

Social Process Analysis in Poverty Alleviation Program: A Study of Khas-Land Distribution in Rural Bangladesh

Dipika Das*
Bishawjit Mallick*
Joachim Vogt*

Abstract

Land reforms in developing countries are an important instrument to reduce social disparities and to launch a desirable social development process. Such reform includes land redistribution amongst the landless. Similarly in Bangladesh, the core element of land distribution is the Khas-land (KL). The results of the empirical studies conducted in the village 'Shovna' clearly show that the distribution of KL only superficially follows the legal regulations. In fact, the possibility of a public resource allocation resulting from a broader political-economic consideration cannot be implemented without a considerable degree of collusion and interdependence between local and national elites in Bangladesh.

Problem Statement – Research Questions

Land reforms in developing countries are an important instrument to reduce social disparities and to launch a desirable social development process (Bryden & Geisler, 2007; Ding, 2007; Kevane, 1994; Niroula & Thapa, 2005; Powelson, 1987; Rahman, 2010; Thapa & Niroula, 2008; Toulmin, 2009; Wannasai & Shrestha, 2008). Land reforms allow reducing social tensions, defuse land use conflicts and contribute to create an economically effective and socially equitable environment of development. Such reforms include land redistribution amongst the landless (Bryden & Geisler, 2007; Niroula & Thapa, 2005; Wannasai & Shrestha, 2008). This process of empowering poor people and ensuring their access to property rights can be implemented through the distribution of land gained newly either through reclamation or abandoned by the previous users (Jansen, 1987).

The NGOs and their cooperatives are interested in land reforms, because of their important socio-political impacts making them a powerful tool to fight against poverty (Bobrow-Strain, 2004; Bouquet, 2009; Bryden & Geisler, 2007; Oldenburg, 1990; Otsuka, 1991; Peters, 2009; Powelson, 1987). In 1995, the United Nations published the "Millennium Development Goals" refocusing on the eradication of poverty and backing up the fight against poverty led by many governmental and non-governmental organizations (NGOs) for whom the issue of 'land reforms' occupied a prominent place on their political agenda. Similarly in Bangladesh, the distribution of land is an important social policy issue (Barkat et al., 2001; Momen, 1996). The core element of land distribution in rural Bangladesh is the Khas-land (KL). In practice, the government transforms 'Khas-land' into public ownership through expropriation or land reclamation. This land should then be redistributed according to socio-economic criteria of poverty alleviation (Barkat et al., 2000; Momen, 1996).

Historically, KL has emerged in the years of 1947, 1965 and 1971, when the Hindu minority groups in Bangladesh migrated to India (Barkat et al., 2000; Binswanger, Deininger, & Gershon,

* Institute of Regional Science (IfR), Karlsruhe Institute of Technology (KIT), Germany
Email: dipika.das@daad-alumni.de, bishawjit.mallick@kit.edu, vogt@kit.edu

1995; Boyce, Rosset, & Stanton, 2005; Das, 2010; Deininger & Binswanger, 1999; Ravallion, 1989; Rigg, 2006). In the 1970s, the Bangladesh government passed several legislations to claim the land of the emigrant Hindus, namely the 'Vested Property Act 1974' and the 'Abandon Property Order 1972'. Since then, the land of those emigrated Hindu's has been known as 'Khas Land' or 'Abandoned Property'. Other major sources of KL are: government-owned land, newly emerged land reclaimed from the sea or rivers; acquisition of land during the government's auctions; as well as various other sources such as checked, abandoned or confiscated land (Das, 2010; Momen, 1996).

In the late 1990s, the government of Bangladesh started to distribute KL to destitute workers, widows and landless families, in accordance with the corresponding legislation bringing the KL into a process of social distribution. The objectives of KL distribution are the reduction of social disparities as well as the implementation of regulations ensuring the fundamental rights of the target group and the enforcement of their claims (Barkat et al., 2000; Das, 2010).

The question of KL distribution needs to be seen in the broader political context of land reforms (Barkat et al., 2000; Momen, 1996). To date, three major land reform legislations have been passed in Bangladesh: The East Bengal State Acquisition and Tenancy Act of 1950, a collection of Presidential orders in 1972, and the Land Reforms Ordinance, Bangladesh in 1984 (Siddiqui, 1997; Siddiqui et al., 1998). A number of laws not directly linked to the issue of land reforms play a key role in the implementation of KL distribution in Bangladesh, such as the *Enemy Property Act of 1965* authorizing the state to take control over abandoned property of emigrated Hindus. Other authors have shown that the land reforms in Bangladesh have failed in their most important goals between 1950 and 1972 (Barkat et al., 2000; Momen, 1996). Still today, the actual extent of land redistributed to the landless is negligible, as most redistributed areas get into the hands of powerful elites who have benefited from the policy initiatives to strengthen their socio-economic and political position (Barkat, 2004). In Bangladesh, as in many other countries, this group includes government officials, private stakeholders, local politicians and others, who due to their social status have influence on the determination and distribution of KL (Barkat et al., 2000; Das, 2010; Momen, 1996). This is possible because there are no clear standards to identify KL (CARE-Bangladesh, 2003; Devine, 2002).

Over the time, KL distribution and maintenance were illegally taken over mainly by land squatters, with knowledge and acquiescence of local actors who in turn were offered individual benefits from this process. Thereby, in the past, 20 percent of the KL have been distributed to those who had no legal rights to claim it (Barkat et al., 2000, 2001). On the one hand, the KL distributing authority was interested in implementing the law by distributing the land to the authorized groups; on the other hand, it was also interested in gaining personal benefits by supports of the interests of those who were not legally authorized to claim KL.

In a developing country like Bangladesh, which counts among the most densely populated countries on the earth's surface, 'land' is the scarcest commodity and its ownership implies social and economic power. Despite the failure of decades-long land reform programs which resulted in a strengthening of informal local powers, raising doubts about the actual implementation of legally prescribed targets, the government of Bangladesh has continued its attempts to distribute KL amongst the landless to reduce the social disparities and to alleviate poverty. The KL distribution mechanism is complicated and involves a high risk of mismanagement (Barkat et al., 2000; Das, 2010). The results of this initiative increased social segregation and introduced new forms of poverty (Barkat, 2004). The main reasons for these unwanted side-effects are the socially accepted corruption practices (Mallick & Vogt, 2010) which must be seen beyond the background of the prevalence of corruption in all public activities in Bangladesh. It only fuelled the doubts about the actual implementation of legal provisions on KL distribution.

This situation led to the question of how the distribution of KL in Bangladesh is actually functioning and which interests it raises among the social actors. The research interest is focused not only on the isolated act of KL distribution, but also includes the whole society in which this process is embedded. The authors assume that the findings on the functioning of such a central and important process are symptomatic of any public distribution processes in the society of Bangladesh. It is therefore important to investigate both the ways of such management and the KL distribution process itself characterized by its ineffectiveness and informality, which has been effective over a long time, but has nonetheless failed to reach the targets set by law.

Research Methods

Considering this complexity of the analysis, the present research was based on a mixed-method approach (Mallick & Vogt, 2010) including qualitative and quantitative methods of data collection. On the one hand, qualitative approaches like observation surveys, biographical interviews and group discussions were undertaken with different target participants, as lots of actors—politicians, elected bodies, elites, bureaucrats and villagers – are involved in the process of KL distribution, representing the society as a whole. On the other hand, quantitative surveys (semi-structured) interviews were conducted only with the KL applicants and recipients to learn about their experiences, expectations and achievements with KL. The first author of this article conducted a field survey during February – May 2009.

The empirical study was undertaken in the village of “Shovna” (details are provided in the study area section) in the father-in-law’s house of the first author. This relatedness may raise the question of prepossession of the collected data and information; however, it is especially the author’s social affiliation which ensured the access to the truth of the KL distribution process on the ground.

To obtain an authentic picture of the KL distribution processes, firstly informal talks were conducted with the villagers. Later on, using the personal and informal networks with the community people, focus group discussion (FDG) sessions were conducted with two specific groups – one with the recipients and applicants of KL, and another one with the ordinary villagers not receiving or using KL. Then, confidential biographical interviews were undertaken with the selected KL recipients and applicants. The interviewees’ willingness to share their experiences related to KL distribution and social power dynamics was the deciding factor in the selection of participants in the biographical interviews. A total of 14 individuals were biographically interviewed according to a previously prepared checklist of questions and discussions corresponding to the purpose of the study. Subsequently, the interviews were transcribed and anonymous to protect the participants’ privacy.

The list of names provided by the local ‘union parishad’ⁱ showed a total of 60 KL-applicants and recipients in the study village. All of these 60 heads of household were interviewed using a semi-structured questionnaire in Bengali language.

Study Area

The village of ‘Shovna’ of the Dumuria Upazilaⁱⁱ located in the Khulna Districtⁱⁱⁱ was chosen as study area. Two main reasons have led to the choice of this village as a study unit. One is related to research issues, i.e. there was a considerable amount of Khas-land in Shovna due to the death of a big river called “Bhadra” and above all, the rate of Hindus resident in the community was steadily declining. The second reason deals with the ‘social acceptance’ of the researcher that turned out to be a key factor in achieving a good response rate among the interviewees as well as in the analysis of the social processes.

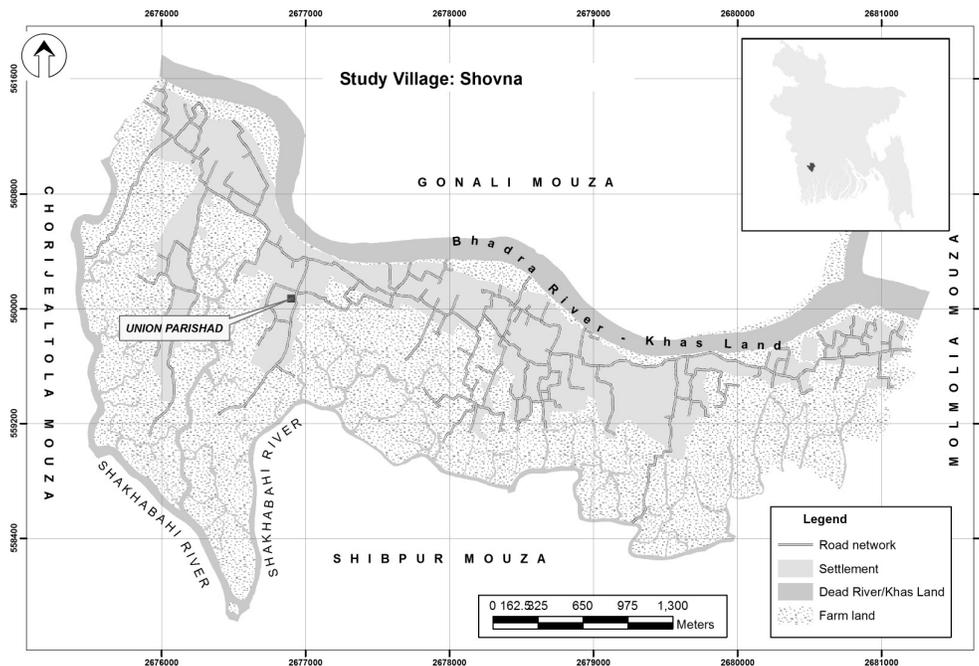


Fig. 1: Study Village

Geographically, the village 'Shovna' (Ward No. 3) is located in the southwestern part of the Khulna District. It is 21 kilometers away from Khulna metropolitan city. About 12 years before the present study was conducted, the study village was surrounded by rivers and was exclusively dominated by agriculture. The village's land area is flat and contains many low-lying areas, the so-called "Beels," which are drained by small channels (Fig. 1). The immigration to the Dumuria Upazila did not take place in a surge, but rather in the form of a very slow and constant movement. Prior to the independence of Bangladesh (1971), village Shovna was an area religiously dominated by Hindus. Over the time, the Hindus gradually migrated to India and Muslims came to this village. At present, almost an equal share of the two religions lives in this village. At the time of the study, there were a total of about 620 households of the two religious groups in this village.

Shovna village is famous for the production of rice and vegetables. There are diverse and intensive agricultural practices, and therefore, the land prices are relatively high in comparison to other rural areas in this Dumuria Upazila. Currently, the land prices range between U.S. \$ 70 and U.S. \$ 120 for a decimal (40.46 m²) of land. There are strong price fluctuations as land prices do not only depend on the soil's fertility, but also on the religious affiliation of the owner or purchaser. Usually, the rice production rate in the village of Shovna is above the national average, whereas the production rate of KL is twice above the production rate of regular arable land due to its fertility caused by its location on the flood plains. Therefore, the possession of KL is important not only for the landless, but also for those who have enough land.

Empirical Analysis

The Actual Practice of KL Distribution

The differences between the written schemes and the actually exercised schemes are therefore not similar, as most schemes will be bypassed through informal processes and can be circumvented.

The following excerpt from a biographical interview explains the complexity of the KL ownership for the landless:

***Case 1:** Horiproshad Mallick, a farmer, aged 38, has two daughters. He is dependent on wage labor, because his father had no land. He has neither education, nor any training on agriculture. During the rainy season, he fished in the rivers, making for his family's income. Shovna village stands on the bank of Bhadra River. During the late 1990s, this river fell dry and today, the whole river is new land – so called KL (Figure 2). People whose land bordered with the river bank started to occupy this newly emerged KL. A local landlord, presently the Ward Member of the UP, had leased 10 acres of this KL and the rest should be distributed amongst the landless. Hariproshad heard of this and spoke with the Tahsil office if his name has been registered on the list of those authorized to receive KL. His name was not found on the list. As Horiproshad Mallick asked why his name was missing, the office referred him to the UP member to whom the sole responsibility for the recruitment of names of the landless had been transferred. Horiproshad Mallick went back to the influential member of the village and asked him to enter his name. But the landlord refused to do so and explained that it was too late as the list was already sent to the State Office and he did not have the right to enter any new name later. Horiproshad Mallick mentioned that his grandfather had once filed a lawsuit against the father of this landlord. The case ran for almost five years and the verdict went in favor of his grandfather. Since this case, there is a conflict between the families of the landlord and Horiproshad. With the help of a local NGO, Horiproshad Mallick found out that most applicants registered in the list of persons entitled to receive KL were relatives of the landlord, or at least loyal to him. Many of them were landless and had less than 3.3 hectares of land. With the help of a NGO, Horiproshad Mallick presented a protesting letter to the AC (Land) but the result was the same. On the contrary, as this information reached the Landlord, he turned angry and warned him to desist from further similar experiments. Horiproshad Mallick had no other alternative than to behave calmly against the powerful landlord and gave up the hope of receiving KL.*

This example illustrates the necessity of a personal relationship in order to acquire KL. Because family relationships are always stronger than others, the poor have in reality little chance to become owners of KL. Thus, although being authorized, many landless households did not receive any KL, but sorted out not only in the pre-selection, and even if they received KL, they often had to transfer it to their former landlords (Case 2).

***Case Study 2:** As Ranjit and his brother took over the KL ownership, a wealthy local farmer and politician named Milon Mallick initiated action against them. Using a document named "Dakhila" (a 1948 tenant law then issued by the government), he instituted proceedings against Ranjit and his brother. In 1996, Milon Mallick won the case and took action to remove Ranjit, his brother and their families from the land. They went to the police who did not take any action against Milon Mallick but demanded only 5000 BDT processing fee for the case. Milon Mallick apparently had good relations with the court. But Ranjit and his brother filed a case at the court, too, as they had the governmental legal document of the ownership of the KL, and finally they gained the ownership. Due to his socio-political influence, however, Milon Mallick made an agreement with Ranjit's family declaring that the two brothers were legal tenants of Mr. Mallick. That is, the two brothers were entitled to pursue agriculture, but had to cede half the crop yield to Mr. Mallick.*

This strong social position of locally mighty people influences the decisions of the society and even of the local administration inclined to define such local informal decisions as a 'mutual agreement'. In the end, the poor people always lose, whereas the rich and mighty people gain. These two examples confirm that the existing practice of KL distribution is not transparent. In one hand, the authorities distribute KL to poor people; on the other hand, they lease the same

properties to rich people. This approach creates 'conflicts of ownership' and consequently social disturbances, which clearly shows that the poor people need to have good relations with people in power.

At this stage, the question arises why those do not obtain possession of KL that were actually entitled to do so, even more as the primary objective of KL distribution is to alleviate poverty by giving land ownership to the landless. Beyond this background, the aim of engaging local social leaders was to help the poor and disadvantaged to easily acquire possession of the allocated KL. Interestingly, both of the objectives failed. Local social leaders took advantage of their social supremacy and even complicated the distribution process. The official distribution process of KL (Table 1) shows that at the very beginning of listing, the applicant's background must be transparent. However, in reality, these lists reflect informality and lack of transparency. Actually, the whole process does not work properly if the list of potential KL receivers is not transparent. Therefore, this study will discuss in the following whether the listing of the potential KL receivers was conducted properly. The 'regularity' of the listing is tested according to the following questions: (i) *Are all the persons included in the list actually landless?* (ii) *Have all the landless persons actually been listed?*

To check the regularity of the listing, statistics from the above-mentioned household survey are analyzed and complemented by secondary information provided by the Upazila Office. The original list of KL applicants established by the government was an important document to complete the survey. It is noteworthy to mention here that the authors were offered the payment of bribes while collecting the list of KL-applicants. Behind virtually any desk, there are persons ready to collect bribes, thus ensuring their positions of power, it is their so-called 'disguised network' composed with office-peon to top ranked officer.

According to the regulations stipulated by the governments' KL distribution program, the selected landless do not have to pay anything to obtain the possession and legal documents of KL (Barkat et al., 2000). However, survey data shows that the minimum amount that has to be paid to obtain KL is BDT 4000.00, an extra payment which clearly reveals unfair practices in the distribution process characterized by misconduct and corruption within the actors' network. Also in the previously presented case studies, such unfair activities were observed, even though the degree of informality experienced by the individual households varied.

The survey revealed that among the total number of landless households potentially eligible to receive KL, 64 % were omitted from the eligible candidates' lists. These 64% include households which are either unaware of their eligibility or have been discouraged by influential members of their society from applying for KL due to their inevitably powerlessness. A third possibility is that they were not able to pay the 'informal fees' that were charged for inclusion in the list.

It was evident in field survey that a significant proportion of non-landless households (60%) had been included in the official list of landless. This raises questions about the existence and extent of 'nepotism' governing the information collection mechanism of the local administrative bodies. The inclusion of such a large proportion of non-landless households in the list suggests that it is not simply an isolated mistake but a conscious decision of the people in power and administration. It was also remarkable in the case studies that the formal distribution process can be influenced by many informal conditions. The exclusion and inclusion of a significant number of landless households in the lists has two main reasons:

First, the eligible households were not aware of the nature, extent and distribution of KL. Neither the rural poor nor the landless people were informed on the availability and distribution of KL. *Second*, it is very likely that access to information on the availability and distribution of KL was restricted in the past. Large shares of the rural population therefore believe that KL is land from the government intended for those who are in close contact with the government. To put an end to

this misinformation, the official land reform program (LRAP) documents stipulate that in favor of a smooth distribution of KL, the first phase should be to "obtain nominations of the landless through the general public" (GoB, Ministry of Land, Circular No. D1/1194 BS, 01.07.87). Accordingly, the respondents were asked about their sources of information on the distribution of KL. The survey shows that the verbal message plays a decisive role in the dissemination of information on the distribution of KL. 72% of respondents reported that they had learned about the KL distribution by word of mouth. 22% of the respondents had received the information through official releases; the remaining 6% had not received any information at all. Throughout the process of disseminating the information on KL distribution, the government officials play no role. Only 7.5% of respondents reported that they were informed by government officials. In comparison, the role of local politicians and people in power is strong.

Therefore, respondents were asked who had been responsible for compiling the applicants' lists as first step to the distribution of KL, and how they had done their job. This question is directly related to the transparency of the entire process in context. The study showed that 47% of those asked to identify the persons responsible for collecting the data of landless people could make no statement. It is thus very likely that there was lack of transparency. 30% of those who have received KL actually were not entitled to it. 83% (50) of these KL recipients previously owned an average of 0.25 acres of inherited land. On average, they received 0.55 acres of KL. The basic information is presented below:

- Total number of respondents/total number on the official list of the Union Council was 60
- Total number of landless people, included in the official list: 24 (40%).
- Total number of non-landless (> = 0.50 acres of inherited land) included in the official list: 36 (60%).
- Total number of recipients of KL: 27 (45%)
- Total number of landless people entitled to receive KL: 19 (70%).
- Total number of non-landless (> = 0.50 acres of inherited land) eligible to receive KL: 8 (30%).

In a society dominated by patriarchal norms and dictated by patron-client relationships, it is important to know the relationship matrix between the actors responsible for the KL distribution. It turns out that the immediate economic and political patronage and the social context were the main factors in forming the relationship matrix. It considered a critical factor to the whole KL distribution process. It can be argued that from its beginning to its end, the KL distribution program is governed by an "inherent unfairness".

Social Impacts of the Actual KL Distribution Practice

Having collected empirical evidence on the actors and their interests in the framework of the KL distribution process in the study village, the focus was put on finding out about the actual character of interventions labeled by the government as development measures. Besides, the long-term consequences of the introduction of KL distribution were analyzed. Case study 3 shows that a landlord is so powerful to prevent the rights of ownership of the KL proprietor.

Case 3: Karimon could not remember the exact time when she received the information on KL distribution; she assumed it was sometimes in the late 1980s. She then applied for KL. Considering her miserable situation, the concerned officials enlisted her name. Karimon received 0.34 acres of Khas-land with proper documents. However, she could not take the possession on the piece of KL which had been legally awarded to her, because the plot had already been occupied and cultivated for quite a long time by Aslam Sarder - a local rich farmer. When Aslam

Sarder came to know about the official attribution of the plot of Khas-land to Karimon, he quickly sold it without proper documents to another influential citizen, Mosleh Uddin. However, Karimon was not aware of this transaction and sent her elder son Mukul to cultivate the land. When Mukul started ploughing, Mosleh Uddin appeared with three other people. Firstly, Mosleh told Mukul to stop ploughing. Mukul did not comply, and then was beaten up by the three companions of Mosleh. Mukul was so frightened and injured that he never cultivated that land again. Immediate after this incidence, Mosleh went to Karimon's house and warned her on to trespass the land if she wanted to stay in the village. After the incidence, they moved to the house of Karimon's father. Karimon had neither attempted to file a case against the occupant nor tried again to cultivate the KL allotted to her name. The obvious reasons for her withdrawal are insecurity and helplessness in face of Mosleh's power, and the maximum likelihood of being attacked again which could have unmanageable consequences for the mother of six children and her disabled husband.

Thus, the conflict is not rooted in the political system itself but in the power structure of the social system which forms the background of the KL distribution. In fact, the case undermines that in rural Bangladesh, informal power has a higher rank than formal state power, enabling local players to exert control and to maintain and even expand the informal power structures. Obviously, the efficiency of these informal power structures explains the actual state of KL distribution in Bangladesh. The social power can prevail against the powerless with the help of the administration and the courts. Looking for other factors breeding and perpetuating the landlessness' vulnerability, loans come to the fore. Often, they are granted by those in power who want to acquire KL. Since almost all the landless are in debt due to poor harvests, floods or other events, they have to take up loans. Landless know that the decisive factor to acquire KL is not the fulfillment of the statutory requirements, which are even not a necessary condition, but only social power. As landless peasants are devoid of any social power, they are forced to ally themselves with influential people, even if this will worsen or even increase their entanglement in dependencies. In those few cases where the allocation of KL to landless poor was successful, the question appears whether their gross household income has actually improved through the allocation of KL. In the framework of the present study, this was determined empirically.

The empirical analysis actually revealed changes in the KL recipients' gross household income, though the overall socio-economic improvement did not occur on the expected scale. How do these households cope with the emerging livelihood constraints? What other options are there for them to make a living? The hope alone to receive KL is not enough to improve their life, but sometimes even cause additional problems, as described above. It means to those non-recipients of KL is poor living conditions with no prospect of improvement. Accordingly, taking up a credit from NGOs or borrowing money locally was the only way to survive.

Discussion

The distribution process is not a 'pathological disease' that can be cured but an element of a 'properly functioning' of the society. The KL distribution process works like similar socio-administrative processes in Bangladesh (i.e. food for work, adult allowances, and vulnerable group fund –VGF etc.). Hence, beyond this background, the problems linked to KL distribution process are not an exception, but symptomatic. According to the present analysis of the stakeholders' perception of the people involved in the process of listing the landless as well as the relationships between them and the respondents, it is observed that the KL-distribution process is not transparent. Furthermore, the official list of landless for KL distribution is faulty and biased in favour of the non-eligible people. This inappropriate listing process results in the exclusion of many of the landless households from the list whereas a significant number of non-landless households are in turn incorporated. Many of the genuine landless poor are not listed due to the activity of some vested interested groups who are not eligible to obtain KL but whose interests are

served by corrupt registers. Case studies clearly illustrated that virtually all actors involved in the KL distribution process accept bribery or bribes. Not only bribes in terms of money were involved in the distribution mechanism, but also a wide range of political and social patronage was active in the whole distribution chain. It may be difficult to convert the political and social ‘bribes’ into monetary terms, but in the context of rural Bangladesh such ‘bribes’ are really expensive. The analysis of the KL-distribution process therefore provides insights into the functioning of the society. Figure 2 sums up the procedure of KL distribution and the potential problems linked to it.

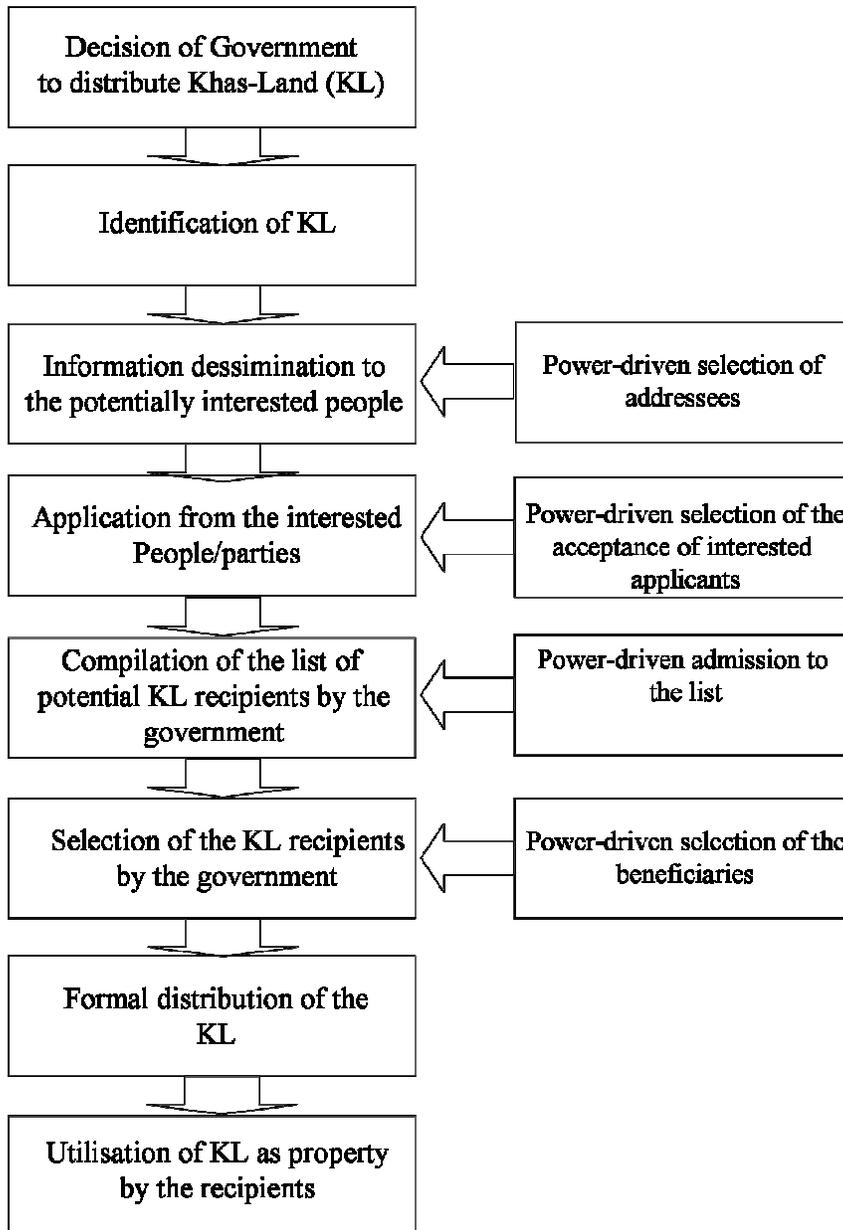


Fig. 2: Empirically-based findings on the KL distribution process

First, the full lists of those entitled to receive KL are non-transparent, suggesting that many potentially entitled persons are possibly not considered. Second, lists of the needy (or landless) are arbitrary because the landless poor were not even involved in the process. Instead, the process is largely manipulated by local influential people. Consequently, those landless who were on the list either belonged to the same political party, the same social group as their patrons or as the officers in charge. Many of the landless obtained no KL because local authorities were interested to advantage a so-called "Vested Group", which generally is not selectable. To serve the interests of this group, information on the widespread distribution of KL was restrained and passed on in a selective and informal way. In consequence of this unfair process of listing, the truly poor landless were less informed, and a limited number of landowners were listed who in the end received the KL. Quite obviously, those are preferred here who in turn strengthen the underlying power of those who are already in power.

The official list of the KL distribution is therefore flawed and biased in favor of non-eligible persons, also because a corrupt collector will not serve the interest of the actually eligible groups. At this stage, the landless groups face the problem to create an informal network to raise the necessary money for targeted bribery of officials and authorities to establish good relations with local politicians. According to Barkat (2004), it is assumed that the lack of information-sharing plays a critical role in the unfair attribution of KL. Before the landless poor can come in contact with the officials in charge of compiling the list, they must fulfill some important requirements such as membership in the same political party, the ability to pay bribes and the existence of social relationships with the local establishment i.e. local politicians, chairmen of the UPs, ward members etc. Only the compliance with these criteria may help them to be included in the list.

The current practice of KL distribution actually promotes a mechanism called "illegal occupation trap". The 'illegal occupation trap' of KL is rooted very deeply in the economic structure of the Bangladeshi society, because this mechanism consolidates the dichotomy of local rich people with immense influence on the government officials on the one side and the socially weak base of the poor people on the other side (Mallick & Vogt, 2010). Using false documents and the relevant contacts with the officials, these influential people illegally seize the KL (Weiss, 2001). There are, and have been, numerous of court hearings on the illegal occupation of KL, but the verdict of such hearings has generally been in favor of those in power (Barkat et al., 2000; Weiss, 2001).

This situation is due to the fact that influential people have the material means to both enforce their rights and to carry out the illegal activities. Effectively, as the factor of "land" is one of their most important power bases, influential people do not shy away from using all available tools for the acquisition of a property that is available to them. There were examples that some local social workers helped poor farmers to take legal action against the illegal occupation of their KL. However, the process usually takes too much time and costs a lot of money that the majority of the plaintiffs cannot afford.

Many illegal owners also intimidate the rightful KL proprietors with looted arms or bribe the judge who agrees to legalize their KL ownership. Consequently, many people assumed that wishing KL is 'fighting with the crocodile in the water' and is a hopeless effort. The awareness of this hopelessness determines the behavior of the landless. They pay money or other benefits to join the clientele of a powerful person authorized to receive KL, often the person who has already made them dependent. The power to receive KL and thereby recruit landless devotees thus turns an instrument itself which is used against a rival clan or another authorized recipient power syndicate, for example by applying force or intimidation. If this strategy is successful, the landlord has the chance to increase their personal wealth. They can buy KL with the help of their network of dependency on corrupt activities. The fear prevents the poor and powerless from talking openly about these dependencies. Thus, even the lowest members of society - the landless - are instruments to protect the unequal distribution of power.

Conclusion

The results of the empirical studies conducted in the village of Shovna clearly show that the distribution of KL only superficially follows the legal regulations. In fact, it is firmly embedded in the informal power structure of the rural society, allowing the rural elite to successfully secure and expand their position of power. They know very well that their influence is only based on land ownership and the resulting long-term dependencies within the village. The lasting success of this strategy is possible because the informal processes include all stages of administrative and supervisory bodies up to the head of the government. The possibility of a public resource allocation resulting from a broader political-economic consideration cannot be implemented without a considerable degree of collusion and interdependence between local and national elites in Bangladesh.

The long persistence of these effects has resulted in a very stable network of social security of positions for the riches. The practice of KL distribution has thus cemented, apparently even reinforced the social disparities in rural Bangladesh. The power of the social elite, executed in an informal way unrestricted by any law intimidates the lower strata of the population who are dependent on the goodwill of the powerful elite. The prevailing practice of KL distribution thus arises and solidifies a patronage system, as it is typical of the rural society of Bangladesh. The investigation has revealed that just the only instrument that has been created to reduce social inequalities notably contributes to their amplification. This paradox is aware to the affected people and leads to lethargy, a common reaction not only in Bangladesh, but in all developing countries with a pronounced imbalance of power within the society. The presented findings thus confirm the initial hypothesis of the long-term socio-shaping effect of the instrument of KL distribution.

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Endnotes

ⁱ Union Parishad (UP) is the lowest level local government unit in Bangladesh. The chairperson of this unit is elected by the inhabitants of its area of jurisdiction. The chairperson of the UP is authorized to put forward the list of Khas-Land applicants to the Assistant Commissioner (Land).

ⁱⁱ Upazila is the second level of local government administration in Bangladesh

ⁱⁱⁱ District is the first level of local government administration in Bangladesh. The district commissioner is chief of this administrative unit and possesses the authority to finalize the list of KL-recipients.