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Through its publications, *White Black Legal – The Law Journal* seeks to foster critical legal thinking and contribute to the development of law as an instrument of justice, governance, and social progress, while expressly disclaiming responsibility for the application or misuse of published content.

# **FARMERS' PROTESTS AND AGRICULTURAL REFORM LAWS**

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## **Introduction**

Farmers' protests in India have become a significant socio-political issue, primarily in response to the agricultural reform laws introduced in 2020. These protests have highlighted the deep-rooted challenges in India's agricultural sector and have sparked a nationwide debate on the future of farming in the country. India's agricultural sector employs over half of the nation's workforce but contributes only about 15% to the GDP. Chronic issues such as low productivity, fragmented landholdings, and insufficient market infrastructure have plagued the sector. In September 2020, the Indian government passed three laws intended to liberalize the agricultural market and increase farmers' incomes.

## **Scope of the Article**

The purpose of this article is to provide a comprehensive analysis of the farmers' protests and the agricultural reform laws.

## **Historical Background**

Agriculture in India was characterized by traditional methods and low productivity, with a focus on cash crops for export under colonial policies. India focused on achieving food security, leading to the Green Revolution in the 1960s, which introduced high-yielding varieties, chemical fertilizers, and improved irrigation. Green Revolution boosts productivity but leads to regional disparities, with states like Punjab, Haryana, and Uttar Pradesh becoming agricultural powerhouses. Economic reforms begin to include agricultural policies aimed at liberalization. Structural adjustments and trade liberalization start shaping the agricultural sector. Increasing calls for further reforms due to inefficiencies in APMCs and the need for better market access. Focus shifts to market-driven growth and privatization of agricultural services.

## **Current Scenario**

The three laws introduced in 2020 aimed to create a more open and competitive agricultural market by dismantling the monopoly of APMCs and allowing farmers to sell directly to private buyers. Farmers have raised concerns about the potential erosion of the MSP system and increased vulnerability to corporate exploitation. Over 58% of the Indian workforce is employed in agriculture, yet the sector's contribution to GDP has been declining, highlighting the need for reforms. Protests have seen massive participation, with thousands of farmers camping at Delhi's borders since November 2020, demanding the repeal of the laws.

## **Key Issues or Challenges**

Farmers worry the new laws will eventually lead to the end of MSP, which is a crucial safety net. Many regions lack the necessary infrastructure to support the new market system, such as storage facilities, transport, and digital connectivity. Small farmers fear exploitation by large agribusinesses due to weaker bargaining power. Potential for increased income through better market access, but also risk of income instability and increased debt. Prolonged protests have led to social unrest and polarization among different farmer groups. The issue has become a significant political challenge for the government, with implications for upcoming elections and regional politics.

## **Factors Influencing the Situation**

Strong community bonds among farmers, leading to widespread mobilization and solidarity. Financial instability and indebtedness among farmers drive resistance to reforms perceived as risky. Opposition parties and regional political dynamics have influenced the protests, using them as a platform to challenge the central government. Lack of digital literacy and access to technology among farmers affects their ability to benefit from new market opportunities. The three reform laws aimed to deregulate agricultural markets and attract private investment by allowing contract farming, removing stockholding limits, and facilitating barrier-free trade outside Agricultural Produce Market Committees (APMC) markets. Minimum Support Price (MSP) and procurement systems have been maintained in parallel, though farmers demand a legal guarantee for MSP. The government has held multiple rounds of negotiations with farmers' unions, offering amendments and assurances. Several state governments have also announced additional measures to support farmers, such as enhanced procurement and financial aid.

## **Objective of the Study**

To analyse the socio-economic and political dimensions of the farmers' protests. To assess the impact of the agricultural reform laws on different stakeholders. To provide recommendations for addressing the concerns raised by farmers and improving the agricultural sector.

## **Review of Literature**

### **P. S. Vijay Shankar, "The Politics of Agricultural Market Reforms in India"**

This article discusses the political economy of agricultural market reforms in India, analysing historical patterns of state intervention and the implications of deregulation. Vijay Shankar's work provides a critical overview of how past agricultural policies have shaped the current market structure and the socio-political challenges that come with reform. This review helps in understanding the historical context and political resistance to the new laws.

### **A. K. Singh, "Farmers' Movements in Contemporary India: Challenges and Prospects"**

This study examines the various farmers' movements in India, focusing on their causes, evolution, and impact on policy-making. Singh's research delves into the socio-economic factors driving the protests and the historical precedents of farmers' movements. This literature review aids in comprehending the broader social and economic dimensions of the current protests.

## **Theoretical Framework**

Understanding the farmers' protests and the agricultural reform laws necessitates a multifaceted theoretical approach, encompassing economic, sociological, and political theories. Market Liberalization Theory posits that reducing government intervention in markets fosters efficiency and competitiveness. The agricultural reform laws embody this theory by aiming to dismantle the APMC monopoly and create a more open market for agricultural produce. This liberalization is expected to lead to better price discovery, increased investment, and technological advancements in agriculture. Public Choice Theory, on the other hand, examines how government decisions are influenced by various interest groups and stakeholders. The passage of the agricultural reform laws can be analysed through this lens, highlighting the influence of agribusinesses, political entities, and farmers' unions. This theory helps explain the resistance from farmers, who perceive the laws as favouring corporate interests over their welfare. Social Movement Theory explores the origins, dynamics, and impacts of social

movements. The farmers' protests can be studied as a social movement driven by collective identity, shared grievances, and mobilization strategies. This theory provides insights into how and why the protests gained momentum and the role of social networks and media in sustaining the movement. Structural Strain Theory suggests that social movements arise when there is a disconnect between societal expectations and actual conditions. The economic hardships and uncertainties faced by farmers, contrasted with the promise of reform, create a structural strain leading to mobilization. This theory helps in understanding the underlying social and economic conditions that fuel the protests. State-Centric Theory focuses on the role of the state in shaping economic and social outcomes. This theory is applicable in examining the state's role in implementing and regulating the agricultural reform laws, as well as the political response to the protests. It scrutinizes the balance of power between the central government, state governments, and farmers' organizations. Resource Mobilization Theory emphasizes the importance of resources (money, labour, media access) in the success of social movements. The farmers' protests leveraged significant resources, including financial support from various entities, human resources in the form of widespread participation, and media coverage. This theory provides a framework for analysing how the protests have sustained themselves over a prolonged period.

### **Legal Framework**

The Essential Commodities Act of 1955 was designed to control the production, supply, and distribution of certain commodities to ensure their availability at fair prices. The amendment to this Act in 2020, a key component of the agricultural reforms, removed several commodities from the list of essential items, thereby deregulating their storage and distribution. Another significant historical legal framework is the Agricultural Produce Market Committee (APMC) Acts, which were established to create regulated markets (mandis) for agricultural produce, ensuring fair trade practices. The APMC Acts form the backbone of the current agricultural marketing system that the new laws seek to liberalize. The Farmers' Produce Trade and Commerce (Promotion and Facilitation) Act of 2020 is one of the three contentious laws introduced as part of the agricultural reforms. This Act allows farmers to sell their produce outside APMC mandis without paying state taxes, promoting barrier-free inter-state and intra-state trade. The intent is to provide farmers with more selling options and better price realization. However, farmers fear that this could lead to the dismantling of the APMC system and the eventual phasing out of the Minimum Support Price (MSP) mechanism, making them

vulnerable to exploitation by large agribusinesses without a guaranteed price for their produce. This dual impact of providing more market freedom while raising concerns about the loss of traditional safeguards encapsulates the complex legal landscape of the current reforms. The Farmers (Empowerment and Protection) Agreement on Price Assurance and Farm Services Act of 2020 facilitates contract farming, allowing farmers to engage directly with agribusiness firms, processors, wholesalers, and exporters for the sale of future farming produce at predetermined prices. This Act aims to attract private investment in agriculture, bring in new technology, and provide better-quality seeds and inputs to farmers. Nevertheless, there is apprehension among farmers about the potential imbalance in bargaining power between small farmers and large corporate entities, which might lead to exploitative contracts. The Essential Commodities (Amendment) Act of 2020 aims to remove commodities like cereals, pulses, oilseeds, edible oils, onions, and potatoes from the list of essential commodities, thereby deregulating their production, storage, movement, and distribution. The amendment seeks to attract private investment in the agricultural sector, create a competitive market environment, and reduce wastage through better storage facilities. However, critics argue that deregulation could lead to hoarding, artificial scarcity, and price manipulation by large corporations, adversely affecting both farmers and consumers. These recent legal changes, while aimed at modernizing Indian agriculture and making it more market-oriented, have led to significant unrest among the farming community. The theoretical and legal frameworks provide a comprehensive understanding of the complexities involved in the farmers' protests and the agricultural reform laws, highlighting the need for a balanced approach that addresses the concerns of all stakeholders involved.

### **Suggestions**

To address concerns raised during the farmers' protests, the agricultural sector can benefit from hybrid models that balance regulation and deregulation. Allowing farmers to sell in both regulated Agricultural Produce Market Committees (APMCs) and open markets can empower them while ensuring safety nets through Minimum Support Price (MSP) guarantees. Collaborative policy-making is vital. Establishing regular stakeholder forums will provide platforms for farmers and agricultural organizations to share their concerns directly with policymakers. Structured feedback mechanisms, such as surveys, can help ensure that policies reflect the realities faced by farmers. Strengthening cooperatives can enhance smallholders' bargaining power. Providing training and financial support will enable these cooperatives to

market produce collectively and invest in technology. Investing in rural infrastructure is crucial for improving market access and reducing post-harvest losses. Cold storage facilities and better transport links can significantly benefit farmers by preserving the quality of their produce and facilitating easier market access. Incorporating sustainable practices into policies is essential for long-term viability. Incentives for environmentally friendly farming can promote resilience against climate change. Finally, promoting direct selling through farmers' markets and online platforms can increase profit margins. Supporting initiatives that train farmers in digital marketing will empower them to reach consumers directly. By implementing these reforms, India can create a more resilient and equitable agricultural sector that supports farmers while ensuring food security and sustainable development.

### **Future Prospects**

The agricultural sector is expected to gradually adapt to new market realities as farmers and markets become accustomed to the evolving regulatory environment. This adaptation will likely involve a slow but steady adjustment process, where stakeholders learn to navigate the changes brought about by recent reforms. Additionally, increased private investment and technological advancements are anticipated to play a pivotal role in enhancing farming practices. Innovations such as precision agriculture, digital farming tools, and sustainable farming technologies will drive productivity and efficiency, allowing farmers to maximize yields while minimizing resource use. There is also potential for the emergence of more localized and diversified agricultural models tailored to the diverse agricultural conditions across India. These localized approaches may help meet specific community needs, improve food security, and foster resilience against market fluctuations. Future agricultural policies will likely undergo continuous adjustments based on feedback from farmers and ground realities. Policymakers will need to remain responsive to emerging challenges and opportunities, ensuring that regulations evolve to support the sector effectively. Strengthening farmer cooperatives and producer organizations will be crucial in enhancing farmers' market power and resilience. As cooperatives become more robust, they can facilitate better access to resources, markets, and information, empowering farmers to compete effectively. Finally, there will be a greater emphasis on sustainable and resilient agricultural practices in future policies. Policymakers are expected to focus on sustainability, promoting practices that not only increase productivity but also safeguard the environment and adapt to the challenges posed by climate change.

### **Conclusion**

The agricultural reform laws aim to modernize Indian agriculture but have faced significant opposition from farmers. Key issues include fears over the MSP system, market infrastructure, and power dynamics. Comprehensive solutions and collaborative policy-making are essential for addressing farmers' concerns and ensuring sustainable agricultural development. The farmers' protests underscore the complex challenges of agricultural reform in a diverse and populous country like India. Moving forward, a balanced approach that combines market efficiencies with robust support systems for farmers will be crucial for the sector's sustainable growth and development.

### **Reference**

1. Shankar, P. S. Vijay. The Politics of Agricultural Market Reforms in India.
2. Singh, A. K. Farmers' Movements in Contemporary India: Challenges and Prospects.



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