the cultivators, not from higher productivity as in the capitalist model. And doubtless much of this surplus went to support emulative attempts at social mobility: ostentatious consumption, dowries, foreign education, etc.

52. *Ibid.*

53. *CAR*, Report of the G.A., E.P., 1925, E10.

54. Farmer, *op. cit.*, p. 116 ff; *CAR*, Reports of the Department of Agriculture, 1921, C4; 1923, D5.

55. *CAR*, Report of the G.A., E.P., 1924, E8 and *passim*. "Exploitation" here means only that (1) the return to the actual cultivator was insufficient to maintain his family, even though holdings were fairly large and the land productive, (2) owner-cultivators often lost their land to others who performed no productive function.

56. See, e.g. *CAR*, Report of the Department of Agriculture, 1920, C2, for an account of how badly rice price increases hurt plantation owners and Government steps to cope with the potential losses.

57. *CAR*, Reports of the G.A., E.P., 1920, E3; 1924, E4.

58. Farmer, *op. cit.*, p. 67 and *passim; CAR*, Report of the G.A., E.P., 1935, E4.

We have an interesting microportrait of this historical process in Yalman's anthropological account of a dry zone village. On unirrigated land, the landlord traditionally received only an equivalent of the seed as his share: if the yield were ten-fold, the return to the land factor would be one-tenth of the harvest. When tank irrigation was introduced in the village, a spate of buying ana selling of land resulted. Most of the paddy land was bought up by shopkeepers in the nearby town. Landlords on these large holdings did not follow traditional sharecropping arrangements, but employed coolie labour, granting "ande" (share) tenancy only to kin and friends as a favour. The result was a polarization of the population, with a large percentage becoming landless labourers.[59] Irrigation increases the reliability of the surplus, enhances the value of land, attracts outside commercial interests, and thus leads to deterioration of traditional land tenure forms.

The account thus far has been far more detailed for Batticaloa than for Hambantota, reflecting the different interests and involvement of the Government Agents for the two areas. Doubtless similar dynamics occurred in Hambantota, but I know of no detailed account. The less pronounced penetration of the Jaffna trader may have resulted in a less thorough-going commercialization, and the process of dispossession of peasants does not seem to have been as important; landless labourers have never been so great a percentage of the agrarian population, even though there was far more immigration into Hambantota relatively.[60] Entrepreneurs who opened up land or purchased developed land from the Crown in Hambantota over time became absentee rentiers, preferring the education and professional opportunities (as well as the physical amenities) of Colombo to the primitive conditions of Hambantota. They hired agents to oversee cultivation, the "gambarayas." Gambarayas had the incentive and ability to squeeze cultivators and reportedly encroached on the shares of both owners and tenants. Over time, they also leased and bought land and gained control of essential capital (bullocks, e.g., and now tractors) and through lending operations (both for consumption and production, especially seed paddy) assured themselves steady access to a share of the surplus paddy, thus becoming very powerful men.[61]

For reasons probably common to both districts, neither "gambarayas' nor owners seem to have been willing to perform capitalist functions on the land. For example, in the mid-1920's, it was reported that the major cultivation problem on paddy lands irrigated from tanks in Hambantota was that minor dams used to divert strean water were ruptured frequently by floods. Every Government Agent offered to build anicuts if the owners would pay the cost. Owners, however, "always refused" because "the construction and maintenance of the dams are the duties of the cultivator, and the proprietor is not prepared to save the cultivator trouble; they would rather occasionally lose a crop which they can well afford to do. It is the cultivator who suffers."[62]

59. Nur Yalman, *Under the Bo Tree* (Berkeley, 1967) pp. 232-33.

60. According to the *Census of Ceylon*, 1921, agricultural labourers in Batticaloa outnumbered cultivators by more than two to one in 1911, though only slightly in 1921. Hambantota has never approached this ratio, cf. pp. 109, 130. The data is useful only in general terms as the categories were poorly defined and not comparable over time.

61. This account is based on the sources mentioned above (note 39) and some access to a study being prepared at the Agrarian Research and Training Institute in Colombo. I am especially indebted to Hiran Dias and A. S. Ranatunge of the Institute for information.

62. *CAR*, Report of the A.G.A., Hambantota, 1924.

There are other clear instances of the same phenomenon, reluctance to invest in capital improvements to control irrigation.[63] In 1948, the G. A. in Batticaloa reported that upkeep of irrigation works was a critical problem: "Considerable difficulty has been experienced in dealing with absentee landlords. It often happens that under a village tank no single inhabitant of the village owns an acre of land, all the fields having been mortgaged to and bought in by money-lenders from distant villages."

To summarize, the following features characterized the agrarian situation in Batticaloa and Hambantota at the time of the 1953 PLA:

1. Although much of the tank-fed irrigation and rainfed agriculture was extremely risky, producing alternating years of subsistence and somewhat less for the cultivators, necessitating frequent government relief works and distribution of seed paddy, the major irrigation works created in parts of those districts the potential for a fairly reliable surplus. The Census Report of 1921 remarked: "While the greater portion of the Island was threatened by famine, the lands under the Kirindi-oya and Walawe schemes produced such a large amount of paddy as to suffice not only the requirements of Hambantota District, but to export a large surplus to other districts."[65] The same was true of Batticaloa.[66]

2. The poverty of the majority of cultivators, aggravated by alternating floods and droughts, allowed men with surplus resources to acquire land and/or to concentrate ownership through purchase and mortgage arrangements, creating discontinuities between ownership and cultivation of paddy lands. The auctioning of Crown Land typically had the same effect.

3. The availability of such exploitable opportunities, combined with disincentives imposed by natural conditions (and probably the price structure) prevented the emergence of capitalist agriculture. The resultant agrarian system was costly to the State (relief works, foregone production) as owners felt no need to invest in capital improvements and cultivators had no surplus to invest.

The Defects and Productivity

It is impossible to settle here the question of whether the tenurial disincentives to production were worse in Batticaloa and Hambantota than in the rest of the island. It would seem that one easy point could be made, but it is a point which escaped the framers of the PLA: any effective dispossession of the rentiers in favour of the cultivator would solve two problems: that of the cultivators having too little surplus to invest in working and fixed capital (especially channel works) as well as the problem of their lack of incentive to do so. The liberal vision which informed the 1953 Act not only precluded this solution but also excluded attention to the fact that the distribution of

63. *Ibid.*, for 1929 and 1948.

64. *CAR*, Report of the G.A., E.P., 1917, E4.

65. *Census of Ceylon*, 1921, p. 109.

66. *Ibid.*, p. 130; cf. also *Report of the Census of Ceylon*, 1931, Census Publications, pp. 71 and 56.

ownership rights (including the absentee) as a defect. Narrowing our attention, then, to the defects which the liberal paradigm allowed for, we should consider the effects of share tenancy on productivity.

These effects in Sri Lanka are subject to various interpretations. Contrary to findings elsewhere and to common sense, a study in Kandy District in the mid-1950's found that tenants obtained higher yields than owners. However, these tenants received inputs or credit from landlords which probably were not so readily available to the very poor owner-cultivators.[67] Hiran Dias cites evidence of tenants obtaining higher yields than owners in three (of five) sample districts, but the relationship is reversed in Hambantota;[68] however, by the time of the study, tenants in Hambantota typically paid only one-fourth of the crop, as opposed to the more usual one-half elsewhere,[69] and probably enjoyed greater security of tenure as well. Izumi and Ranatunga present an argument based on a derived production function (hence not strictly empirical) to show that tenants will not adopt yield-increasing practices and inputs because of the cost relative to return,[70] but Dias has evidence that tenants adopt high-yielding varieties more readily than owners.[71] Unfortunately, the effect of tenancy on yield is impossible to isolate in these studies because of the lack of control on two crucial variables: credit / inputs and irrigation. (Tenants may have easier access to inputs since their landlords act as brokers, have resources, and have a stake in yields; the most valuable, irrigated lands, the most productive, may have a higher percentage of tenant holdings, confounding the aggregate owner-tenant comparison on presently available data). But a forceful case in logic can be constructed to show that share tenancy in the Sri Lanka context is an obstacle to higher productivity.[72]

But the Hambantota-Batticaloa tenurial defects as yield-depressants are not necessarily covered by the arguments above. At least in Batticaloa, ordinary share tenancy covered by the term "ande" was not a significant mode of organizing production; hired labour, or the kind of sharecropper who is in effect a piece-rate labourer (described earlier), was more prevalent. Moreover, from the standpoint of the Government's professed priority of obtaining more rice, the extractive methods of landlords in these districts may have been more effective than if rents were lowered and controlled, for the marginal (supposed) increase in yields would probably be consumed. The Government's policy position is further complicated when we note that yields per acre in the two districts were not markedly different from those in other parts of the island; in Hambantota yields were significantly higher than the national average, in

67. *The Disintegrating Village*, *op. cit*., p. 20.

68. Hiran Dias, "A Land Reform Policy in the Context of High-Yielding Varieties of Seed," *Ceylon Studies Seminar* (mimeo), 1973, No. 4, pp. 12-13.

69. Cf. K. Izumi and A. S. Ranatunga, "Cost of Production of Paddy, Yala, 1972," ARTI (Colombo, 1973) p. 10.

70. *Ibid.*

71. Dias, *op. cit*., p. 11.

72. The literature is simply too voluminous, the argument too complex, to explore here. The confusion and contradictory findings in the literature often arise from a simplistic categorization and ill-considered aggregation of data; not all "tenants" are plagued by low income and savings and insecurity of tenure, especially as commercialization proceeds (note the Punjab). But for those who are, remedy of these problems should provide the necessary, though not necessarily sufficient, conditions for increased productivity, at least to the extent that these represent constraints on investment and disincentives for increasing labour inputs (by keeping marginal returns to labour very low).

Batticaloa very slightly lower, but comparable to other dry zone districts.[73] Moreover, in the time period under consideration, some of the districts with the highest percentage of "ande" (which, after all, means "one-half") tenancy (the Central Province) had consistently higher yields than the rest of Ceylon.[74] If the University of Ceylon study cited above is representative of the high-yield Central Province, "ande" rents in the high-yield area probably exceeded one-half of the harvest regularly; tenants had no certain security of tenure, but arrangements were probably more stable than those reported in Hambantota and certainly more secure than in Batticaloa.[75] The question of why the reform applied only to these two districts is further complicated by the all-Ceylon findings of the *Report of the United Kingdom and Australian Mission on Rice Production in Ceylon.*[76] This study found that large paddy owners, "of whom there are a great number," took little interest in cultivation, that 'ande' tenancies were commonly auctioned to the highest bidder (extreme insecurity of tenure), that very small holders were too poor to invest in inputs or implements, and that *thattumaru* tenures (rotating cultivation rights) depressed rice yields.[77] I think the weight of evidence mentioned above reinforces the point made at the beginning of this section; the yield-effects of tinkering with terms of tenancy were indeterminate but the clear disincentives to increasing production of paddy in Hambantota and Batticaloa could have been removed through expropriation of absentees and middlemen and the granting of ownership rights to the tiller, perhaps with safeguards against future loss of land to moneylenders and agents. The reasons for restricting reform geographically seem weak in the face of the evidence available at that time.

A by-product of this digression on productivity is to illustrate the power of political mythology and paradigm; Dudley Senanayake, as Minister of Agriculture, dismissed the tenure-yield question as a simple one, arguing that the effects of tenure on production were "well-known."[78] Although it is slightly ahead of the plan of the paper, we might note here that the most economically rational organization of paddy cultivation in Sri Lanka, based on available evidence, would be the redistribution of paddy land over a ceiling of about five acres per family with a floor holding of between one and two acres, with full ownership rights vested in the cultivator.[79] For different

73. *CAR*, Report of the Department of Agriculture, for 1952, 1953, 1954, pages C8, C11-12, C12 respectively.
74. For yields, see preceding note; for percentages of "ande," see *Census of Ceylon,* 1946, Vol. I, Part II, Table 69.
75. *The Disintegrating Village*, *op. cit*. "Ande" tenancies in the Central Province are more likely to be kinship relations than in the commercialized systems of Hambantota and Batticaloa.
76. *Sessional Paper*, *No.* 2 *of* 1955.
77. Though there is some dispute, it seems clear the productivity effects are negative; a good study is I. K. Weerawardane and I. Collonege, "Evaluation Study on Thattumaru and Kattimaru Land Tenures," Dept. of Agrarian Services, mimeo, 1972. This system was not important in the two districts being discussed.
78. *Hansard*—HR, Vol. 11, p. 47.
79. Rather than presenting here the evidence which leads me to this conclusion, I refer the reader to the following, of which the first two provide summary argumentation: (a) "Interim Report of the Land Reform Commission," mimeo (Colombo, 1971), esp. pp. 8-10; (b) *Matching Employment Opportunities and Expectations*, ILO (Geneva, 1971), *Technical Papers*, Chapters 10 and 12, *Report*, Chapter 6; (*c*) Izumi-Ranatunga, *op. cit.*, pp. vii, 5 and 6; (d) T. Jogaratnam, R. Schickele, "Summary Report of the Socio-Economic Survey of Nine Colonization Schemes in Ceylon, 1967-68," mimeo (Peradeniya, 1969) p. 12. The bias in my prescription toward peasant smallholdings is based solely on the lack of good evidence that collectivization of paddy agriculture is feasible in Ceylon; such evidence may be eventually forthcoming.

reasons, such a policy prescription was incongruent with both liberal and Marxist visions, and hence not a possibility in either the 1953 or 1958 PLA. This constriction of the range of potentialities can be viewed as contrary to the process of political development.[80]

In summary, the operative paradigm viewed the tenurial structure as unproductive; it was unproductive because tenants were insecure and paid too high a rent, sapping incentives. An alternative paradigm might define the defeots as the insecurity and poverty of the landless. Or alternatively, accepting the productivity criterion, a more accurate paradigm would perceive insecurity and high rental shares as manifestations of another defect, the extreme concentration of land and the resulting landlessness. The first alternative paradigm is informed by different values, the second by a different understanding of agrarian dynamics and causality. After noting that different perceptions of defects are possible under different ideologies, we can provisionally accept the Government's perception of the system's defects and evaluate the response.

The Liberal Response

The Paddy Lands Act of 1953 had three major provisions.[81] To ensure security of tenure, no tenancy could be contracted for less than five years. In such registered tenancies, the rent could not exceed a statutory amount (later fixed at one-fourth of the crop or ten bushels). To ensure maximum production, measures were sanctioned for forcing cultivation of any paddy field left fallow after the date set for the beginning of cultivation in the area. The tenancy provisions applied only to registered tenancies; there was no compulsion to register the relationship. Existing tenants could be evicted for any reason during the first year the act applied, and for cause anytime during the five-year period (e.g., for late payment of rent, for allowing the field to deteriorate).

The normative model which underlies this Act, as will be explicated

80. One other interesting contribution of both myth and paradigm may have been to foreclose the option which was the simplest and most effective from the production viewpoint (alone)—increasing the price of paddy for producers. The paradigm which probably contributed to ruling out this policy was the then-popular emphasis on cultural-institutional 'obstacles to development' which implied that peasants are not responsive to price incentives. See, e.g., the refutation in Theodore Schultz, *Transforming Traditional Agriculture* (New Haven, 1967), pp. 26 and 27. The relevant myth is the belief, widely and deeply shared in Ceylonese society, that the natives are lazy. The myth, at least as old as Robert Knox's account, was preserved, for example, in the typical remark of a British G.A. on "the natural indolence of the cultivator" and more recently expressed by the Minister of Social Services: "All our present hardships. . . .are due to the laziness of the people" (*Sun*, 16-10-73). The confluence of myth and paradigm must have reinforced the obvious political sensitivity, illustrated by the hartal of 1953, of raising the cost of rice to consumers, especially given the urban orientation of the Government and the visibility and power of urban groups. I have no hard evidence to present with this hypothesis, but it is probably correct.

81. Cf. *Legislative Enactments of Ceylon*, (Revised Edition, 1956), Vol. 12, cap. 444.

below, is clearly liberal[82]—there is a minimum of compulsion, property rights are safeguarded. The empirical model attributes low production to tenurial disincentives and has a venerable history in Ceylon and internationally.[83] As we would expect, there is a close fit between the policy implications of the empirical model and the values of the normative model. Moreover, as will become apparent below, this particular explanatory sub-paradigm is well-integrated with the liberal empirical paradigm of how the larger world works.

That the Act is essentially liberal in conception seems clear from its faithfulness to the following themes in liberal ideology: (1) Incrementalism. The State's prerogatives are viewed as limited and regulatory rather than interventionist and transformational. The preference is for mitigation rather than alteration. The basic structure of social processes, relations and institutions is seen as being essentially sound, needing only *ad hoc* adjustments to ameliorate defects when these become "hardly tolerable." The political function vis-a-vis society is pragmatic adjustment rather than directed transformation. (2) The voluntaristic-contractual view of social relations. Society is conceptualized as the relatively unrestrained interaction of freely acting and independent entities who contract with one another for mutual benefit; the State itself exists only because of such contracts. A tenant-landlord nexus is thus seen as voluntary-contractual, not coercive, and defects are remediable by changing the terms of the contract. (3) The presumption in favour of property. Serious interference with property relations, a crucial question in land reform, is ruled out not only because the role of the State is non-interventionist and social relations and structures are essentially sound,[84] but also because the right to property is taken as natural and inalienable. In the Marxist sociology of knowledge, liberalism as a social philosophy arose as a rationalization of the need of a new class, the bourgeoisie; it began as an attack on feudal privilege and status-oriented social relations (exhibiting its "utopian" elements) in favour of legitimization of the "laws of the market," the sanctity of contract, and the institutional infrastructure necessary for the industrial-commercial revolution, including the legal structure sanctifying private property. (4) A perceptual and normative preference for social consensus over conflict. Society is at least non-conflictual, if not basically consensual-harmonious; individuals agree to the social relations they enter into, they do so freely, so that there is no basis for sustained conflict. The Benthamite greatest good for the greatest number remains the ideal, one on which reasonable men can agree. There is a definable general interest, rather than mutually-exclusive group and class interests; thus policies can be formulated for the good of all, in direct opposition to

82. There are of course numerous strands in liberal thought, from the classical *laissez-faire* liberalism of F. A. Hayek to the welfare-oriented, almost communal liberalism of John Dewey, but I think the main core of the tradition, based on John Locke, Adam Smith, the Utilitarians, and John Stuart Mill will roughly accord with the themes I employ. The only controversial interpretation is perhaps the pro-property orientation, which I base on John Locke's "natural right to property." For a brief, and excellent, contemporary treatment, see Robert P. Wolff, *The Poverty of Liberalism*, (Beacon Press, 1969).

83. For two examples, see *Report of the Banking Commission, op. cit.*, and *Report of the United Kingdom and Australian Commission . . . op. cit.*

84. As Mannheim (*op. cit.*) observes, the utopian elements of an ideology—in this case the liberal attack on feudal society—would preclude the assumption that society is essentially well-ordered, but liberalism as an ideology, i.e. after the victory of its champion class, becomes supportive of the social relations in the new society.

the Marxist perspective which sees policy content in terms of inevitably conflicting class interests. When questioned on the problem of landlords being allowed to evict tenants under the provisions of the Act, and having no incentive to retain them, Dudley Senanayake replied that he simply could not imagine why they would do so; Marxist MP's, on the other hand, assumed that tenants would be victimized.[85] J. R. Jayewardene, then Minister of Finance, speaking for the Bill admitted abuses might occur, but that the Government could basically depend on the "honesty" of tenants and landlords, on their good faith in dealing with one another.[86] (5) Negative freedom vis-a-vis the State for the individual. The understanding here is that the individual should be free *from* various intrusions by the State. This aspect of liberalism, though the most popular in rhetoric and theory, is important in that freedom or liberty is posited as a good only vis-a-vis the State or the collective, and not vis-a-vis property or individuals; hence the State is wary of "coercion" in interfering with landlords but does not see any diminution of liberty in the landless cultivator's subjugation to the prerogatives of landownership.

It is not surprising that an elite steeped in British liberal traditions, and dominated by a party which in many other ways was basically liberal,[87] should produce an essentially liberal land reform. What is remarkable is that the reform should deviate so markedly from even the limited goals for which it was meant. This point is reinforced by a brief look at the enforcement of the Act.

The effect was predictably minimal, as the liberal paradigmatic assumptions did not fit the nature of the agrarian system and the liberal values prevented any basic change in the system to create a closer fit. (For example, tenants who owned some land and had access to official credit and inputs might be able to enter into meaningful contractual arrangements with owners for mutual advantages, but this would have involved a redistribution of land). In introducing the 1958 PLA, the Minister of Agriculture noted reports from Hambantota on implementation.[88] The Government Agent of the district held the Act to be a total failure. A major cause for failure was that landlords simply refused to give leases; the voluntarist, contractual paradigm was thus incongruous with the preponderant social and economic power of owners. Presumably, if owners had been willing to grant security of tenure and lower rents, they would have done so and the Act would not have been needed. That they did not do so should have suggested that more than the Act was needed. Secondly, landlords were able to evict tenants at will; fear of eviction, in a phenomenon presaging the fatal flaw of the 1958 PLA, prevented tenants from demanding a contract and lack of a contract frustrated the provisions for security of tenure and rent regulation which were to increase production.[89] And fear of eviction was rooted in the lack of alternative employment opportunities and the economic insecurity of the landless peasant; the problem was in the distribution of land, not in contractual terms.

85. *Hansard*—HR, Vol. 11, c. 1916.

86. *Ibid.*, Vol. 13, c. 301.

87. See Wriggins, *op. cit.*, p. 116.

88. *Hansard*—HR, Vol. 30, speech beginning c. 1890.

89. *Ibid.* The Act also failed to deal with the "gambarayas," who were the actual link between tenant and landlord and extracted a large part of the surplus, so that a contract between owner and tenant would be rendered meaningless as a mechanism to raise cultivator income and incentives.

The Government Agent in Hambantota held two meetings to popularize the Act and "seek the cooperation" of cultivators and "gambarayas." Given the liberal fear of delegating powers and the failure to create any special institutional form to implement the Act, the G.A. could do little more than seek cooperation: "Both meetings were rather stormy and served only to accentuate the gulf between the 'haves' and 'have-nots'." He concluded there would be great difficulties in operating the Act.[90] Implementation was largely limited to requesting information and holding meetings. By 1955, a number of complaints of evictions by "gambarayas" had been received, but nothing could be done about these. "It is readily apparent that Amendments to the Bill are required. . . ."[91] The Act met with no more success in Batticaloa. The impact was evidently so minimal that the G. A. did not mention the implementation for the first two years in his annual reports. One M.P. for the area reported that the Act had no effect whatsoever.[92] The G.A. finally reported, in 1955, that the Act was very difficult to enforce, that evasions were easy and common, and that landlords had simply reported they tilled with landless labourers rather than tenants (this distinction being, in any case, hard to maintain, as mentioned earlier). Customary tenurial relations prevailed which were "quite unrelated to the methods prescribed by the regulations."[93] By this time the administration in Hambantota had ceased its efforts to enforce the Act.[94]

As a bridge to the Marxist paradigm of rural relations and land reform we should note here how strikingly uni-dimensional the liberal view is; specifically, the relation between owner and worker on the land is conceived in narrow tenurial terms. But a land tenure system is much more than the terms of rent, and the liberal failure to place these relations in the more comprehensive set of economic, social and political relations in which they are "embedded" is to lose the capacity for even a limited reform aimed at limited objectives. Because his contacts with the outside world tend to be mediated, the sharecropper is dependent on intermediaries for a range of services, most critically credit and marketing. Unless the State assumes responsibility for these functions, any narrow tenurial change which is contrary to the interests of the owner can be effectively resisted. An insightful report noted these elements in Hambantota as early as 1925.[95]

> These (cooperative) societies are not very successful: they are opposed by those people who are in the habit of making advances to the cultivator at high rates of interest; the cultivator is unable to obtain from the societies sufficient help to make him independent; if, therefore, he joins a society, he still requires advances from elsewhere, and finds it difficult to obtain them; he must be either completely in bondage or completely free.

For cultivators enmeshed in this kind of dependence, there can be little question of demanding a lease which lessens the owner's prerogatives.

90. *CAR*, Report of the A.G.A., Hambantota, 1953, A103.
91. As above, for 1955, A116.
92. *Hansard*—HR, Vol. 30, c. 2121.
93. *CAR*, Report of the G.A. Batticaloa, 1955, A190.
94. *CAR*, Report of the A.G.A. Hambantota, 1955.
95. As above, for 1925, C28.

The multiplex character of the tenurial connection has implications which run in the opposite direction as well; the landowner or "gambaraya" is not simply representing a factor of production as in the liberal economic paradigm, nor solely concerned with maximising economic returns. Whereas granting security of tenure might improve the land, especially through better upkeep of channels, application of manure, etc., it would destroy a power handle which the owner has on the tenant. A fixed rent arrangment might likewise increase cultivator incentives and lead to higher yields (as micro-economic theory would predict, through raising the marginal return to labour inputs) but might imply greater equality of status and, if cultivator income were enhanced, lessen the dependence of the cultivator on the owner for consumption credit.[96] Many owners or agents are playing a mixed-sum game, the goals of which are only partially rent maximization. If the tenant remains insecure in his land use rights, and desperately poor, he can be forced to accept credit at ruinous rates, pay higher than the going rate for tractor or buffalo hire, or sell produce at less than market rates, all to the advantage of his intermediary,[97] he can also be induced to perform more diffuse functions, such as political, factional, or physical support.

Before leaving the 1953 Act, it is only fair to mention one provision which seems quite illiberal and indeed evoked startled reactions from liberal-minded MP's at the time. This provision sanctioned the competent authority to "use such force, as he may deem necessary" to take over uncultivated paddy fields.[98] The language probably reflects the seriousness of the concern with increasing domestic food production, but the provision was not so illiberal as some feared and could not be used contrary to the interests of owners. The provision for takeover was directed at absentees, who often left valuable lands uncultivated. The competent authority was empowered, however, to appoint a cultivator and "pay the authorized rent of that land to its owner. . . ."[99] In effect, the law penalized the rentier who refused to arrange for cultivation of his land by providing him with an agent to make those arrangements and collect the rent. Since middlemen typically took much of the surplus, such an arrangement might prove a net benefit to the rentiers. Rather than changing the "gambaraya" system, the Act empowered the State to step into the traditional gambaraya role. Finance Minister, J. R. Jayewardene sounded very illiberal indeed when he termed uncultivated paddy land "a crime against society,"[100] but the Government of which he was a part envisioned a rather mild punishment for the crime. That the statement was made at all reflects the vulnerability of the Ceylonese economy with regard to food production and the impact of this heteronomous force on political thinking. His remark was also, of course, a precursor of what has since become a dominant theme in land reform ideology in Sri Lanka, the legitimacy of societal claims on land and land utilization against the traditional prerogatives of private ownership.

96. The status dimension is emphasized by Obeyesekere, *op. cit.*, pp. 211, 214.

97. For examples, *ibid.*, p. 215; Yalman, *op. cit.*, pp. 45-46.

98. PLA No. 1 of 1953, *op. cit.*, C 444, p. 649, Section 12 (1).

99. *Ibid.*, 14 (1) c.

100. *Hansard*—HR, Vol. 13, c. 304.

The Marxist Vision and the 1958 Paddy Lands Act

The General Elections of 1956 brought about an unprecedented mobilization of new groups, particularly in rural areas, and profoundly altered the political culture and structure of Ceylon.[101] The MEP coalition which came to power was a loose agglomeration of forces which had no coherent agrarian or economic philosophy or programme, though there were strong currents of populism and some Marxist elements. The connecting strands in the coalition—primarily cultural, linguistic, symbolic—had no necessary implications for land policy. The absence of political coherence was reflected in a period of flux in political philosophy; on land policy, the competing paradigms were clearly etched, particularly within the Cabinet.

Three currents of ideology were at play when the 1958 Act took form. Because the author of the Act, Minister of Agriculture Philip Gunawardena, was the "Father of Marxism in Ceylon," that vision had a dominant influence; opposition to the Act took the liberal form which dominated the 1953 Act. But neither the Marxist nor liberal vision triumphed, as the political culture, and persistent economic pressures, offered more support for an emerging third ideological strain.

That the UNP retained its essentially liberal ideology of land legislation seems apparent from Mr. Banda's speech for the party on the 1958 Bill. He expressed satisfaction with the provision that cultivators were to determine the wages of agricultural labourers (the presumption in favour of capital over labour): "everyone agrees to that." The emphasis on the individual and individual rights against the collectivity was apparent in the attack on collectivization (which was not really provided for in the Bill; here the opposition was more to the known ideology of the Minister than to actual provisions): collectives would destroy individuality and the peasant ceases to be a peasant when he ceases to be an individual. With a Burkean flavour he emphasized that the Bill would endanger existing social relations and the "social fabric" of the village.[102] The Madisonian liberal fear of delegating powers was reflected in a concern that anyone so empowered under the Bill's provisions would abuse the powers and act on personal grudges.[103] The preference for continuity, together with a rationale for periodic adjustments in the agrarian system, was manifest in: "We are all for a contented peasantry."

The Tamil political parties, though of no importance in formulating policy, exhibited a similarly liberal opposition to the PLA. Ponnambalam for the Tamil Congress asked: "Must Ceylon tread the bloody path to collectivization over the corpses of individual freedom and liberty or should she not rest secure by the creation and strengthening of the backbone of democracy, namely, of land-owning peasants. . . ."[104] Here democracy itself is taken to *mean* the liberal democracy of Tocqueville and Jefferson, precluding a perception of democracy as the collectivist sort of Rousseau (or Philip Gunawardena).

101. The best general treatment is Wriggins, *op. cit.*, pp. 326-66.
102. *Hansard*—HR, Vol. 30, 2147.
103. *Ibid.*, c. 2164.
104. *Ibid.*, c. 2325.

A remarkably similar set of perceptions met the author of the PLA, the Minister of Agriculture, within the Cabinet, from the Minister of Lands. The major policy response of both the British and the UNP governments to landlessness and the recurring food crises had been to create more small peasant holdings, either through village expansion schemes or costly irrigation-colonization projects. This was the preference of the Minister of Lands as well, and was stated as Government policy in the Governor-General's speech in 1957.[105] The MEP Government itself thus marked a watershed on this point; Philip Gunawardena as the Minister of Agriculture sought to "unleash the productive forces" on existing lands through agrarian reform; C. P. de Silva continued to think of solving agrarian problems incrementally, increasing food production by developing the dry zone. That the dichotomy in perceptions of agrarian policy was institutionalized by breaking the Ministry of Agriculture and Lands into two Ministries was historical accident, reflecting coalition-building pragmatism, but the split also reflected the fundamentally opposed visions, one a continuity with past liberal policy of preserving established production relations, the other postulating the need for basic change therein. Along with other liberals, the Minister of Lands, C. P. de Silva, termed the draft version of the PLA "diabolical," adding that it "went one better than the Soviets."[106]

There is no space to treat the emergent third ideology which has since become dominant. It is nationalist-autonomous in inspiration, does not fully accept the collectivist vision except in indigenist harkings to an idealized peasant community, and explicitly rejects the liberal emphasis on rights of the individual in land. As an example of this new paradigm, we may observe that S. W. R. D. Bandaranaike, as a Member of Parliament, had suggested as early as 1947 that all paddy land be nationalized.[107] In 1957, as Prime Minister, he stated that the experience of the past few years had shown that cultivation of rice could no longer be considered a question of individual profit, but "a vital national problem."[108] He cited then what the British had noted in 1920 and what has become a central political theme in the 1970's—the difficulties in importing rice, the resources wasted on rice imports, the humiliating subjugation to world market forces.[109] He made an explicit reply to the liberal-democratic ideology in arguing that some compulsion may be necessary to achieve the freedoms of democratic socialism, freedoms which are different from those of capitalism. For example, the freedom of landlords may have to be restricted in the interest of assuring freedom for tenants.[110]

As for the Marxist vision and its role in the two Paddy Lands Acts, the first point is that various Marxist critiques of both were functional in a cybernetic sense; the predictions made as to the consequences of specific measures were

105. *Hansard*—HR, Vol. 28, c. 8. For the Minister of Lands' position on the proper land policy, and his opposition to the Minister of Agriculture's vision, see *Hansard* (Senate), Vol. 11, c. 823 ff.

106. *Hansard* (Senate), Vol. 11, pp. 823, 826; also, leaks of the Cabinet disputes were carried in *Ceylon Daily News*, November 13 and 14, 1957.

107. The meaning of "nationalization" of paddy land is unclear, and the Prime Minister renounced the position in 1957, but the emphasis on land use in the "national interest" persisted. For source, see below, note 108.

108. *Hansard*—HR, Vol. 30, c. 2379.

109. *Ibid.*, c. 2380.

110. *Ibid.*

accurate, the dynamics postulated fairly close to the empirical results.[111] The second point is that Philip Gunawardena's original vision of agrarian reform was contained in a draft which was altered—he said "castrated"—after intense conflict within the Cabinet and the Government Party. The final form of the 1958 PLA is closely related to the vision but emasculated in several critical respects; this dilution of the Bill, and the isolation of Gunawardena politically as a Marxist in a non-Marxist coalition, proved fatal to the Act.[112] But there were also paradigmatic reasons for the failure to effect fundamental change in the paddy sector.

A primary theme in the Marxist paradigm is that relations between landlords and tenants are class relations and hence inevitably conflictual in nature. The bond is not voluntary and contractual, but one of unequal power based on unequal access to the means of production. Colvin R. de Silva, in criticizing the 1953 PLA in Parliament stated that as long as tenants were poor, the only way to assure their rights was to abolish landlordism.[113] Philip Gunawardena originally excluded landlords from Cultivation Committees, believing their mere presence would intimidate tenants, that their interests would be in subverting the Committees and not in cooperative activities for the improvement of paddy cultivation.

Conceptualizing "ande" relationships as class relations was probably inaccurate, since the existential experience was typically not one of class identification and class conflict; indeed, "ande" tenancies were often given to cement marriages, build alliances, help impoverished kin, and so on, and the usual tenants' perception was probably more that of a client to a patron.[114] But the paradigm posits a structural, not a psychological, relationship, and precisely because a genuine land reform involves structural change, a challenge to the given distribution of power and privilege, the dynamics of opposition are likely to take on a class character. The class-conflict paradigmatic per-

111. The critiques come in Parliamentary debates covering the Paddy Lands Acts and various amendments through 1970; the empirical results against which the perceptions are tested come from (a) *Administration Reports*, Commissioner of Agrarian Services (yearly); (b) *Administration Reports* of Government Agents; (c) Interviews; (d) Empirical studies such as Wimaladharma-Clifford, *op. cit.*, J. V. Fonseka's "Report on Cultivation Committees Survey" (Colombo, 1966); Ameer Raza, "Evaluation of the Paddy Lands Act," FAO (Rome, 1970); (e) Departmental reports, such as I. K. Weerawardane's, *op. cit.*; (f) Academic studies such as Nimal Sanderatne's "Tenancy in Ceylon's Paddy Lands: the 1958 Reform," *South Asian Review*, January 1972; (g) Other studies, surveys, and reports not directly concerned with the Act but containing relevant information on its implementation.

112. On the provisions of the draft, as well as the ideology informing them, I rely on the explication of Mr. G. V. S. de Silva, who, as private secretary to the Minister, was the primary drafter of the Bill and on the Parliamentary speeches of Mr. Gunawardena from 1957 onwards, through the debates on amendments, particularly in 1964. One can also piece together a corroborative picture of the Cabinet crisis and changes in the draft from the remarks of various M.P.'s. See especially, *Hansard* (Senate) Vol. 11, c. 823 ff. Interview: 17-10-73.

113. *Hansard*—HR, Vol. 11, c. 277.

114. Leach, Yalman, Obeyesekere, cited above, and especially Bryce Ryan, *Sinhalese Village* (Miami, 1958) p. 24, support this view; also Raza, *op. cit.*, p. 9; Sanderatne, *op. cit.*, pp. 121, 127. For a general view that patron-client relations are not class relations experientially, but may dissolve into such, see the work of James Scott, especially, "The Erosion of Patron-Client Bonds and Social Change in Rural Southeast Asia," *Journal of Asian Studies*, Vol. 32, pp. 5-38.

ception that landlords would subvert the Cultivation Committees and would use the threat of eviction to force tenants to pay more than the regulated rent was entirely accurate.[115]

The paradigmatic emphasis on conflict, as well as the normative presumption against landlords, resulted in much more serious and effective attempts to provide security of tenure and reduce rents. The draft included a provision that any evicted tenant be restored immediately, before the fact-finding investigation. (The provision was dropped due to opposition in the Cabinet). Because the Marxist paradigm sees tenancy relations as multiplex, the Minister sought to protect and strengthen the weaker sectors with a comprehensive plan for crop insurance and credit designed to free tenants from economic dependence on owners. These provisions, too, evoked political opposition and could not be fully carried out. Because the position of the tenant was conceptualized in terms of inferior power vis-a-vis the owner, and because the role of the State was conceptualized as thoroughly interventionist, a new department (Department of Agrarian Services) was created to protect and aid tenants in various ways.

Moreover, the vision was clearly transformational in that the new forms—the Cultivation Committees—were seen as the seeds of a collectivist society, as well as an institutional substitute for the lacking class-based organizations which would otherwise protect the weaker sectors. They were to release a "new social force" and "break feudal relationships,"[116] as well as provide for collective credit arrangements, collective decisions on paddy cultivation, and eventually collective farming.[117] It is easy to see why such an aspirational reform provoked opposition and eventually failed as Philip Gunawardena himself was forced from the Cabinet. One could list a great number of special features in the 1958 Act that differentiated it from the 1953 Act. The important question is one of continuity; if our earlier analysis is correct, and the severe insecurity and poverty of many tenants, and the low productivity on at least some land, was due to a rentier system which coexisted with concentration of ownership and landlessness, why did the policy of a Marxist Minister of Agriculture, like that of his liberal counterpart, effect no redistribution of land?

The answer is found explicitly in the Marxist paradigm of historical progression. Peasant agriculture was conceptualized as politically and economically regressive. Tremendously impressed by collectives in China and the Soviet Union, Philip Gunawardena stated: "I am not a believer in peasant proprietorship, because I do not think that the prosperity of agriculture in this country can be built on peasant proprietorship."[118] The liberal vision could not change property relations through a land reform because it was not transformational. The Marxist vision, precisely *because* it was transformational,

115. There is broad agreement on this point in the sources cited above (note 111).

116. *Hansard*—HR, Vol. 42, c. 7234, c. 7233. The perception here, that mobilization of the weaker sectors is critical for even limited reform objectives which are contrary to elite interests, is the consensus of converging theoretical and practical literature. I am indebted to Professor Henry Hart for pointing out the importance of this convergence. Cf. e.g. "Political Conditions of Land Reform: Kerala and Maharashtra," mimeo, Land Tenure Center (Madison, 1973), p. 4, by Professor Hart and myself. Also, P. Keuneman in *Hansard*—HR, Vol. 30, c. 2009, for the Communist Party perspective.

117. *Hansard*—HR, Vol. 42, c. 7234; Vol. 30, c. 2454.

118. As above, Vol, 30, c. 2454.

could not grant land to the landless, for this would create a powerful social and political force against further transformation of the system toward (the inevitable) collectivist forms. This Marxist wholistic view of change, so different from the liberal conception of tinkering and adjusting, thus leads to several similar outcomes, the most basic of which is the failure to transform the paddy sector of the economy.

Convergence

There is convergence on two points. Neither paradigm allowed for relief of the subsistence tenant or smallholder through imposition of a ceiling on holdings and a redistribution of land. Nor was a land-to-the-tiller policy a possibility under either dispensation. Both would be futile in Marxian dynamics, as the result would be historically regressive. Because class is determinative of ideology in the Marxist view, a society of peasants is a society dominated by petit bourgeois ideology. In the liberal ideology, the role of the State is the protection of property relations. Because the social mechanisms which produced the landless—commercial market interactions—are natural processes, a radical redistribution of land would not only be wrong, but futile. The normative and empirical models thus converge.

Secondly, in the policy implications of both paradigms, the landless labourer obtains no relief. In liberal microeconomics, a factor of production is worth its marginal productivity; labour as a factor in low-yielding paddy culture will of course receive a low wage. This is, in the view, both inevitable and right. In the Marxist vision, the landless labourer is the model agriculturalist of tomorrow, and thus no special consideration need be given him in the present. As Colvin R. de Silva said in 1957: "Why is there a fear of the growth of agricultural labour in the countryside? That is the way of the future."[119] Yet, from the *Economic Survey of Rural Ceylon*,[120] it would appear that the class engaged in paddy cultivation which needed relief most were the labourers, as illustrated below:

Table II

Comparative Economic Condition of Weaker Agrarian Classes in Ceylon in 1950

	Average Monthly		*Rs.*	
	Income	*Expenditure*	*Property*	*Debt*
Paddy Tenant ..	95	85	1,409	86
Paddy Labourer ..	58	57	847	85
Rubber Labourer ..	81	78	1,147	26
Coconut Labourer ..	64	59	1,171	64
Tea Labourer ..	77	75	918	15
Chena, Mixed Cultivation } Labourer	78	75	1,633	48
Unspecified) Agricultural) } Labourer	74	73	1,247	57

119. *Hansard*—HR, Vol. 30, c. 2343.

120. *Sessional Paper No.* 11 *of* 1954 (Colombo, 1954).

Source: *Final Report on the Economic Survey of Rural Ceylon*, 1950-51. Sessional Paper 11 of 1954, p. 42. These figures exclude estate-resident labourers (i.e. mostly "Indians") and have been rounded to the nearest rupee.

The monthly income from paddy for cultivating owners was reported as Rs. 110, that of landlords Rs. 168. Relative to the plantation crop sector, inequality of wealth in the paddy sector was not great: the average paddy property holdings of the landlord class were valued at less than three times those of the owner-cultivator class which were in turn only two and one-half times the average for tenants.[121] But for the labourer in the paddy sector, we should note very low monthly income relative to other labourers, the thin margin between average income and average expenditure, the low value of personal property owned and the high ratio of debt to savings-potential and property. In all of these respects, the labourer in the paddy fields was in an inferior position relative to paddy tenants and to other labourers. It may very well be the case that the landless labourer, so conspicuously left out of Indian land reforms as well, is one that falls between paradigms. In the traditional cultural setting, he is an anomaly and an embarrassment, a peasant without land; this was a chief worry for the British and they were forever formulating schemes to protect existing peasants and create more from the pool of landless, though these schemes never envisioned confiscation and redistribution of private property. In the liberal vision, the labourer is no problem as his economic position is the outcome of market forces and *ipso facto* justified and inevitable. In the Marxist vision the agricultural labourer has an honoured place, but the vision largely remains restricted to the speeches and writings of wealthy men who live in cities

121, *Ibid.*, p. 42.