

# **THE MEN IN THE MIDDLE: A MISSING DIMENSION IN GLOBAL LAND DEALS**

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## Abstract

Middlemen are largely absent from the literature and policymaking on land deals. Based on qualitative evidence from India, this paper shows a highly organised field of aggregators, brokers, touts, musclemen and others permeating the land economy. Biographical accounts provide glimpses of everyday work, career, and aspirations. A high-definition narrative of middlemen as middlemen allows a shift away from instrumental analyses of bridges in global capitalist accumulation. Even as they reproduce larger structures, middlemen can be rule-makers who personalise, localise and actively shape the land economy. Global debates cannot afford to ignore these hitherto missing dimensions in land deals.

Keywords: middlemen; land; the organisation of brokerage; informal economy; governance; India

## **1. Introduction: Land deals and the missing dimension**

Global land deals, provocatively titled land grabs, have garnered much attention of late. Stark statistics have spurred a ‘literature rush’ (Oya 2013), wherein 69.2 million hectares have purportedly been purchased or leased by national and multinational companies in Africa, Asia and Latin America in the last decade (Land Matrix, in Anseeuw et al 2012, 23). Governments from the global north, as well as emerging economies have supported this enterprise. A sub-section of the writing on

land deals covers India (Bidwai 2006, Banerjee-Guha 2008, Sampat 2008, Levien 2012, Baka 2013).

The direction of land transfers in India points to a structural shift in the economy. As Table 1 demonstrates, there has been a significant increase in the proportion of GDP derived from manufacturing and services, as opposed to agriculture. Further, the new post-1991 liberalising economy has seen a steady rise in land available to non-agricultural uses. This went from 9.36 million hectares in 1950-51, to 19.60 million hectares in 1980-81, to 26.31 million hectares in 2008-09 (Indian Agricultural Statistics Research Institute 2011). Table 2 indicates that the shift in use comes at the cost of net sown area, common property pastures, tree groves and land that is officially categorised as ‘waste’. So-called wasteland, of course, provides food and livelihoods to the landless, and marginal farmers (Sud 2009).

**Table 1**

Sectoral share in GDP

<u>Sector / Year</u>	<u>1950-51</u>	<u>2012</u>
Agriculture (including forestry and fishing)	55%	14.4%
Industry (including manufacturing, electricity, gas and water, mining, quarrying and construction)	15.05%	27.9%
Services (including transport, trade, finance, real estate, insurance, tourism)	30%	57.7%

Source: Planning Commission 2012

**Table 2**

Land by use in India		(Million Hectares)													
S.No	Classification	1950-51	1960-61	1970-71	1980-81	1990-91	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09
											(P)	(P)	(P)	(P)	(P)
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
I.	Geographical Area	328.73	328.73	328.73	328.73	328.73	328.73	328.73	328.73	328.73	328.73	328.73	328.73	328.73	328.73
II.	Reporting Area for Land Utilisation Statistics (1 to 5)	284.32	298.46	303.75	304.16	304.86	305.18	305.12	305.34	305.56	305.58	305.43	305.64	305.68	305.69
	1. Forest	40.48	54.05	63.83	67.46	67.81	69.53	69.41	69.57	69.65	69.65	69.68	69.69	69.62	69.63
	%	14.24	18.11	21.01	22.18	22.24	22.78	22.75	22.78	22.80	22.79	22.81	22.80	22.78	22.78
	2. Not Available for Cultivation (A+B)	47.52	50.75	44.61	39.55	40.48	41.48	41.57	42.07	42.23	42.47	42.56	42.97	43.19	43.32
	(A) Area Under Non-agricultural Uses	9.36	14.84	16.48	19.60	21.09	23.89	24.05	24.26	24.65	24.89	25.12	25.57	26.02	26.31
	%	3.29	4.97	5.42	6.44	6.92	7.83	7.88	7.95	8.07	8.15	8.22	8.37	8.51	8.61
	(B) Barren & Un-culturable Land	38.16	35.91	28.13	19.96	19.39	17.59	17.52	17.80	17.58	17.58	17.44	17.40	17.17	17.02
	%	13.42	12.03	9.26	6.56	6.36	5.76	5.74	5.83	5.75	5.75	5.71	5.69	5.62	5.57
	3. Other Uncultivated land excluding Fallow Land (A+B+C)	49.45	37.64	35.13	32.31	30.22	27.74	27.50	27.50	27.11	27.13	27.06	27.05	26.85	26.51
	(A) Permanent Pasture & other Grazing Land	6.68	13.97	13.26	11.99	11.40	10.67	10.53	10.54	10.49	10.46	10.45	10.42	10.36	10.34
	%	2.35	4.68	4.37	3.94	3.74	3.49	3.45	3.45	3.43	3.42	3.42	3.41	3.39	3.38
	(B) Land under Miscellaneous Tree Crops & Groves not included in Net Area Sown	19.83	4.46	4.37	3.58	3.82	3.44	3.45	3.36	3.38	3.40	3.39	3.36	3.42	3.40
	%	6.97	1.49	1.44	1.18	1.25	1.13	1.13	1.10	1.11	1.11	1.11	1.10	1.12	1.11
	(C) Culturable Waste Land	22.94	19.21	17.50	16.74	15.00	13.63	13.52	13.61	13.24	13.27	13.22	13.27	13.07	12.76
	%	8.07	6.44	5.76	5.51	4.92	4.47	4.43	4.46	4.33	4.34	4.33	4.34	4.27	4.17
	4. Fallow Lands (A+B)	28.12	22.82	19.33	24.55	23.37	25.07	25.90	33.74	25.81	25.17	24.67	25.94	25.11	24.86
	(A) Fallow Lands other than Current Fallows	17.45	11.18	8.73	9.72	9.66	10.29	10.56	11.88	11.34	10.69	10.60	10.51	10.35	10.32
	%	6.14	3.75	2.87	3.20	3.17	3.37	3.46	3.89	3.71	3.50	3.47	3.44	3.39	3.37
	(B) Current Fallows	10.68	11.64	10.60	14.83	13.70	14.78	15.35	21.86	14.47	14.48	14.06	15.43	14.76	14.54
	%	3.76	3.90	3.49	4.88	4.49	4.84	5.03	7.16	4.74	4.74	4.60	5.05	4.83	4.76
	5. Net Area Sown (6-7)	118.75	133.20	140.86	140.29	143.00	141.36	140.73	132.47	140.76	141.17	141.46	140.00	140.90	141.36
	%	41.77	44.63	46.37	46.12	46.91	46.32	46.12	43.38	46.07	46.20	46.32	45.81	46.09	46.24
	6. Total Cropped Area (Gross Cropped Area)	131.89	152.77	165.79	172.63	185.74	185.34	188.29	175.58	190.08	191.55	193.32	192.49	195.16	195.10
	7. Area Sown more than once	13.15	19.57	24.93	34.63	42.74	43.98	47.55	43.11	49.32	50.38	51.85	52.49	54.25	53.74
	8. Cropping Intensity*	111.07	114.69	117.70	123.05	129.89	131.11	133.79	132.55	135.04	135.69	136.66	137.50	138.50	138.01
III.	Net Irrigated Area	20.85	24.66	31.10	38.72	48.02	55.13	56.92	53.87	56.96	59.21	60.79	62.70	63.10	63.20
IV.	Gross Irrigated Area	22.56	27.98	38.20	49.78	63.20	76.19	78.42	73.41	78.15	81.18	84.26	86.77	87.92	88.42
P	Provisional														

\* Cropping Intensity is percentage of the gross cropped area to the net area sown.

Source: Indian Agricultural Statistics Research Institute 2011

The shift in land from the poor to the rich, with the collusion of the state, has been theorised as ‘accumulation by dispossession’ (Harvey 2005). Technological innovation, such as advances in telecommunication and information technology (IT), and the shift of production from assembly-lined Fordist techniques to more post-Fordist, outsourced methods, has made capital<sup>1</sup> highly mobile (Amin 1994). This footloose capital seeks hitherto untapped, or under-exploited sites of production,

<sup>1</sup> The factor of production made by humans in society, with the aim of furthering wealth creation. Capital can comprise fixed assets such as buildings, circulating assets such as raw material, and finance.

compared to those in the global North or southern core regions. The increased commodification and commercialization of land and other natural resources across the global South is integral to this project.

Even as we acknowledge the fact of powerful transnational and national actors searching for land in distant countries, and regions within countries, the key questions that come to mind are: how is this searching, and eventual purchasing, being done on the ground? Who are the local searchers, indeed globalisers, in the global phenomenon of land deals? The key contention of this paper is that in concentrating on high profile actors, particularly big capital and the state, we have overlooked an important dimension of capital accumulation in land. My shorthand for this dimension is ‘middlemen’.

By way of definition, middlemen can be understood as go-betweens, mediators and negotiators. They are facilitative (and/or obstructive) parts of a chain linking two end points, or points leading to the two ends. In the land economy, they can represent sellers, buyers, act on behalf of government representatives as gatekeepers or fixers, or they can be independent consultants that deal with several parties in a land deal. There are variants of middlemen, depending on local context. I shall use the umbrella term brokerage for the work of middlemen, though as we shall see below, brokers per se are also a sub-category of middlemen.

I intend to undertake the following steps in the paper. Section 2 will discuss methodology, and outline the country context that makes India highly conducive to middleman activity. Based on such specifics, I will define ‘land deals’ from the point of view of middlemen. In Section 3, I will review the broader literature on middlemen in land deals, and in cognate disciplines. Then, in Section 4, critiquing the mostly unitary understanding displayed in the scholarship, I will delineate eight categories of

middlemen in land. Section 5 will offer a close-up discussion of two levels of middlemen, in their own words: the broker who negotiates with sellers, and aggregators who deal with the eventual buyer. Sections 4 and 5 are largely descriptive, and essentially so, as we know very little about the nature, extent and complexity of brokerage. The concluding Section 6 will inductively generate analytical themes from the empirical data presented. It will discuss the virtues of studying middlemen as middlemen, rather than seeing them as mere instruments of larger rules of the game.

## **2. Methodology and context**

The paper is based in the paradigm of qualitative research. It follows the principle of induction, or building analysis from the bottom up. Induction, as opposed to deduction, avoids the opportunistic use of theories that have a dubious fit with the data (Glaser and Strauss 1999). It is in this spirit that voices of middlemen and their own categorisations of their work foreground analytical discussion.

In practical terms, fieldwork for the paper was conducted over seven months between 2008 and 2013. The sites of study are the sub-national States<sup>2</sup> of Gujarat, West Bengal and Tamil Nadu. I also include views from the national capital, Delhi. I undertook a pilot visit in 2008 and have visited different field sites twice a year from 2011. To understand the world of land deal making, centred on middlemen, I conducted over 50 in-depth interviews with officials in the departments of Land and Industry in Delhi, and the three States. I also interviewed lawyers, activists,

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<sup>2</sup> Here state with a small 's' refers to the apparatus of government, with its attendant discourses, ideologies and politics. State with a capital 'S' connotes the federal units of the Indian Union, also known as regions.

industrialists, SEZ<sup>3</sup> developers, real estate developers and builders<sup>4</sup>. Lawyers, developers and builders were my link to middlemen in land, as these individuals are difficult to contact for a lone researcher.

Despite using the snowball technique to access middlemen, only twelve agreed to interview<sup>s</sup>. However, many of my other interviewees have been amenable to discussing intermediaries in the land economy, thus allowing triangulation of the information presented in the paper. Further, at least half the interviewees consented to repeat interviews, which has fostered depth in the data. Government policy documents and media sources have been followed to understand the land economy more broadly. I refer to *middlemen* throughout this paper, as I have not come across any women in the field. All other sources on the subject, whether my interviewees, or news reports or secondary literature, also exclusively refer to male middlemen.

I am conscious that this paper is dependent on findings from one country. The situation in India is deeply influenced by policy, wherein the state is a continuing presence in land use (Sinha and Pushpendra 2000). From colonial times, there has been a vast land revenue administration. This offers fertile ground for the intercession of middlemen to bring the state closer to those it governs (Brass 1994). The postcolonial state too regulated land use, instituting a comprehensive programme of land reforms for improved efficiency as well as equity. Land reform had varying results across the country (Herring 1983), but the colonial and postcolonial legacy of

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<sup>3</sup> SEZs are trade and manufacturing-capacity development tools, defined by policy incentives aimed at encouraging Foreign Direct Investment, technology innovations, and exports. SEZs, whether single or multi-product, tend to cover vast areas and have thus proved controversial for their use of resources, including land and water. In 2009, there were 98 operational SEZs in India; in 2012, there were 588.

<sup>4</sup> Developers are the financiers and coordinators of a building project. Builders are responsible for construction.

intervention is visible in the land economy today. For instance, the conversion of land between agricultural, forest, industrial, residential, retail and other uses is the domain of the state, even after economic liberalisation. It is thus no surprise that several of the middlemen in this paper refer to the process of negotiating with the state on behalf of clients as core to their work.

In addition to an interventionist state, demographics shape India's land economy. This is a densely populated country of over 1.2 billion people, with agriculture continuing to be the major employer, engaging 243.21 million people in 2009-10 (Planning Commission 2012). The majority of the landed (44.98%) operate holdings below 0.5 hectares (Government of India 2006). Dependence on agriculture and population density explains the fragmentation of land holdings. Consequently, my middlemen interviewees are involved in deals ranging from a fraction of an acre to several thousand hectares. As we shall see below, land aggregation, or putting together small plots of land to produce a commercially viable unit, is a major part of brokerage. This situation is quite different from that faced by other scholars, particularly those studying Africa, who characterise only transactions over 1000 hectares as a land deal (Cotula et al 2009).

As a final point regarding context, it is important to note from the discussion above that middleman activity is hardly unique to post-liberalisation India. Yet, the middlemen I profile below also show important differences from their predecessors. As the demand for land in large-scale private agriculture, say for biofuel production, or for non-agricultural purposes has expanded, so has the space for brokerage. In my research, all the middlemen interviewed have entered the field post-liberalisation. Only one interviewee was a middleman in the pre-liberalisation import licensing

sector, shifting to land consultancy in 1992<sup>5</sup>. This corroborates Levien's research findings in Rajasthan, where *dalals* (brokers) explained their recent foray into land markets as 'The wind was blowing'' (2011, 469).

It is increasingly clear in the literature that the definition of 'land deal' and 'land grab' is fluid, and context-specific (Hall 2013). If one were to inductively outline land deals for this paper, from the perspective of middlemen, neither size, nor the involvement of international actors, nor the endangering of food security (FAO 2011), would be definitive determinants. On the whole however, the business of the middleman is not for the local market, even as it is embedded in local knowledge and social relations. A middleman might facilitate a transaction between two farmers from neighbouring villages, but he is looking to move up the value chain. 'Party's [land buyers] from Kolkata, Delhi and Bombay approach me'<sup>6</sup>. 'When I first became [a] broker, there were 50-60 brokers, bringing party's to an area'<sup>7</sup>. Our middlemen deal in land for, or aspire to deal in land for, private industry, infrastructure projects, mining and quarrying operations, private education and healthcare, office space and other service sector ventures, corporate farming, Special Economic Zones (SEZs), private townships and gated complexes, private leisure centres, and other such symbols of India's liberalising economy.

In short, the research for this paper is India-specific, and India's milieu may well be particularly conducive to intermediaries. At the same time, my broader aim to visibilise middlemen in land goes beyond one country. My argument hardly implies that environments with less state control or larger land holdings, do not have the space for intermediaries. Certainly, the literature review below provides evidence of

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<sup>5</sup> Consultant, interviewed in Kolkata, 20/12/12

<sup>6</sup> Broker, interviewed in Kolkata, 22/12/12

<sup>7</sup> Broker, interviewed in Kolkata, 29/8/13



varieties of middlemen in a range of geographical contexts. I thus continue to assert that there is much space to explore intermediaries in land in India, and further afield, albeit in context.

### **3. Middlemen in the literature**

Middlemen can be found in political, economic, social and developmental transactions. The literature surveyed below reflects their prevalence—though not in the volumes one would expect given the importance of brokerage in many aspects of human life. The literature on land grab offers some clue to the brass-tacks process of land deal-making through terms like ‘mechanisms’ or ‘institutional mechanisms’. ‘There are various mechanisms through which land grabbing occurs, ranging from straightforward private–private purchases and public–private leases for biofuel production to acquisition of large parcels of land for conservation arrangement[s]’ (Hall 2011, Wolford 2010, in Borras et al 2011, 209). The procurement of land centred on middlemen could well be fit into all-encompassing terms like ‘various mechanisms’. However, we ought to be pushing past generic categories.

Cotula comes close to articulating the institutional gap in the literature when he points to the underestimation of national and local actors in international land deals. However, he stops short of looking beyond the state and capital by suggesting that ‘national elites’, i.e. politicians, senior civil servants, and business people, play a central role as land acquirers, intermediaries and strategic allies of international capital (2012, 673). In interpreting Cotula, Hermele underlines the role of ‘intermediaries’ and ‘gate-keepers’ in international land grabbing. He suggests that such intermediaries are frequently employed by international actors, and their presence may hide the real, foreign or corporate grabber from sight (2012, 14). It is

not clear whether Hermele is focusing on the formal intermediaries of international capital discussed by Cotula, or whether he is also pointing to another, more informal sphere of mediation. Either way, in his writing as well as that of Cotula, the act of mediation by local or national actors is instrumental. It is meant to facilitate the manoeuvres of international capital; intermediaries seem to have little agency beyond this.

Only a few studies specifically mention the local anchors of land deal-making. For India, Levien (2011) discusses the rise of commission-agents in a village in Rajasthan while conducting an ethnography of an SEZ. ‘A new class of village land brokers emerged to facilitate the alienation of their fellow villagers’ farmland and the rights to their yet-to-be-constructed compensation plots... 14 per cent of respondents in my survey reported having a *dalal* in the family’ (2011, 469). Levien sees dalals as ‘bridgers’ who possess social networks spanning the village and city. This allows them to derive maximum benefit from the land appreciation around them. Their profits, and the profits of those they service, especially real estate firms from Delhi, Jaipur, Mumbai and even Dubai, come at the cost of land sellers. Local dalals exploit the latter’s trust to facilitate the sale of land (2011, 472). Levien may see dalals as conduits in a larger capitalist venture, but he is also able to appreciate their own stake in a highly lucrative business.

In a vein similar to Levien’s, Baka portrays land brokers facilitating larger state and capitalist agendas, while also boosting their own social status and wealth through land deals. She documents the role of brokers in the purchase of 800 acres of ‘wasteland’ for a private biofuel plantation in Tamil Nadu. She contends that the brokers have ‘internalised’ the state’s construct of wastelands as ‘empty spaces’

(2013, 413), and have used their energies to assist the state's project of reducing these spaces.

In an excellent study, Searle (2010) investigates the construction of a globally familiar landscape of malls, office towers and high-rise apartments in Indian cities. In her case site of Gurgaon, construction is a collaborative effort between international networks of speculative finance, and Indian investors, developers and consultants, and the teams that work with them including architects, planners and advertisers. Real estate brokers, and brokers who work around government legislation are mentioned, but not discussed in detail. Yet, Searle's work is relevant for its portrayal of the local and national partners of a process of globalisation centred on land.

In Gurgaon, numerous people, each motivated by their own desires for profit, prestige, expertise, or growth, make landscapes to make money. In so doing, they carve new routes of capital accumulation... [Further] while developers and their foreign investor-partners similarly envision India's global future, they differ on important issues: land valuation, construction quality, and accounting practices, for example. These conflicts indicate the fragility of their standardizing project, as well as the work required to sustain it. Contrary to popular and anthropological characterizations... capital does not "flow" around the world; it is painstakingly moved. The combined agency of these developers, financiers, consultants, and bureaucrats produces the integration we commonly label "globalization" (Searle 2010, 9-10).

Far from being instruments in processes that are happening anyway, Searle points to local actors who co-write the drama. While appreciating personal projects of aggrandisement, her research highlights the more fundamental contributions of her interview subjects to the structure of globalisation and capital accumulation in local contexts.

Like the global land deals literature, development studies more broadly does not engage with intermediaries extensively. Some works that go against this trend include Bierschenk et al (2000, 2002) and Mosse and Lewis (2006). Covering Francophone Africa, Bierschenk et al see brokers at the ‘interface’ of two worlds, which they straddle, or attempt to. One is the world of the local, the recipient space of planned development aid and programmes, the other is the world of development aid and planning, usually emanating from the global north.

Mosse and Lewis recognise the contribution of Bierschenk et al, but seek to go beyond the idea of interface, which, at the end of the day reduces brokers to literal middlemen, or conduits. Instead, based on illustrations from Benin, Malaysia, Costa Rica, Niger and Vietnam among others, and using Latour, they employ the terminology of brokerage as ‘translation’. Development brokers, be they aid workers, government officials, or village elders, act as important interpreters and re-interpreters of development, spanning geographic scale. They make development legible and ordered to its intended beneficiaries. At the same time, brokerage involves reinterpretations, hidden scripts that are different from public scripts. Constant acts of brokerage and translation in development take us beyond understandings of passive reception of programmes, or direct resistance in a dialectical action-reaction kind of way.

Metaphors for brokerage related to linkages, interface and translation are visible in political studies and political anthropology in particular. I focus on literature from India. Middlemen, known as fixers, enforcers, dalals, *dalaries*, *pyraveekars*, or mockingly as *chamchas* or hangers-on and *goondas* or thugs, are ubiquitous from local to regional and national level. They are part of the landscape of imperfect, inaccessible states. Based on research in Andhra Pradesh, Reddy and Haragopal define the pyraveekar as a middleman possessing professional skills in exerting pressure on the

administrative system through what is known as *pyravee*, that is, the art of approaching officials for favours and making the wheels of administration move in support of such favours (1985, 1149).

Though hard statistics are not available, Manor points to a 'sizable army of small-time, freelance political "fixers"' who operate in the southern State of Karnataka (2000, 816). They are identified by dress and carriage, as they officiously shuttle between their rural clients and government offices, with a 'towel over armpit', necessary to wipe away the sweat associated with their jobs of channelling state benefits. Manor adds to the metaphors of brokerage with the suggestion that political fixers are familiar with the 'idioms' and 'languages' of local and supra-local politics. As they speak the distinctive political languages of the local or village level, and the supra-local or town/district<sup>8</sup> headquarter level, they can be classified as 'bilingual' (2000, 820).

In the 1980s, Oldenburg (1987) researched land consolidation, i.e. the state's merging of dispersed plots of land owned by a farmer for greater efficiency. Consolidation is part of land reforms, undertaken in his field area of Uttar Pradesh since 1954. The author found an intricate hierarchy of middlemen around this activity. Some of these middlemen acted for donors, i.e. farmers; others worked for the recipient, i.e. government officials or politicians; and still others were outsiders and worked on commission (1987, 531). Reddy and Haragopal too delineate a range of *pyraveekars* (1985, 1150).

Middlemen are very much part of the discussion of imperfect markets in economics. In extreme views, they are 'economic gangsters', often with close ties to politics. They epitomise corruption, use violence as an economic tool, and are the bane of the developing world (Fisman and Miguel, 2010). More nuanced analysis

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<sup>8</sup> At the sub-national scale, Indian administrative units are divided into villages, blocks, districts and States. Blocks are a group of villages and may include a town, districts are a group of blocks, and States comprise several districts.

comes from studies set to determine the economic logic of middlemen. Are they distorting markets, taking advantage of information asymmetries (Rust and Hall, 2003), or are they market-makers who play an important role in imperfect economic contexts (Watanabe, 2006). On the whole though, middlemen tend to be reviled in this literature, with many attempts to sideline them for the greater developmental good, e.g. through the fair trade or cooperative movements (Bacon 2005, Agnihotri 2013).

Perhaps unsurprisingly, a lot of the literature, not just in economics, synonymises middlemen with ‘corruption’ (Oldenburg 1987). The assumption seems to be of the possibility or desirability of a perfect marketplace, or unimpeded state-citizen interaction. There are alternative views, say from Manor, who points to the middleman’s indispensability in linking rural clients with government bureaucrats and politicians, something that the clients well recognise. Manor calls fixers a ‘major national resource’ (2000, 817). Berenschot (2011) shares this perspective, terming middlemen democratic ‘lubricants’. In the latter understandings, the services of middlemen are studied, even appreciated, for what they are. They are not treated as stop-gaps in the positivistic move to some eventually evolved condition.

This review of literature has outlined a range of opinions on middlemen. Overall, the literature appears preoccupied with unitary categorisation. Oldenburg (1987) is one of the few scholars to have recorded the heterogeneity of brokerage in land for the pre-liberalisation period. In the next section, this paper will do the same for contemporary times. The implications of incorporating this heterogeneity in our understanding of land deals are discussed in the subsequent analytical section.

#### **4. The organisation of brokerage**

Land deals are time consuming and complex processes. They take months if not years from the point of identification of land, to sale and the start of construction. It is not surprising that a variety of individuals link the buyers and sellers of land. I have discerned the following intermediaries in my field sites:

(a) Land aggregator

Aggregators are at the top of the land brokerage chain. They are especially important in areas of high human to land ratios. They literally aggregate a viable plot of land for commercial use, putting together several smaller land holdings. For instance, an Aggregator I interviewed in Chennai had just completed a deal for an IT Enabled Services (ITES) SEZ in Sriperumbudur, Kancheepuram district, covering 250 acres (101 hectares).<sup>9</sup> Aggregators can be contracted by a company to acquire a certain amount of land on their behalf. Or, they can identify potential plots, buy a portion of these using capital from previous deals, and then approach potential buyers. Aggregators usually work with the backing of locally powerful individuals.<sup>10</sup> In a land deal, they are the link between the eventual buyer, local and regional politicians and other influential people, as well as brokers who acquire individual plots.

(b) Land broker (henceforth, broker)

Brokers work on a smaller geographical and economic scale, compared to aggregators. They tend to concentrate on a district or part thereof. For small plots of land, they could deal directly with the eventual buyer. For larger plots, e.g. an SEZ, several brokers are likely to work under the direction of an aggregator. A broker I interviewed operates around Baruipur town in the South 24 Parganas district, just

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<sup>9</sup> Aggregator, interviewed in Chennai, 14/8/12

<sup>10</sup> Aggregator, interviewed in Kolkata, 23/8/12

south of metropolitan Kolkata. He does business in land parcels ranging from 1-2 katthas to 100-150 bighas<sup>11</sup>. In West Bengal, 1 bigha equals 1600 square yards or 0.1338 hectares. A kattha is 1/20<sup>th</sup> of a bigha. Brokers work in large teams. For instance, in a land deal in South 24 Parganas involving 80 acres for a residential-cum-office complex, two brokers worked with a crew of 20 men, and did business with approximately 200 sellers.<sup>12</sup>

(c) Local broker, *dalal* (henceforth LB)

LBs or *dalals* are the anchor of land acquiring teams. Crews change according to the work available, and payment is on a per deal basis. LBs work with representatives of a potential land buyer, but also with the seller. As young men local to an area, which seems to be the typical demographic, they are well known. They are thus likely to gain the trust of land sellers more easily than distant buyers or middlemen from other regions. Dalals are quite likely to have experienced land deals in their families. They could be from the initial group of families that have sold plots for a larger project. They are enlisted by bigger brokers or aggregators to ‘convince’ their neighbours about the soundness of a quick sale, for a fee<sup>13</sup>. While brokers in category (b) and local brokers share a name, the difference in their work is not just related to the scale of operations. Crucially, local brokers share social relations with sellers, whereas larger brokers typically do not.

(d) Musclemen and enforcer

Musclemen and enforcers form the seamier side of local brokerage. According to a broker, ‘musclepower is with us. In this business, having musclemen is a must. First

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<sup>11</sup> Broker, interviewed in Kolkata, 22/12/12

<sup>12</sup> Builder, interviewed in Kolkata, 19/12/12

<sup>13</sup> Builder, interviewed in Kolkata, 21/8/12



we try to convince, then we isolate by buying up land around a difficult seller and cutting off his access to roads by building a boundary wall. But even if that will not work, we have to bring in musclepower.’<sup>14</sup> An enforcer from Kamduni village, near Kolkata has been in the news recently on accusations of rape and murder (Basu 2013). He is known for control over a village *bheri*, or large fish pond. Bheris are common property, but tend to be appropriated for private use by the locally powerful. Bheris are contracted out to users, with the enforcer responsible for rent and security. Bheris can also be filled up, and used for private construction<sup>15</sup>.

(e) Consultant

A consultant does not do direct business in land. He may be employed by the eventual buyer, or by aggregators. He can offer advice on the feasibility of a land deal, problems with title, relationships with local government officials, ways of manoeuvring around land and environmental laws, conversion from agricultural to commercial use, etc. Experienced brokers could turn to consultancy, as could retired government officials. In Kolkata, I interviewed a retired West Bengal Civil Service officer. He has worked extensively in State land reform and related departments. At present, he is employed by a law firm as a land law consultant. He also consults with private companies.<sup>16</sup> Similarly, a well-known Gujarati business house has started investing in education for reasons of profit and prestige. For its initial project, it used the services of a very senior retired civil servant. The latter was to float the idea of the project in political and bureaucratic circles; initiate the search for 100 acres of prime

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<sup>14</sup> Broker, interviewed in Kolkata, 22/12/12

<sup>15</sup> Broker, interviewed in Kolkata, 22/12/12

<sup>16</sup> Interviewed in Kolkata, 26/12/11

land by putting the word out among prominent developers and aggregators; last, he had to gauge any potential for opposition to the project.<sup>17</sup>

(f) Party representative

Whether to access state-owned or private land, intercession by the politically powerful is inevitable<sup>18</sup>. The rank of the politician/s would depend on the size and location of the land deal. For instance, according to an Aggregator, ‘I deal mostly with the Member of Parliament and Member of [State] Legislative Assembly. When they are on board, Panchayat [Village Council] people mostly fall in line, though we have to pay everyone for their cooperation’<sup>19</sup>. His counterpart in another State adds, ‘suppose I am [representing a] foreign company, I will need [the] Chief Minister’s or Deputy Chief Minister’s backing to get [a] big piece of land. They will help officially, but will also get kickbacks.’<sup>20</sup> In addition to influencing access to land, political representatives have a say in construction. Builders, especially in West Bengal, point to ‘syndicates’ of local party affiliates who will only allow construction in their area if they get contracts for the supply of labour, materials and/or security. Without these contracts, equipment cannot be offloaded, trucks cannot be parked and disruptions are created regularly.<sup>21</sup> Similarly in Gujarat, activists and journalists have told me about a former Minister of Industries whose son has the contract for labour supply and catering at a prominent SEZ.

(g) Government representative

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<sup>17</sup> Retired civil servant, interviewed in Ahmedabad, 24/12/08

<sup>18</sup> Builder, interviewed in Kolkata, 24/12/11; Lawyer, interviewed in Chennai, 16/8/12

<sup>19</sup> Aggregator, interviewed in Kolkata, 23/8/12

<sup>20</sup> Aggregator, interviewed in Chennai, 14/8/12

<sup>21</sup> Builder, interviewed in Kolkata, 20/8/12

Like political mediators, the rank and number of government mediators depends on the size of land in question. Besides their designated role, say, as the Tehsildar or Block Land and Land Reforms Officer<sup>22</sup>, a government official's intervention in a land deal could be a form of rent-seeking, i.e. the accrual of income in excess of the official's due in a competitive market or work place, or at the next best opportunity (Khan and Jomo 2000, 5-6). Going beyond rent-seeking, an official could be moonlighting. For instance, while interviewing an Officer on Special Duty in the West Bengal Department of Commerce and Industries, I came across a policeman of the rank of Sub-Inspector who was representing a small plastics manufacturer. The manufacturer was illegally occupying state land, and felt the policeman, with his real or assumed proximity to state officials, would be better able to argue the case.

#### (h) Tout

Besides rent-seeking and moonlighting administrators, offices that deal in land invariably attract officious hangers-on. According to a retired clerk from a Block Land and Land Revenue Office in West Bengal, a moodi or tout is 'jo aadmi bahar betha hai' (the man who sits outside)<sup>23</sup>. The tout's business rests on his claim to have good access to the state. In the words of a land broker who deals with touts regularly, 'we have a set-up in the government office. We work through *moodis* who are like Class Four [clerical] staff. They are not actual government officials, but they have a license from the local employees union or party to practice. We still go through the

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<sup>22</sup> The administrative divisions mentioned in footnote 6 have a land bureaucracy attached. This comes with different terminologies across India, though in most cases the District Collector or District Magistrate is the highest administrative functionary, with various block and village land officials working under him/her.

<sup>23</sup> Interviewed in Kolkata, 29/8/13

main official, otherwise the moodi will not work with us. But after getting sanction, the actual finding out about title, ownership, gaps in title, is done by the moodi.’<sup>24</sup>

Having portrayed middlemen in their organisational diversity, I find it impossible to collapse their many roles and personalities into terms like ‘instruments’, ‘bridges’, ‘translators’ or ‘lubricants’. Different middlemen fit, and also transcend, various classifications. In agreement with the more disparaging viewpoints expressed in the literature review, one can conclude that middlemen can be corrupt obstructions in the functioning of land markets, and they regularly resort to violence and deception. At the same time, it is hard to argue away the significance of middlemen in land. In a market with many barriers—of information, cultural beliefs, and physical and social distance between buyers and sellers, middlemen are facilitators. They speak multiple languages; they are familiar with idiomatic nuances—official, business, and local; and they offer services of translation. It is difficult to imagine their services being diminished with market development. Land is not a mere economic commodity; it would be limiting to think of middlemen as temporary economic market makers, who will be phased out by linear change.

To drive home the points about complexity, differentiation and indeed the criticality of roles being made above, I turn to high-definition biographical sketches of two aggregators and a broker. The focus here is on the entrepreneurial, market-side of brokerage. Sketches of political or bureaucratic middlemen will take the paper in a different direction, one I intend to explore in future writing.

## **5. The middlemen speak**

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<sup>24</sup> Broker, interviewed in Kolkata, 22/12/12

I am sitting in the office of a lawyer in Chennai. He is the friend of a friend and speaks quite openly with me. He and his para-legal are explaining the intricacies of local land law and the way in which clients try to dodge regulations. The name Rajesh (pseudonym) comes up in this context. Since I am obviously curious about Rajesh, the para-legal suggests that I meet him. A call is made, Rajesh happens to be in town. He has to take a bus to his village later in the evening to deal with some family land, but agrees to meet the ‘researcher from Oxford’. Soon an unassuming man walks in. He is in the mid-thirties, about five feet six inches tall, dressed in an inconspicuous half-sleeve shirt and slightly crumpled trousers. The only noticeable thing about him, apart from his ordinariness, are the two mobile phones peeping out from his pocket.

Throughout our conversation lasting fifty minutes, the phones ring. He switches off some calls, answers others with the promise of a longer chat later, and in two cases asks to be excused and has long conversations with the callers. We are in a mid-sized room and his voice is clearly audible. He is speaking to clients. He tells the callers about the progress of their parcels of land. One of the clients wants to meet him at the earliest. He promises to do so as soon as he returns from his village.

Once I assure Rajesh of anonymity and the academic nature of my research, he is quite willing to talk about his work. He even gives me his gmail address, indicating that we can continue our interaction when I am back in the UK. I take him up on the offer, mailing some follow-up questions several months after our meeting. He responds immediately—from his iPhone. I paraphrase portions of our interview, which was conducted in English.

I have a law degree from a local law college, but began working as a stenographer in 1992. My salary was rupees<sup>25</sup> 10,000 per month. By 1994, I was bored. I asked the manager for a more challenging role. The company was into teak plantations. The manager asked me to procure land. That was my break. From 1994-2000, I procured land, about 500 acres for the company. I dealt with over 200 sellers. At that time, land price was very low. People were keen to sell. I paid INR 50,000 per acre in areas around Sriperumbudur. When the company collapsed, I continued in the land business.

From 2000, big companies are procuring large amounts of land. Plus there have been demonstrations [political protest]. There are more players, even small companies are buying land. People are more educated and don't sell easily. If we have to purchase, we have to pay high price, especially if the seller is in a sound financial position or doesn't want to sell. In Sriperumbudur, after the entry of companies like Nokia and Motorola, we pay 50 lakhs per acre. There is a big change in the land market.

My level is middle level. I don't work for Nokia types. I do not possess the capacity to contact them. Sometimes people contact me through lawyers from this firm, others may come after getting a reference from former clients. No purchase can happen directly... you have to go through people like me. I will be able to tell buyer, give choice—this property available, that property also. I get information on available land through local contacts, also village revenue officers. Once the client chooses a site, I can buy land for them. I will buy with help from local government officials. I work with local people in deals.

After purchase, land has to be converted. [For] example, if it is wetland, we have to go all the way from the Tehsildar [Block Revenue Officer] to the [District] Collector. If the land is adjacent to a forest, we have to approach the Forest

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<sup>25</sup> I have kept to local currency measures and units, as that is the language spoken by interview respondents. For reference, at current rates, £1 = Indian Rupees (INR) 101.65 ; \$1 = INR 63.18. Further, 1 crore = 10,000,000; 1 lakh = 100,000.

Department. At every level, we pay bribes. If someone [is] not taking [a] bribe, we will wait for [the] person to be transferred. Or if an influential person is with us, we can get the official transferred-- depends on [the] capacity of [the] aggregator and [the] firm he is working for. Big companies can get people transferred.

I earn Rupees 60-70 lakhs per annum. Over the last five years, there has been a drop in my earnings; the market is dull these days. But since [the] market is difficult, people are willing to pay me more to buy land for them. Of my clients, 60% are SEZs, 20% are builders, 5% are schools—nowadays schools are big business in Tamil Nadu. Another 15% are investors in land, they wait for it to rise in price, some are small players. Out of SEZ clients, 30% are from abroad, the rest are from Hyderabad, Mumbai, Tamil Nadu, Delhi.

- Aggregator Rajesh, interviewed in Chennai, 14/8/12

Aggregator Rahul, from Kolkata, operates in a more exalted league than Rajesh from Chennai. When I first call him, with the reference of a well-known Kolkata developer and a retired Indian Administrative Service officer who is a consultant for the developer's firm, he answers in Marwari. Hearing my voice, he immediately switches to English. We agree to meet in the developer's glass and chrome, multi-storeyed office. While waiting, the young man, heir of a construction empire, tells me more about Rahul. 'Basically he is one of those individuals who like to live dangerously. It is good you are meeting him today, he will be in Delhi for the next three days. He will be able to give you a lot of information. He is the person I would approach if I want two acres of land.'<sup>26</sup>

Rahul walks into the office, addresses me politely as 'madam', and gives a friendly nod to the developer. The developer and Rahul are on first-name terms.

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<sup>26</sup> Builder, interviewed in Kolkata, 22/8/12

Rahul dresses like a manager in a corporate firm, casual yet smart. Like Rajesh, he carries two cell phones. They ring constantly; he answers many calls, one of which is from his three-year old son. He also sends several texts. Rahul suggests that I ask my questions because 'yeh to chalta rahega' [these phone calls will continue]. We talk candidly, using Hindi and English.

I am in this field accidentally. My father was a CA [Chartered Accountant], my brother is a CA. I was also doing a CA course, but could not finish. My father was unhappy. Then I did an LLB. I am from Maharashtra, but am Marwari. I was looking for opportunities after college, when an uncle from Kolkata said he needed help in business. He is a land shark. He has two daughters, so needed someone to manage. This was the year 2000. Uncle kept me like a son, taught me the work. Since I have a law background, I could understand land papers. In my first assignments, uncle used to finalise deals with land owners, I had to check registration papers and look into the legal language. What uncle used to do in a crude, small-scale manner, I have made more sophisticated and computerised. But I don't keep a business card. My office has four rooms. Staff members in one room don't know about activities in the other room. If I have a brand name, people will be after my life [for money].

Till 2006, we had a monopoly in a particular area, so we could have salaried brokers. We paid 7-8000 rupees to reliable people. Now, there is too much money in the market. Even if we offer 10,000 rupees, they will laugh at us. Earlier, it was local money, now people from Delhi and Bombay are involved, even FDI [Foreign Direct Investment] is allowed. Brokers are seeing so much money for the first time. But still, we have to maintain relations with brokers. We send gifts to them for festivals. If even a single bad idea comes to them, we are ruined. This is a chain. The developer is dependent on me, I depend on the guy who deals with land directly. The government is not acquiring land anymore [after protests over acquisition for industry in 2007-08], so there is more demand in the private market for freehold land.



Regarding earnings, I cannot tell you exact amounts. But, you can write that one to two per cent of the value of the land goes to the aggregator. If I do a deal of one crore, I get one lakh. I could get five lakhs to pay local brokers and others. I will also request the local broker to give me some of his share. I charge for extra services like conversion to residential or commercial purpose. The rate depends on difficulty. A professional agency [like Rahul's] takes rupees two to five lakhs to convert one acre. But don't ask me what I pay to the official to convert, ask me what I take from the developer.

[I] sit in an AC [air-conditioned] office, and drive a big car. I am important in the chain [of land procurement] and need to be recognised and paid accordingly. In my career, I have dealt with around 400 acres around Kolkata. I have worked with six-seven of the best-known developers: [gives names].

- Aggregator Rahul, interviewed in Kolkata, 23/8/12

A builder I have interviewed several times puts me in touch with Broker Raju. I soon realise that in a slight turning of tables, I am playing an unarticulated mediation role between the builder and Raju. They have parted 'on a bad note' a year ago, in a deal gone bad where both lost money. But the builder says Raju is the one to meet for local information on land. He calls the number saved on his phone and when Raju answers, tells me I am very lucky. He introduces me as a *boudi* (brother's wife) who wants to know about land. Raju readily agrees to meet me. During our interview, he asks that I relay the success of the discussion to the builder.

Raju and I meet in a popular coffee shop on a day he is visiting Kolkata on business. As I wait, he calls twice to inform me of his whereabouts. Like in the case of Rajesh and Rahul, the cell phone is omnipresent. At the second call, I look

up to see a stout man in trousers and grey flannel jacket. Raju enters the café with another man, similar to him in dress and age (about 40). Both men appraise me, perhaps to establish that I am indeed alone and the researcher I claim to be. Then, Raju says something to his accomplice, who leaves. Raju sits across the table from me, and we order tea.

We begin the interview with him addressing me as ‘madam’. About a third of the way through, he asks if he can call me ‘didi’, elder sister. I readily agree, and he uses the word for the rest of our interaction, and in the follow-up phone conversations that we have. Raju is forthright about his background and business. Our conversation is in Hindi.

I am a BSc from Charu Chandra College, Kolkata University. I graduated in 1994. My father did service [salaried employment, whether government or private] in Kharagpur. Then the family moved to South 24 Parganas as we were originally from there. My business interests are in South Calcutta and South 24 Parganas. Business is likely to grow here in the coming years. For instance, Baruipur is becoming very desirable. The government sub-divisional office moved from Alipur to Baruipur some years ago. Currently, land is selling there for rupees 3 lakh a bigha. It will become 7 lakh in a couple of years.

I started work life in Mumbai in the gold business. Then a friend from Kolkata said, have a partnership with me buying land. We bought 8-10 bighas of *sali* [agricultural] land together. But there is no real partnership or friendship in business. My work has grown. Ten years ago, I was dealing in 1.5-2 bigha parcels, now people ask me to get 300-400 bighas. In my time in this business, I have dealt with about 600 bighas in total [80.28 hectares]. I am in the middle. I work with local brokers, saying *dada* [brother], you know this area, you work with us. They give us information about available land. Buying parties can get in touch with us through builders or aggregators.

Sometimes we acquire low lying land, we have to fill soil and make it level. We have to do DLLRO work [District Land and Land Reforms Office], make records, convert land use. Sometimes we deal in *danga* [high land] or other unused land. BLLRO [Block Land and Land Reforms Office] matters are not so difficult. We have people in the office, like moodis, working for us.

Suppose you buy land from me for rupees 10 lakhs a bigha; how much we give to the seller out of this, whether 10 lakh, or 2 lakh or 15 lakh, is not the buyer's issue. That is our issue. Down the line, we have a deal with the local broker, who says he will handle materials and protection and charge us a pre-decided amount for this. We have to bargain on the amount, I have to keep in mind what the buyer is paying me. Everyone has to make a profit, otherwise the business will not work.

Some buyers will *sambhal* [handle] the politics and materials on their own. Other parties, especially outside parties say *ham ko koi locha nahin uthana hai, tum sambhal lo* [we don't want any hassle, you handle it]. They want complete possession, with the boundary wall. Locally powerful buyers may want to manage all this on their own, depends on their power. We have just given 450 bighas near Diamond Harbour to a party from outside West Bengal, and 150 bighas to a company from Gujarat. The latter eventually wants 200 bighas by the river to make a shipyard. My clients are a mix of builders and factory owners. White and black money is a big thing in the land business and people like to sink their black money in land.

How much money we make depends on attitude. This work is built on relationships, you need trust, otherwise why will you channel money through me? I would say I am middle class. I drive a car that cost 5-6 lakhs, I own a *chota-mota* [modest] house. My business is expanding.

- Broker Raju, interviewed in Kolkata, 22/12/12

The middlemen profiled in this section operate in diverse socio-economic and geographical contexts. Yet, there are commonalities in their biographies. They are educated, having studied to graduate or postgraduate level. They come from ‘service’ families, where salaried jobs are the norm, or have rural, farming backgrounds. Yet, each of them has ambitions of moving beyond the mundanity and modest remuneration that their families’ work choices seem to represent. While village-level local brokers have not been profiled in this section, one such individual interviewed complies with this trend, saying ‘my family is in service, sales or farming... but I prefer land work’<sup>27</sup>.

The young men discussed here have worked their way up through ambition and enterprise. Thus, the stenographer who earned INR 10,000 a month, now makes around INR 550,000. His career in land began because he was ‘bored’ with his salaried job and was looking for a ‘challenge’. In one sense, these are the classic subjects of neoliberal India, pursuing self-driven, self-managed career paths (McCabe 2003, Gooptu 2009). Conforming to a culture of consumerism goes hand in hand with a self-directed career path, where material goods become a measure of worth and achievement (Bauman 2000). Thus, ownership of top-end mobile phones, ‘big’ cars and property is the ultimate marker of success for Rajesh, Rahul and Raju.

These conclusions would lead us to agree with the literature that places aspirational, status-seeking middlemen in land within state-facilitated capitalist projects (Levien 2011, Baka 2013). Here are enterprising subjects that reflect and further the logic of market-based capitalism (Jessop 2002). While this is a perfectly valid inference that stands up to the empirical evidence, the data presented in this paper is also pointing towards deeper and more varied analysis, centred on middlemen

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<sup>27</sup> Local broker, interviewed in Kolkata, 29/8/13

as middlemen. The paradigm of induction of course allows conceptual reflection to emerge from the data, and frees us from conforming to single or dominant theoretical paths. Given the broadly unexplored nature of the central theme, the analytical avenues highlighted below are suggestions that require development in future writing.

## **6. Conclusion: Analysing middlemen as middlemen**

In foregrounding middlemen, and conveying their organisational hierarchies and biographies in their own terms, this paper has been concerned with the politics of presence. In feminist literature, this term has lofty concerns with the representation and impact of women in positions of power (Phillips 1995, Lovenduski and Norris 2003). More humbly, my objective has centred on sheer visibility. In making middlemen in land visible, I have steered clear of glorification. Indeed, in the array of middlemen listed in Section 4, some do conform to the goonda and illicit fixer images that are popular in the literature. However, the point of portraying brokerage as a stratified and diverse process was to move away from these imaginaries of sameness.

The activities of middlemen are largely ‘informal’ and in that part of the economy that is not regulated or taxed by the state, or covered by official data on registered enterprises. According to an estimate, the vast majority of India’s population, i.e. 83%, works entirely in the informal sector (National Council for Applied Economic Research 1999, in Harriss-White 2003, 5). Similar to the broader informal economy, the sphere of land brokerage is hard to pin down via statistics. Micro studies indicate that 25% of young men in the pseudonymously named village of Rajpura in Rajasthan had worked as commission agents or dalals for land buyers, to take advantage of a real estate boom around the building of an SEZ (Levien 2011, 269). In my field research, one of the brokers interviewed operates around Baruipur

town, south of Kolkata. He estimates that fifty other brokers work in this area of South 24 Parganas district<sup>28</sup>. Further, a syndicate member from the same locality claims to have twenty members in his group, though syndicates can also have as little as five members<sup>29</sup>. Finally, a former government clerk from a Block Land and Land Revenue Office estimates that at any point in time, ten to twenty moodis sit outside this place of work<sup>30</sup>.

Locally sourced figures on brokerage in land do not provide a comprehensive picture. Yet, the figures that we do have point to a vast sphere of activity. Middlemen are crucial to recognise, not just because of their sheer numbers, but also because their sophisticated organisation tells us something about the larger configuration of land deals. The hierarchised organisation of middleman can be analysed as a ‘network’ (Castells 2009, Wasserman and Faust 1994), where individual components are inter-dependent, resources flow through such interdependence, and individual action is enabled and at times constrained by the larger network. Thus, powerful aggregator Rahul admits his inter-dependence on local brokers, despite their rising demands for money per land deal, saying ‘if even a single bad idea comes to them, we are ruined’.

Theorists of the informal economy have been studying its embedding in social structures of gender, caste and religion. This complements network analysis. Harriss-White, for instance, contends that the informal economy is not entirely unregulated. Social and political codes apply to this decidedly ordered field (Harriss-White 2003). Similarly, Meagher (2010) characterises informal economic activity in Nigeria as ‘identity economics’.

Identity clearly regulates the organisation of brokerage in land in India. The profiles of middlemen in Section 5, refer to friendships and blood relationships as key

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<sup>28</sup> Interviewed in Kolkata, 22/12/12

<sup>29</sup> Interviewed in Kolkata, 29/8/13

<sup>30</sup> Interviewed in Kolkata, 29/8/13

to middlemens' entry into the land business, and for the continued channelling of work. These may well be self-driven subjects of neoliberal capitalism, but they are not disembodied from social relations. Even for me as a researcher, interviewing middlemen, lawyers and builders or developers would have been difficult without social ties, mostly imagined. Thus, Raju the broker agreed to talk to me because I was introduced to him as the wife of a builder's brother. In our interview, he switched to calling me *didi* or sister, in an attempt to reduce the distance between us. Middlemen refer to local brokers as brothers (*dada*), and engage in festive gift giving. This could be seen as a cynical use of social relations to attain monetary ends, or it could be read as the personalisation of larger economic structures. For me, the role of identity in embedding and localising capital accumulation, and the specific role of middlemen in this process is certainly an avenue for more research.

The embedding of land deals in local contexts and relationships makes middlemen active agents rather than passive recipients of market or official signals. The profiles in Section 5 are very far from the image of characterless fixers. In the words of aggregator Rajesh from Tamil Nadu, 'No purchase can happen directly... you have to go through people like me. I will be able to tell buyer, give choice... Once the client chooses a site, I can buy land for them... I work with local people in deals'<sup>31</sup>.

Even when one accepts middlemen acting on land deals through their embeddedness in local contexts, it can be said that their actions merely reproduce larger structures of capital and the state (Bourdieu 1977, Giddens 1984). Thus the middleman's familiarity with the local simply brings capitalist accumulation closer to hitherto untapped sites of production. In a sense, middlemen like Rajesh are indeed

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<sup>31</sup> Aggregator, interviewed in Chennai, 14/8/12

bridges, as portrayed in the literature. Their agency bridges the local context of land: social relations, government organisation and political manoeuvring, with the needs of capital. At the same time, Rajesh and his compatriots also make some of the rules through which business is done.

That middlemen can be rule-makers, not just rule-takers, is clear in the case of the politically-backed syndicates in West Bengal. A real estate developer portrayed this rule-making in apt terms: ‘Every place has its own rules. Here, there is an unwritten rule that material like bricks, sand, stone chips... have to be sourced from local boys who operate syndicates. If you don’t source through them, your life becomes difficult, as these individuals are backed by the local party and councillor’<sup>32</sup>. The intermingling of local rules, political realities, organisational structures, and personal aspirations, with the demands of local, national and international capital, produces the composite that we understand as a land deal. The middleman’s ability to make rules, not just take and reproduce them, is integral to the variegated nature of land deals across countries and continents today.

This paper has studied brokerage for the sake of brokerage. But even those exploring larger questions in land deals must take this sphere into account. A case in point is international and national policymaking around land today. The alarming figures on land deals, which were featured in the introduction to this paper, have led to widespread debate on governance. Policymakers and academics have debated global ‘codes of conduct’ and ‘voluntary guidelines’ in land transactions (African Union et al 2010, Cuffaro and Hallam 2011, De Schutter 2011, Food and Agricultural Organisation 2012). These tend to be ‘soft’ codes, as no international organisation can as yet enforce transparent, fair, locally sensitive, and remunerative conduct in a land

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<sup>32</sup> Developer, interviewed in Kolkata, 29/8/13



deal. However, the keywords are very much in keeping with the wider good governance agenda, which is popular in international policy circles (Grindle 2010).

Discussion of good governance in land can be questioned for not critiquing land deals per se, and merely offering administrative salves for how land transactions could be carried out. Even if one were to function within, rather than beyond, the framework of land deals, I would like to propose that policy pressure for greater transparency or fairness is irrelevant if we do not recognise the vast world of shadows and informality that underpins land. This point is relevant for global soft law on land governance, and for enforceable national policies.

For instance, the Government of India (2012) is on the anvil of instituting a fairer land acquisition law. Here, using the principle of eminent domain, the state can acquire private land for private companies to spur the ostensibly public purpose of national growth or employment. However, land acquisition is conditional on consent being obtained from the majority of sellers, and the provision of adequate compensation that is to be determined by the government. To me, this seems to be an empty debate when only formal, visible actors like registered companies and government offices are considered. What if companies outsource consent-making to middlemen and musclemen? Pieces of paper that show a land deal as consensual do not tell the intricate story of how consent is gained, and by whom. Similarly, elaborate deliberations on compensation assume the passing of compensation amounts from government actors or private companies, to land sellers. There is no recognition of the chain of middlemen that enter these dealings from the side of the state, the buyer and seller, and dilute reparation amounts along the way.

Policymakers can dismiss middlemen as ‘unscrupulous elements’ who will ‘exist irrespective of the laws we make’, as a very senior official in Delhi’s

Department of Land Resources did when I brought up these actors in the context of the new Land Acquisition Law<sup>33</sup>. Or, as this paper has attempted to do, we can acknowledge the ubiquity of middlemen in the landscapes around us, and work with this understanding for more engaged and nuanced policy as well as academic commentary around one of the biggest natural resource questions of our time.

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<sup>33</sup> Interviewed in Delhi, 8/8/12

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