

Chengara : Another Nandigram?

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Chengara speaks to India through the Chengara Pledge which thousands of people, in struggle for the last 120 days in Chengara Harrison Malayalam Estate, (also known as Laha Estate) seeking ownership of cultivable land to all 5,000 struggling families.

Land struggle in Chengara, Pathnamtitta district, Kerala by landless Dalits and Adviasis and families from OBC communities, Muslims etc from all parts of Kerala, started on 4 August 2007.

The movement is a fight to re-claim ownership of land that has been part of a long standing promise of the Government. At present nearly 5000 families, more than 20,000 people, have entered the Harrison Malayalam Private Ltd Estate, living in makeshift arrangements.

The Chengara Land struggle demands permanent ownership of agricultural land through transfer of ownership from the Harrison Company to the Dalits and Adviasis.

The Sadhu Jana Vimochana Samyuktha Vedi (SJVSV), the collective that leads the struggle, has opted for the land take-over as strategy remembering the tradition of the great leader Ayyankali, the militant dalit leader whose mission was to ensure liberation of dalits from various forms of slavery, right to agricultural land, as well as right to education in Kerala.

The movement salutes Ayyankali and Ambedkar whose role in rights movements in Kerala is disproportionately highlighted in the modern social literature on Kerala. Raising the names of Ayyankali and Ambedkar as sources of inspiration is a political challenge to the mainstream political left parties.

There is a widespread popular belief in Kerala that the official left parties were the sole forces which ensured rights to Dalits, including land rights. Such misrepresentations are now globalised through some academic works as well.

The movement has till now survived attacks, threats, epidemics and hunger. The families have been staying there; facing threats from local communist party (Marxist) members as well as workers of the estate. The rubber trees in the estate have become too old for tapping.

However the allegation is that the land struggle affects plantation activities. Harrison's continued possession of land even after the land lease expired in 1996 itself is illegal. So is the case of immediate take-over of land held in excess to the 1048 acres of land originally earmarked for Harrison Company.

According to Laha Gopalan, President of the SJVSJ, the company got the land for lease for 99 years from a family to whom the local landlord had given for 34 years of lease for banana cultivation.

This agreement was said to have been breached when this family gave the land to the Harrison Company for 99 years. The excess land occupied is expected to the tune of 6000 hectares. The Sadhu Jana Vimochana Samyuktha Vedi (SJVSV) is a radical departure in people's initiative to attain land rights.

It exposes the socio-cultural reasons for landlessness among dalits and adviasis in Kerala. It says that 85% of the landless in Kerala are the Dalits, and Adviasis, who were also traditionally excluded from attaining wealth, power, titles and assets.

Various governments set up by different coalitions failed to address this social reality and avoided to eradicate it as priority. The SJVSV says that dalits and adivasis live in extremely uninhabitable slum like situations in Kerala.

According to SJVSV there are 12,500 dalit colonies and 4083 adivasi colonies where tens of thousands of families live with extreme lack of basic amenities-facing civil, political, economic and cultural rights violations.

This condition—together with that of families living in temporary hutments, pavements, and the homeless—was excluded from Kerala's social reality by the high tide of recent discussions on Kerala's world renowned achievements in the field of social development.

Landlessness continues as a poorly formulated land reform Act was implemented in 1972, and that too fifteen years later since its inception.

Public sphere in Kerala is abuzz with a misinformation that land question has been solved in Kerala, addressing the needs of the landless communities. The SJVSV says that dalits and adivasis could not benefit from the land reform of 1970s since its major focus was on conferring land rights to the tenants.

In Kerala's context the caste and cultural hierarchy, with strong oppressive segregation of these communities, did not allow them to be tenants; which is why many of them could not avail the benefits.

Also, the lower rates of social membership, founding institutions etc. were essential factors which contributed to the concentration of distributed land (under the Land Reform Act) to some caste group which had developed these 'abilities'. There was also the lack of a strong land rights movement from among the ranks of the dalits and adivasis.

In the present day context, common resources including land are monopolised by corporate agencies in flagrant violation of principles like 'public trust'. Policies and laws in the past decade enabled monopolies to own land while the previous mode of relationship was in possession of land for long lease with abysmally low royalties.

This was done at a time when the state had a constitutional obligation of ensuring social justice to all marginalised communities through the principle of positive discrimination, while dalits and adivasis remained landless and oppressed. To explain the situation in Kerala's context, it is important to see that in 1972 the State government had issued a government order allotting 1,43,000 acres of land to Tatas.

In comparison with this the total land distributed to thousands of families as part of land reforms was only between 3 and 4 lakh acres (as per official figures in 1966, around 10 lakh acres of land was available for distribution). Such facts clearly indicate where the state stands when it comes to identifying the nature of land question and link it with the principle of right to live with dignity for the dalits and adivasis.

The demand for meaningful and dignified survival with sufficient area of agricultural land for dalit, adivasi communities is to be understood in this context.

Together with this there is a need to examine the official understanding on the area of land required for dalit and adivasis. The earlier land rights movements in the 1990s have described how the dalit adivasi families were forced to bury their beloved inside their houses in many places.

Even such families are considered as landed in official records. It was also observed that many dalit, adivasi families live in plots of a cent (one cent is

one-hundredth of an acre) which is much less than the UN Habitat estimates for healthy life in Urban environments.

Considering that contiguity of homestead and agricultural land is an essential condition for agrarian communities in Kerala, seeking refuge under technical definition is tantamount to avoiding responsibilities. So the acute landlessness among dalits and adivasis becomes an immediate human rights concern in Kerala. Kerala's land reform tells a sordid story of how a state policy for land reforms overruled the objective of the Article 14 of the Indian Constitution through formulating eligibility stipulations disregarding the long standing socio-cultural segregations faced by the dalits and adivasis.

Kerala was a land of unknown land struggles till the historic land agreement in October 2001 was signed between the protesting Dalits and Adivasis of Kerala and the State government. Since then dalit and adivasi land struggles in Kerala have attained a new order of practice. First ever, large scale mass reclamation of land happened in Muthanga, which also proved that the state response to militant struggles for land rights leads to extreme forms of state violence in Kerala like in other states in India.

At the time of writing the state response to such struggles in Sonbhadra (UP), Rewa (MP), Kha-mmam (AP), Kodaikanal (TN) and many other known and unknown places where the people who for generations have tilled the lands is ruthlessly violent. Coming back to the Chengara Land struggle since 4 August 2007, one of the core factors that influenced the making of the struggle was the unjustifiable delay in responding to the rights of these communities by the state, in honouring the understanding between the state and the dalit-adivasi combine on distribution of fertile land as an immediate measure.

Dalits and Adivasis in India are united in their experience of high forms of land alienation as well as the permanent forceful displacement from their natural habitats. Chengara explains to the world a not-so-much discussed reality in Kerala.

On the other side the land struggle that has passed over one hundred days and could face an eviction through an order from the Kerala High court.

The people are facing continuous threat from the ruling CPM-led left democratic front activists –including one which is said to have appeared in the print media that the CITU proposed to evict the people engaged in the land struggle, in the event of the police's failure to do so.

Another critical question is how the present state government will approach the land struggle in the context of a response to the Kerala High Court which the Government needs to submit on the modalities of vacating people from Chengara estate. So the question becomes more of what a people's government could do in such situations where rights movements of historically alienated and oppressed communities are in an organic struggle united to defend their human rights. Also, how the law of the land could adopt a new turn to defend the people's demand rather than branding the struggles as mere illegal, violent and anti-state militancy [luckily not yet a maoist label].

Another important factor is that how Chengara land struggle is understood in the Kerala society, considering the fact that the origin of this is connected to the historical struggle which Ayyankali had led in 1907 demanding cultivable land to landless dalits and adivasis, and also to the dalit land rights movement of 1990s. While encoding these historical influences as major factors, it is also

clear that Chengara movement has espoused a new politics of defining rights and achieving them through direct action. □□□