



Land Grabbing in Bangladesh: In-Situ Displacement of Peasant Holdings

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**Land Grabbing in Bangladesh:
In-Situ Displacement of Peasant Holdings**

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Abstract: Land grabbing accounts are now abundant, prompting scholars to seek patterns and regularities in the phenomenon across dissimilar geographies and histories. This paper examines the irregularities and pattern-defying expressions of land grabbing in Bangladesh and views such seizures through the lens of displacement. Within this land-scarce nation the variations of land grabbing are many and only rarely mirror the threats to sovereignty animated by the rush of overseas foreign investment in farmland. Their historical forms invite our attention and provide the context to examine three *sui generis* Bangladeshi land grab experiences. The first occurs in *char* areas, newly formed islands similar to polders in the Netherlands that are created from riverine and coastal sediment accumulation. These *chars* are in a constant state of formation and erosion which make them contested sites that are ripe for power plays that directly affect small producers who settle on or adjacent to them to cultivate their rich alluvial soils. Frequently peasant producers are forcibly removed (*ex situ* displacement) or intensely regulated in struggles for this limited resource (*in situ* displacement). In a second salient case, land grabbing results from government confiscation where its justification is cloaked in imaginaries of national security and nation-formation that is experienced as *ex situ* displacement. The Vested Property Act (and several antecedent laws) were the draconian means by which the East Pakistan and subsequently the Bangladesh state seized property from “enemies of the state,” primarily Hindu farmers. Though very recently withdrawn, the legislation established precedents for new relations of enclosure. Efforts at redress by original owners, including only some in the expatriate community, unsettle the national-foreigner distinction common to much land grabbing analysis. [Evidence of in-situ here as well?] In a third instance, land grabs or land capture by Bangladeshi elites is mediated through privileged access to government through bribery and the coercion of land officials to transfer title to themselves and deploy gangs to harass resident owners, primarily peasant proprietors, to relinquish their holdings. In contrast to land grabbing in other world regions that enjoy legal veneers including government approval, investor rights, willing-seller compliance, and codes of conduct, this back-door land grabbing strategy violates property rights through corruption and coercion that yields *in situ* and later *ex situ* displacement of owners and tenants.

Introduction

Land grabbing on a small scale can assume disproportionate importance in high-density coastal nations battling the effects of rising and shifting sea levels, institutionalized forms of appropriation, and greed. Bangladesh, the focus of this paper, offers a case to examine these effects. It is a nation only slightly larger than England, 55,000 square miles, with a population of approximately 160 million people (England has 51 million). This gives Bangladesh a density of more than 3,000 persons per square mile, the highest density among non-insular countries or city-states in the world. It is estimated that the country has approximately nine million hectares of cultivable land but population pressure suggests that by 2025 as much as 50 percent of that land will be taken over by human settlement (SAMATA 2006). Coupled with limited, and declining, agricultural resources, Bangladesh also has limited opportunities for alternative employment, even as low-wage export production and low skills services for the middle classes support a proportion of the country's poor.

Under these circumstances, where limited land and everyday subsistence is already precarious, even land grabbing of limited size, often from those whose subsistence depends on agriculture, is an engine of dispossession and displacement (Haub 2009). As well, as migration adds to the demand for urban expansion, increasing amounts of land are taken out of production for settlements, often through land grabs by realtors for housing, by corporate interests for commercial use, and by the state for military or industrial use. Indeed, the realities of Bangladesh challenge us to investigate the received wisdom and popular definitions of land grabbing and to ask questions about the role of the state and its sanctions regarding land grabbing, both before and after the country's Independence in 1971.

Bangladesh has a history of struggles over land with a small number of NGOs working with landless groups (Nijera Kori) and/or undertaking research that remains outside of close government oversight and control (Uttaran; ALRD). A focus on the history of land relations and land struggles also have been part of ongoing efforts – both during and after the Green Revolution - in the search for models of food sufficiency. Across the country, in the hill tracts to the south, the shrimp farmers in the southwest, the wheat growing areas of the northwest, as well as in urban settlements, contestations over land rights comprise a significant issue in virtually every community, and these struggles are especially devastating for tribal communities and ethnic minorities. Combined with claims for *char* land¹ along the coastal regions and among the *chaura* community, dispossession and displacement are critical aspects of land relations as well as food and livelihood security (Miah, Bari, and Rahman 2010).

Do these geographically and materially diverse forms of involuntary land transfer constitute “land-grabbing”? We appreciate that land grabbing and its current deployment by international donors and conferences such as this one has become significant in exposing the relationships entailed in food and fuel production, new relations of contract labor and corporate agriculture, and crucially, that the food and fuel security needs of some nations are disrupting the tenure, communities, and cultures in other nations (the so-called “Farms Race”). However, there is agreement that the notion of land grabs also is

¹ Char (or “*khas*”) land is defined in the 1950 East Bengal Acquisition and Tenancy Act (EBSATA) and refers to land that is diluviated or appears after diluvion (newly accreted). Yet char and *khas* land differ in that *char* is the result of riverine or coastal deposition, whereas *khas* also refers to social accretion, that is, land in excess of the ceiling for private ownership, hereditary or otherwise (Barket, Zaman, and Raaihan, 2001: 20. Chauras are those who live on these impermanent silt islands within the river system.

problematic (Borras and Franco 2010; Hall, 2010).² Thus, it is important to highlight the transfer of agricultural land not only in the service of new forms of control of food and fuel production, but also for industrial use and housing and for what these portend for revealing the salience of bureaucratic and state collusion in the ways in which land grabs are implemented, most often at the cost of the security of rural populations, and in Bangladesh, increasingly among the peri-urban poor.

Thus, whereas some involuntary dispossession of land rights in Bangladesh is motivated by foreign food and fuel insecurity, most land grabbing is the result of domestic machinations by both the public and private sectors, a distinction that at times seems rather meaningless since private interests are often enabled by public irresponsibility, support, or collusion. Furthermore, land grabbing in Bangladesh is not new, as it has roots in ethnic animosities going back at least to the infamous Vested Property Law of 1948, itself a continuation of the earlier Enemy Property Act (EPAA). But, perhaps most importantly, such dispossession and displacement may be under-reported insofar as it extends well beyond the physical removal of resident populations whose land is breached. As we will suggest, eviction, removal, and associated loss of property right, or *ex-situ* displacement, is only one part of a larger uprooting and dislocating process that we have identified as *in-situ* displacement (Feldman, Geisler, and Silberling 2003). We distinguish between these two types of displacement to highlight that processes of dispossession need not entail movement or resettlement but rather can shape people's lives and relations even as they remain "in place." Most if not all "land grabbing" accounts often miss this latter form of semi-invisible material deprivation altogether.³

Currently, struggles over land security in Bangladesh must confront growing rural inequality and instability that has generated migration and high rates of urban poverty. State policies and their implementation, particularly in the countryside, continue to be plagued by forms of corruption and an elite and bureaucratic formation that has been unable to mediate -- and in fact often takes advantage of -- the costs of neoliberal reforms that have privatized and decentralized forms of rule that were once part of local systems of accountability. But also critical in Bangladesh, with dramatic urban population growth and both the need for and the rapid spread of housing and industry in peri-urban areas, are new forms of land takings that are shaping land relations and land contestations, particularly in Dhaka, the largest city in the country but also in regional towns.

These latter takings include the *transformation* of agricultural land and water bodies -- which once provided a significant proportion of agricultural commodities for the urban population -- into housing and industrial sites. This transformation has occurred through, among other ways, the willingness of the Bangladesh Government to participate in land grabs in the name of the Army, or turn a blind eye to developers and, as bureaucrats, be complicit in the process of confiscation. This is despite protestations to the contrary, such as the public claim by the state minister of housing and public works, Abdul Mannan Khan from the current Awami League Government, that they would not allow any more real estate development projects in agricultural lands **anywhere** in the country" (New Age 22 March 2011; 13 March 2011). Such practices are hardly new, as rural populations have been displaced in favor of rural development initiatives for generations (See also Alden Wily 2010). But, what is new in the institutionalization of comparative advantage over food self-sufficiency as a dominant policy frame, is

² ² Familiar definitions of "land grabbing" have the following in common: the aggressive investment efforts of capital-rich, natural resource-poor nations in an effort to increase control over global food and fuel supplies (Kugelman and Levenstein 2009; Zoomers 2010; Robertson and Pinstrup-Andersen 2010).

³ The term or close approximations have been used in subsequent research (e.g., Doutriaux, Geisler, and Shively 2008; Lynch 2006).

the increasing marginalization of small scale agriculture that, when coupled with the crush of urban migration, puts new demands on once extremely productive agricultural land. Land grabbing in Bangladesh, in other words, may not resemble its namesake in Africa, Latin America, and other parts of Asia, which seem more often tied to expanding and securing agricultural holdings, and while such land grabs defy a unitary trope or conceptualization, they do open to scrutiny long-term practices of land grabbing that are suggestive for understanding its contemporary expressions.

It is our intention in this brief presentation to reveal the variation in land dispossession routinely occurring in Bangladesh. We will theorize what this variation has to do, if anything, with definitions and discourses of displacement, amplifying what we mean by their *ex situ* and *in situ* forms. Three distinct processes of involuntary land transaction and dispossession that contribute to displacement in both these forms are highlighted here: state responses to *char* areas by which we mean land masses that emerge and recede from yearly erosion and siltation that follow the river banks; the Vested Property Act and its changing form and implementation; and elite-state collusion in transforming agricultural lands into urban housing and industrial sites. While we recognize the magnitude of such an undertaking were our intention to elaborate upon the conditions and practices that are entailed in each of these land grab relations, we instead explore them for what they can contribute to understanding peasant in/security and sustainability.

Bangladesh “Down Under”

The significance of climate change on Bangladesh cannot be overestimated. Indeed, the punishing effects of this global phenomenon are so major that “land grabbing” by foreign investors might be dismissed as secondary in light of the overwhelming “forces of nature” at play. As many have noted, much of Bangladesh is low-lying which situates it in harm’s way as oceans warm and rise (Nicholls 1999; Germanwatch 2004; Sarwar 2005). It is estimated that the vast delta of the Ganges-Brahmaputra-Jamuna River, comprising 660,000 square miles, is among the more vulnerable zones on earth to globally induced sea level fluctuations. Predictions are that the sea level will rise by three meters by 2050 and that storm surges will carry saline waters far inland (IWM, 2009). Such social-nature changes will displace coastal dwellers, rob a fifth of the country of some of its most fertile lands, and create a fresh water crisis. Salt water will affect surface and ground waters, with fields up to 40 km from the new coastline rendered useless for growing crops (Buerk 2004).⁴ Marine scientist Noman Ahmed Siddiqui estimates that 15 million people in Bangladesh could be displaced from farms and villages by 2050 because of climate change, causing the worst migration in human history (Islam and Rahman 2009).

Easily missed amid such “natural drama” are the more micro effects of floods, droughts, cyclones, and tornados themselves on the rivers and riverbanks that dissect Bangladesh’s delta regardless of climate change. An estimated one million people are displaced by riverbank erosion each year (Zaman 1991). Well before global climate change assumed preeminence as the leading environmental challenge of the

⁴ Bangladesh’s Institute of Water Modeling (IWM, 2009), with Danish financial assistance, reports found the country needs at least \$4.17 billion US (Tk 287,634 million) for polder construction to save the lives of coastal people from combined sea-level change and storm surge. “There will be water-logging on 18 percent of land in the country’s costal region by 2050 while on 25 percent by 2100 even if the embankments are raised at least by 4-6 metres,” the study says (Islam and Rasman (2009). The same authors report on findings by the Intergovernmental Panel on Climate Change (IPCC) that sea-level change will wipe out more cultivated land in Bangladesh than anywhere in the world. By 2050, rice production is expected to drop by 10 percent while wheat production by 30 percent due to water logging.

planet, human displacement due to constant alteration of *char* lands was part of the region's history (Hutton and Haque 2004). Unquestionably, this phenomena has been aggravated by heightened precipitation, deforestation in the Himalayas, and glacier melt which together affect rising sea levels. But not all dispossession and displacement in Bangladesh derives from such "natural" causes, however extraordinary they may be. Social forces also are at work capitalizing on the misfortunes of those whose tenure in the country's delta is made tenuous by global meteorological forces, new and old, and quasi forms of corruption and control of the country's resources. These forces include sustained political instability and contestation that has plagued the country, including since 1991 when democratic rule replaced fifteen years of military rule. With democracy, two political parties, the Awami League and the Bangladesh Nationalist Party, have dominated bureaucratic institutions and remain relatively unaccountable to the citizenry. The result is a form of crony capitalism, a relation of accumulation that depends on and reinforces a class politics that is built on collusion among politicians, the bureaucratic administration, law enforcement agencies, and the judiciary (Titumir 2007). Such collusion and control is suggestively exposed in the three cases that animate the empirical focus of this paper.

Case 1: Char Areas

Between 2,000 to 3,000 square kilometers of river bank in Bangladesh face major erosion annually, especially during the flood season (Islam and Islam 1985). The result is a large population of internally displaced people, the victims of social-natural processes. Over two decades ago, it was estimated that 15 to 20 million people were at risk of displacement from this erosion (Rogge and Haque 1987) and some 9,000 hectares of mainland and another 5,000 hectares of *char* lands were (and presumably are) impacted by erosion each year (FPCO 1995). In addition, given the character of ongoing water linked disasters – floods, typhoons, and massive erosion--recurrent *ex situ* displacements are common. One study, conducted in the Kazipur sub-district found that two-thirds of the inhabitants of the Jamuna-Brahmaputra floodplain had been displaced at least once in their lifetime, about 17 percent had been displaced three times, and 15 percent have experienced ongoing displacement of at least 10 times (Haque 1988; Hutton and Haque 2004).

Such displacement is directly tied to the kinds of land policies that frame rights to shifting *char* lands. Hutton and Haque (2004: 42-3) suggest that such policies have a long lineage and, early on, were instantiated by the colonial state:

... the state government in administering riverine areas of Bengal became distinctive as early as 1825 when the Bengal Alluvion and Diluvion Regulation was passed and implemented. According to this regulation, in the case of clearly recognisable and established matters, claims and disputes over emerged charland were decided upon by considering the local use of payasty (alluvion) and sikosty (diluvion). Consequently, land gained by the gradual accretion from receding rivers was annexed to the tenure of the person whose estate it adjoined (Ali 1980: 296), but a submerged estate that subsequently became attached to an adjoining estate would not fall under the legal control of the latter estate upon re-emergence. Established property owners thus prevailed, augmenting the impoverisation process and vulnerability of the marginal landowners to further human-induced and environmental risks.

What exactly is meant by "established property owners" when it comes to highly dynamic *char* lands? Evidence offered later in this paper strongly suggests that even if a host of socio-natural forces contributing to *char* land displacements could be stabilized, other displacing social forces are inexorably

at work, namely, the appropriation of such lands by rich landowners, even absentee owner from the region as well as land developers both from the region and beyond, often with government complicity.

As some farmers complained when learning that their lands may be taken by professional land grabbers that their land was lost in the Charalkata River⁵ and with it, their homesteads, crops, animals, and land. They found shelter in the shoals for last several years, earning their livelihood by fishing, grazing animals, growing vegetables and as day laborers. It is this sense of insecurity and uncertainty, coupled with living under the threat of “influential others,” that land grabs become the driver of in-situ displacement as well as forced migration (New Age 27 February 2011).

This complicity of rural bureaucrats, political parties, and influential others can be passive or active, and may at times be gradual while at other times, sudden and catastrophic. Gradualism, we note, is an important fact in obscuring the presence of those processes that lead to displacement because, on a day to day comparison, residents appear to experience little change even as they remain uncertain about their daily survival, even as they are undermined and will eventually be forced to relinquish their meager holdings and livelihoods. Under such circumstances, *char* land instability is exacerbated by public policy or lack thereof, both past and present. For several decades the Government of Bangladesh has sought to stabilize such lands by constructing polders and flood control structures, projects largely supported by the donor community (Raman 1983). But, under these schemes as well, the benefits often accrue to the more wealthy and secure members of the community, including through the corruption that accompanies their very construction.

Yet many, usually poor residents who remain in flood-prone and *char* land zones, are often “displaced in place” since they are among those most likely to gradually lose access to the land they once farmed, or to those lands which emerge after diluvion. With little recourse to fight the vested interests that control much of the access to such land, poor farmers have been displaced and often go unnoticed, even when dikes and polder structures are built. This in-situ displacement is characterized by the mounting loss of life support services and functioning ecosystems upon which producers depend—salt-free soil and water being at the top of the list. Further, as research by Miah, Bari, and Rahman (2010) in four coast districts of the country shows, the bio-physical resource base is being squeezed, as are the “historically dominant livelihoods” of the region. As they state: “The region was once diverse with various natural resources such as forest vegetation, fishes, crops, poultry, livestock and wildlife; presently, the whole region is on the verge of degradation largely because of frequent natural disasters, human activities and global climate change.” (2010: 427)

The distributional impact of the altered coastal ecology is noteworthy. The same authors observe that small farms are losing all or part of the land they own which is forcing increasing numbers of local wage laborers to move into non-farming activities or shift to cities or other areas for work. This process, too, evokes *in situ* displacement that is even more invisible than that caused by declining security in place. This form of displacement is a response to in-migration as increasing numbers of un- and underemployed migrants arrive in cities, slums, or designated resettlement areas, they crowd and compete with resident populations in those places and add to a race downwards, if not to the bottom (I have source).

The ability of *char* land residents to reproduce themselves, their communities, and their customs is also rendered problematic by public sector dysfunction. Recent research from Bangladesh’s flood zones

⁵ Nidhur Para, Kachukata union, under Nilphamari Sadar upazila.

concludes that vulnerability is positively related to education and economic security (Paul and Routray 2010), posing the possibility that the lack of socioeconomic welfare may be another form of *in situ* displacement. Because education, health, and outreach services from the government are especially minimal in the *char* areas (Sarker et al. 2003), suggests that the state contributes to these forms of displacement. These forms of class vulnerability and insecurity reveal how both state policies or unwillingness by state's to enforce them, coupled with the lack of welfare provisioning, lead to declining security that unsettle not only individuals but the communities in which they reside. Together, these processes also change the conditions of everyday life in families and communities in ways that are akin to those created by other forms of displacement.⁶

Bangladesh hosts another kind of emergency and related human displacement as well. This form of taking -- land grabbing and minority dispossession -- has an agenda of ethno-religious cleansing despite constitutional protections to the contrary. As the second case will show, the Enemy, now Vested Property Act has been used with state sanction⁷ to disenfranchise Bangladeshi Hindus of their land rights by branding them "enemies" of this largely Muslim nation.

Case 2: Vested Property Act⁸

The state-building project in Pakistan, begun in 1947-48, denied intentions of a theocratic state yet concretized religious distinctions, particularly over issues of land rights. State rights were initially instantiated in the East Bengal (Emergency) Requisition of Property Act (Act XIII) of 1948, giving the new state the right to appropriate land on a temporary or permanent basis. Nominally about administering a society that lacked infrastructure, the Act enabled newly emergent East Pakistan to seize holdings of primarily Hindu landowners and displace them from the body politic. The land grab that was to follow assumed draconian proportions in 1965 when war with India broke out and Pakistan passed its "Enemy Property (Custody and Regulation) Order II." An emergency power embedded in the "Defense of Pakistan Rules," the Order conspicuously violated the Bangladesh Constitution.⁹

The Enemy Property Act" (EPA) was, allegedly, a security measure, manifestly a war-time emergency measure, but it was always more than that, and was extended thereafter under new nomenclature, the Vested Property Act (VPA), with virtually no change in intent or content.¹⁰ By the end of the twentieth century, an estimated 10.5 million Hindu households were affected by the EPA/VPA that is estimated to represent roughly 30 percent of all Hindu households. As early as 1997, the land loss in question amounted to over one million acres (Barkat et al. 1997). The land lost to Hindu households, most of it agricultural holdings, was left as families who were unable to exchange their property which a Muslim household that was moving to the east fled the country for safety reason (*ex-situ* displacement). For the

⁶ Work by Islam (2007) on resilience among floodplain dwellers, who save what they can to buy land out of the floodplain, income, education and political connections surely factor into one's ability to recover from physical displacement and reduce the chances of being displaced at home.

⁷ Here it is not possible to discuss the dispossession that has been taking place in the Chittagong Hill Tracts since independence that parallels arguments for the state complicity in the removal and displacement of tribal communities. See also Mohsin; and Gain; Arens and Chakma 2002.

⁸ Full text of Vested Property Act on Drishtipat website (Bangladeshi human rights group)

⁹ In particular, the VPA violates human rights and marginalizes religious minorities in Article 11: (Democracy and human rights), in Article 13 (Principles of ownership), in Article 27 (Equality before law), and in Article 28 (Discrimination on grounds of religion, creed and caste) of the Bangladesh Constitution.

¹⁰ The geneology of these acts is meticulously traced by Barkat et al., (1997) and to a series of requisitioning and "defense of Pakistan" (prior to Bangladeshi Independence).

many Hindu families that did not flee, they were partially dispossessed of their holdings through manipulation of documents and threat; still others were compelled to liquidate portions of their residual lands to pay the legal fees to recover their seized lands, or pay lease fees to regain usufruct rights (ibid.). These kinds of dispossession reveal the ways in which *in-situ* displacement can occur in conjunction with policies or state practices that legitimate displacement as movement. Under these conditions, Hindus who chose to remain in East Pakistan and then Bangladesh suffered *in situ* displacement insofar as they continued their residency but enjoyed diminished citizenship, civil rights, and general enfranchisement.

In 1969 the Government of Pakistan promulgated a new Ordinance, the Enemy Property (Continuance of Emergency Provision) Ordinance. As tensions between the East and West Wing grew against the backdrop of the Pakistan's war with India, anti-Indian sentiment in Pakistan was expressed in the routing out of Hindu idioms, practices, and sensibilities from the East wing. With the 1969 handing over of power by Field Marshall Ayub Khan to Pakistan Army Chief Yahya Khan, martial law was declared, the constitution was quickly cancelled, and the Enemy Property Ordinance was renewed. This Ordinance-Act continued even after liberation on 26 March 1971; within two weeks (10 April) the "Laws of Continuance Enforcement Order, 1971" was declared keeping pre-Independence laws in place. Exactly one year later, the Government of Bangladesh enforced the "Vesting of Property and Assets Order of 1972, putting into a single category properties left behind in Bangladesh and those of enemy properties. From the instant of statehood on, despite a grand narrative of democratic principles, emergency rule would dictate who owned land in Bangladesh.

On 23 March 1974, the Government of Bangladesh passed the Enemy Property (Continuance of) Emergency Provisions (Repeal) Act, Act XLV of 1974, which repealed Ordinance I of 1969 but retained and transferred to the Government of Bangladesh all enemy properties and firms vested with the Custodian of Enemy Property from East Pakistan. The Government of Bangladesh subsequently enacted the "Vested and Non-resident Property (Administration) Act" (Act XLVI of 1974), and under the next two military regimes of Ziaur Rahman and H.M. Ershad sustained the legal status of the appropriation of Hindu property. Fear and sustained insecurity brought on by such appropriations led to significant Hindu dislocation and migration to West Bengal.

There are various ways to understand the displacement impacts of the family of EPA/VPA laws over and above the numbers of Hindu households and land amounts cited earlier. The out-migration of Hindus following Partition and since, especially since the Indo-Pakistan war, offers another rendition of the *ex situ* displacement that has occurred. Barkat (2000) has quantified these displacements that have occurred by computing the "missing" Hindu population that would have appeared in Bangladesh in the absence of EPA/VPA laws. Citing his prior research (Barkat et al. 1997), he clarifies that by 1971 the Hindu population would have been 11.4 million (instead of 9.6 million). By 1991, had there been no forced out-migration, there would have been 16.5 million Hindus rather than 11.2 as reported in the 1991 Census. These figures suggest a total of 5.3 million Hindu landowners went missing between 1964 and 1991, or an average of 538 people per day in that period.

It took until 2001, ten years after democratic rule was declared, that the Awami League Government passed the "Restoration of Vested Property Act, 2001" (Act No. 16 of 2001). Notwithstanding its intentions, this law proved anemic in restoring property rights to marginalized Hindus. With the return to Bangladesh Nationalist Party rule later that year an amended bill, the "Restoration of Vested Property Act 2001" on Nov. 26, 2002, virtually foreclosed the chance to return of confiscated properties, allowing Government unlimited time to return vested properties. The Act also restrained the authority of the Civil

or High Court to question any order passed or any action taken under it.¹¹ Currently, vested property is under the control of Deputy Commissioners, who hold the right to lease such properties until such time as they are returned to their owners, while struggles ensue to have the law repealed. Because farmlands as well as urban real estate prices have soared in value in recent years, we now turn to our final case of land predation, that enacted by elites who confiscate not only agricultural land for use in sustaining agricultural production, but takings that remove extremely fertile lands from producers to use for industrial and housing projects in the peri-urban areas of rapidly increasing cities.

Case 3: Land Predation by Elites

Land predation by elites correspond to both bureaucratic elites, political party members, judiciary and law enforcement agents and agencies,¹² as well as the nouveau-riche business community that emerged in the post-independence period and expanded dramatically with neoliberal reforms and the rise of garment production and export production more generally with the passage of the 1982 New Industrialization Policy under General Ershad. The dramatic transformation that were ushered in under this policy – and its neoliberal practices of privatization, de-nationalization, the removal of subsidies for the agricultural sector, and the shift from food self-sufficiency to comparative advantage – provided a new context for state action. Increasingly what is evident are the ways in which civilian and military elites have come to enjoy the ability to manipulate laws, courts, and more banal parts of the state such as titling and control of registries and maps to help in the expropriation of urban and rural lands owned often, but not always by agricultural producers, whether as owner-operated, contractors, or sharecroppers (Roy, 2009, others TBA).

While there is much to be said about rural land grabs – and these have featured almost daily in the popular English and Bangla press, most of this section will highlight urban land grabs. However, before turning to such grabs, it is noteworthy that those able to take control this increasingly valued land, including the bureaucratic state are signaled by a recent headline: “Land price skyrockets as Buriganga bridge connects Keraniganj, prompts ruling party men, local influentials to gobble up khas land, canals...” (Roy 2011). The outright arrogation of right here is worthy of quoting at length.

Some ruling Awami League men and influential locals have grabbed a vast swathe of khas land and a canal in Keraniganj near the recently built Shahid Buddhijeebi Bridge on the Buriganga. The bridge, which got open to the public in June last year, had acted as a trigger for the rampant encroachment by causing the land price there to rise over fivefold in a span of nearly two years. The grabbing of wetlands and the canal—a branch of Aati Khal—is hard to escape one's notice. Then there are hoardings advertising plots on the encroached lands.

Locals fear inundation of a large area during the monsoon, as most of the wetlands and the canal have already been filled up to make way for a sprawl of buildings.

The grabbers are so desperate that they are not only filling up the canal and lowlands near Chhoto Monohoriya Bridge but also trying to erase the canal off the map.

¹¹ It is alleged that properties of Hindus still living in East Bengal also have been requisitioned as evacuee property (Mohsin).

¹² As one newspaper article acknowledged, the DC had to be removed for failing to protect an archeological site – which finds its parallel in care about land as well as residents. See, “Mahasthangarh HC asks govt to ensure preservation Bogra DC removed from site protection committee,” Daily Star, Thursday, March 3, 2011.

They are also launching a housing project -- Modhu City -- on the grabbed part of a branch of Aati Canal. The price of land has significantly shot up since then. One decimal of land was around Tk 1 lakh last year that now sells at Tk 7-8 lakh. Within days of encroachment, the developers have put up signboards there that read, "Book your plot today under attractive packages."

The current crises that have been exposed in the popular press is of land grabs that occur in and around Dhaka City – as water bodies are filled with sand for housing and industrial sites and lands that once produced the bulk of the vegetables grown for Dhaka have been converted to housing.



Demolition of an unauthorised structure on the Kalyanpur Canal in the capital Dhaka under way (Rahman and Islam 2011).

But, Dhaka is not the only city that has seen dramatic population increases and the taking of land by the government for housing. Importantly, such takings are not readily acquiesced to but are fought by local farmers at considerable cost. In Rajshahi, a city in the north of Bangladesh, witness more than 200 farmers protesting against a move of Rajshahi City Corporation to acquire 136 acres of their farmland for a housing project. This government strategy is not new, as local governments and the central state have previously taken land out of production to build Rajshahi University (*New Age* March 2011). What is telling about this example is the growing capacity of opposition in the countryside and in peri-urban centers in the struggle against such practices. Despite the fact that the High Court acknowledges the rights of farmers, government has been slow to respond to, or perhaps it actually ignores court rulings.

Another telling news report is of the violence that attends to land grabs in the interest of industrial development. This violence includes that physically wrought on the bodies and backs of farmers and those that come to bear on the lives and livelihoods of these producers who enjoy neither recourse nor struggles over their rights as land owners, nor access to the courts in response to the burning, looting, and personal harm done by goondas and other miscreants at the behest of land grabbers. A brief post is worth quoting. "At least 25 people, including women, were wounded by the hired gang of an extortionist company in Southern Sastapur area of Fatullah thana of Narayangaj on Monday afternoon, after they protested against their land being grabbed. The gang, hired by a company called Knit Concern, also vandalised 25 houses of the area and two motorbikes" (Daily Star 2011).

To be sure, the growth in the urban population has led to Dhaka being the 11th largest megacity in the world estimated to reach 17.8 million by 2015 (World Bank 2005). This represents a 4-fold increase in the last 25 years, with a current population density of 27,700 per square mile (assuming a population of 12 million). While the land that is being taken for industry and housing is not meant for the migrant poor who are entering the city in increasing numbers and are forced to live in the growing number and size of slums across the city, the takings have been either ignored by bureaucratic elites responsible for enforcing the numerous laws and rules that make such takings illegal, or are co-sponsored or in partnership with them and the large realtors that have emerged since the 1980s.

The Cumulative Effects of Dispossession and Displacement (by way of conclusion)

In this brief review we have sought to open to scrutiny the myriad ways in which forms of land grabbing are not new, and in response to neo-liberal relations and formations, but, rather, have a much longer history that the current crisis may have helped to expose. This exposure helps to reveal the complex relations that characterize forms of enclosure and also the contemporary connections between the rural and urban poor. It also helps to reveal how the land question, most often tied to agricultural production, food security, and ecological sustainability, while a central focus of current land grabs, would be well served were it also linked to new forms of urban takings, when urban areas are becoming critical sites of opposition, new relations of rule, and new centers of crisis. Also critical is the role of racialized relations and how they feature in legitimating takings from particular constituencies.

In these ways, land grabbing in Bangladesh may differ from the land deals widely discussed in nations lacking heavily populated and morphologically unstable river deltas. Land loss among the denizens of coastal Bangladesh is long-standing and occasioned by seemingly “natural” cycles. We have sought to look beyond this illusion. Behind the dramatic cases of *ex situ* displacement resulting from meteorological emergencies in Bangladesh are the gradual *in situ* forms of displacement visited disproportionately upon its poorest populations as they negotiate the uncertainties and insecurities of their everyday lives.

Second, the multiple articulations of land grabbing – historically specific and contingent – force us to examine the varied ways in which such takings are legitimated, and the kinds of force that are entailed in securing the authority of rule. Here, it is the enactment of particular forms of rule, and the class character of the social formation that unfolds, that sustains land grabbing as a practice. These multiple articulations, moreover, force us to consider what we mean by “the state” and how “it” in fact is not a thing but a dynamic set of relations that may be expressed through violences of commission – as in forced takings and removals – and violences of omission and a failure to enforce or protect battles won by earlier generations. The state also needs to be distinguished from the bureaucratic elites who may protect processes of accumulation, and the ways in which legitimation is constituted as an historically specific and contingent complex of justifications of rule. This would help to expose the limitations that attend to the language of public and private since, by the former we expect or at least anticipate some relation to a public good or protection against the predations of private sector interests.

Finally, it may be useful to unpack further what we mean by culture if we are to avoid reifying it as for example in ways similar to how legitimation processes view peasants as backward. What I suggest here is that culture refers to the myriad ways that the displaced and dispossessed negotiate their everyday lives, and respond to and shape how the contingencies and uncertainties that constitute their vulnerability are navigated in response to the pressures of displacement, but also how communities

structure those pressures. For instance, what is increasingly apparent, especially in the takings in the *char* areas and in urban land grabs, is growing public opposition – through marches and other public displays – that have forced government bureaucrats to seek new ways to support a particular form of class rule. This might entail giving way to certain institutionalized laws, or limiting the flagrant refusal to hold accountable those who fail to follow the law, requiring them to implement the hard won policies that could be implemented as protections for the poor and dispossessed. Important here is that culture, like the state, is not a thing, nor is it stable or fixed but rather the processes entailed in forms of class rule and class alliance.

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