

WORKING PAPER 282

Ambiguous Institutions: Traditional Governance and Local Democracy in Rural India

Kripa Ananth Pur and Mick Moore
May 2007



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Summary

'Customary village councils' (CVCs) are widespread in rural India. They are generally believed to be disappearing vestiges of a pre-democratic, hierarchical socio-political order. In the Indian media, they are represented as instruments for the harsh enforcement of 'traditional' norms of caste and gender inequality. However, research in Karnataka state reveals a very different picture. CVCs are found in almost every village. While continuing to resolve local disputes and exercise limited judicial authority, they are actively taking on new roles, especially developmental and electoral roles; becoming more pluralist and democratic; and providing a wide range of services that are positively valued by villagers, especially by women. CVCs often interact closely and synergistically with the formal, elected local councils (*Grama Panchayats*). This closely parallels other findings from empirical social science research in India: an informal, 'traditional' institution, believed by intellectuals and elites to be disappearing into the dustbin of history, turns out to have considerable staying power, to be enjoying something of a revival, and to be adapting to the democratic element in India's modern, formal political institutions. Analysis of data from a sample of 30 villages in Karnataka state collected over a four-year period shows considerable inter-village variations in the activity levels of CVCs. The most important single factor explaining this variation is the closeness of their relationship to the formal, elected *Grama Panchayats* (GPs). The greater the interaction between the two, the more active CVCs are. The paper concludes with some speculations about why CVCs are so buoyant and active in this context, while elsewhere similar 'traditional institutions' have been viewed as bulwarks of inequality and hierarchy, and have generated considerable political opposition. One major reason may be that CVCs operate in a relatively democratic and pluralist environment in which the formal state provides many services quite effectively. CVCs have no monopoly, and have continually to earn the authority which they exercise.

Keywords: South Asia, India, decentralisation, governance, customary, panchayats

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1 Introduction

Our big story is, in conceptual terms, an old story: an informal, ‘traditional’ Indian institution, that has largely been written off as disappearing into the dustbin of history, turns out not only to have considerable staying power, but to be enjoying something of a revival, as a result of adaptation to an intensification of the democratic element in India’s modern, formal political institutions. This was the account that Lloyd and Susanne Rudolph (1967) gave of the role of caste in Indian politics four decades ago. Caste was not disappearing in democratic independent India. It was instead changing function, and to some degree form, to become a primary channel for aggregating votes in elections. Our interpretation of ‘customary’ (‘traditional’, non-state, unofficial) village-level *panchayats* (councils) runs parallel. At least in Karnataka state in south India, where we organised intensive studies in 30 villages, these ‘customary village councils’ (henceforth CVCs) are not disappearing. They are actually rather active, and taking on a range of new roles. In particular, they interact intensively with the new (higher-level) elected local councils (*Grama Panchayats*) established throughout the country under the 1992 constitutional amendment. CVCs and *Grama Panchayats* appear synergistic rather than competitive. The availability of an increasing range of resources to local communities through government programmes creates a niche for CVCs to act as gatekeepers between their populations and higher-level electoral and bureaucratic authorities. That engagement with higher-level political institutions is tending to reshape CVCs. They are less focused on exercising distributional authority within the village arena, and more oriented to representing villages collectively, in competition with other villages, to influence *Grama Panchayats* and access public resources. While still conceived as ‘traditional’ by villagers themselves, their roles as local arbiters and enforcers of caste and gender dominance are becoming less significant, at least in Karnataka. Instead, they are becoming more pluralistic in composition, and taking on a wider range of local government functions, providing collective goods and services that are much valued by villagers. Urban, intellectual India seems unaware of these trends. Insofar as CVCs feature in the mass media and in public political discourse, they are represented as archaic, illegal and tyrannical bodies that have no place in a modern democracy.

In Sections 2–4, we provide the conceptual and historical background on local non-state territorial governance, in general, in colonial societies, and in contemporary India. In Sections 5 and 6, we explain how CVCs function in the south Indian state of Karnataka, and how we measured their activities in a sample of 30 cases. Section 7 deals with the determinants of the wide variations among these 30 villages in the activity levels of CVCs. In Section 8 we explain why, unlike in some other similar societies, the institutions of informal local territorial governance in India have not been locked into a role of enforcing local hierarchy and dominance, but have adapted effectively to a relatively pluralistic and democratic environment.

2 Local territorial governance

Modern states tend to engage in direct, unmediated relationships with their citizens. The less mediated that relationship, the more inclined we are to think of them as

‘modern’. It is modern states that enforce a single legal code, determine how children are to be educated, provide welfare services for those in need, regulate what we may eat, drink or smoke, and otherwise assume responsibilities historically borne by families, kin groups, religious institutions, occupational guilds, merchants’ associations, networks united by feudal obligation, or autonomous units of local territorial government. Yet no polity can succeed entirely in abolishing intermediaries between households and the state, and certainly not at the local level. All polities need to reach an accommodation between the authority of the formal state apparatus and the influence of local, territorial non-state institutions. Populations that occupy a common local space have common interests and needs. Resources need to be mobilised, allocated or managed; disputes resolved; threatening intrusions repelled; external authorities dealt with; and ceremonies and collective celebrations organised. These common needs tend to be especially intense where residence and livelihood overlap: in agrarian villages, in pastoral and mining settlements, in fishing communities, or in urban neighbourhoods specialising in particular lines of commerce or production. No state, however well developed and institutionalised, can dispense entirely with a degree of (non-state) local voluntarism in the provision of local territorial governance. Neighbourhood associations of some kind are widespread even in the most affluent urban and suburban localities of the most affluent nations. They may not dispense justice or raise large sums of money to construct or maintain schools, clinics, roads, and water or electricity supply systems. They might however manage residential property and local recreational facilities, organise social and cultural events, represent the community in relation to infrastructure planning decisions, and act as the local eyes and ears of the police force. These local territorial institutions rarely operate entirely independently of the formal state apparatus. They typically are informally recognised by agents of the state, and to some degree integrated into the polity.

In wealthy countries, the interaction of local voluntary organisations with the state apparatus raises some mildly interesting conceptual questions about the boundaries between state and society. However, informal local territorial governance is rarely a very contentious political issue. People in contemporary rich countries are more likely to lament a deficit of local voluntarism than become engaged in struggles to expose the despotism of neighbourhood associations and to curb their powers. In poorer countries, the situation is often very different: the character of informal (or quasi-formal) local territorial governance is more likely to be on the political agenda, and attitudes are more likely to be polarised. The main reason is that such organisations tend to be more influential. They exercise more authority, and therefore attract more political attention. First, in agrarian, pastoral, mining or poor urban environments, there is more overlap between location of residence and location of livelihood (and of routine social interaction), and therefore more distinctly local material issues to be resolved: irrigation systems to maintain; fishing practices to be agreed; rangelands to police; property and inter-personal disputes to be settled; common land to be managed; and tax collectors and other external agents to be dealt with or repelled. Second, and more important, in poorer countries the state apparatus is often less extensive. Agencies of the state are less likely to have the resources, staff and organisation to penetrate to the very local level, and there to enforce state law, collect taxes, hire and supervise schoolteachers and midwives, allocate mining rights and liquor licences, resolve disputes, register births and deaths, provide relief to the poor, dig drains, or promote national

identities. The relationship between distinctively state organisations and citizens is more likely to be mediated by some other institution with a fuzzy or ambiguous status, which to some degree performs the local functions of the state without a very clear or formal mandate.

3 Local territorial governance and colonial rule

With the partial exception of genuinely revolutionary regimes that aim the re-make the polity, these mediating local institutions are intrinsically conservative: they draw on the pre-existing authority of dominant local families or groups. It could hardly be otherwise: a state that cannot expand its formal bureaucratic authority and institutions to the local level necessarily leans on the authority that already exists there. The conservative or reactionary nature of that compromise tends to attract particular attention in ex-colonies. The literature on European colonial rule in Africa, Asia and Latin America is replete with studies of how these local – and mainly rural – mediating arrangements were constructed and how their existence in turn reflected back on local society (Baker and Washbrook 1975; Bremen 1982; Frykenberg 1965; Mamdani 1996). Think of the accounts of how European colonial rulers ‘invented’ territorial chiefs in parts of Africa (e.g. Ranger 1983; Mamdani 1996). Look at the emergence of ‘pluralistic legal systems’ in West Africa, where modern state law competes with the continuing authority of ‘traditional rulers’ to allocate land rights (Crook 1986; Ray 2003; Ntsebeza 2003). Analogous ‘traditional authorities’, sometimes individuals and sometimes institutions, are found in South Africa (Keulder 1998; Goodenough 2002; Thornton 2003; Ntsebeza 2003a), Malaysia (the Sultans) (Rudner 1979), Fiji (Watters 1969), among the indigenous people of the Andes, and elsewhere.

In South Asia, toward the end of the colonial period, the agents recruited to exercise indirect state authority at the local level were predominantly individual rather than collective in character: landed families, typically labelled *zamindars*, *jagirdars*, *mudaliyars*, *mirasdars*, and *jotedars*, rather than the corporate communities recognised in much of the Andes or in Fiji. One reason was that, in South Asia’s relatively hierarchical and differentiated societies, there were plenty of local elites eager to occupy these intermediary roles to preserve and enhance their own authority, prestige and material status under colonial rule. Another was that, in most of South Asia, the formal state apparatus did in fact extend down to the level of the individual ‘natural’ village for a set of purposes central to the character of colonial rule: the assessment and collection of land revenue. Land revenue was the dominant source of income for the Indian colonial state, and the node around which the administration was organised (Cohn 1971; Frykenberg 1965, 1969; Kessinger 1979; Madan 2002; Smith 1996; Washbrook 1981).¹ By the end of the colonial period, each village typically possessed a ‘headman’ who was recognisably a state official; a set of land records, with sketch maps, that in principle documented the potential productivity and tax liabilities of each parcel of land and identified the person responsible for paying the tax; and an official responsible for maintaining

those records. True, the records did not always reflect reality, and their official keepers were not always scrupulously honest and neutral public servants. But, for a society so very poor and agrarian, the extent of the penetration of localities by the formal state apparatus was remarkable. Important as the ‘traditional village community’ was to the ways in which intellectuals, colonial officials, and colonial historians imagined the (recent) pasts of South Asian societies, there was not in most of the region any compelling reason to conscript that ‘traditional community’, as a territorial collectivity, into the structures of colonial rule.²

After the end of colonial rule in 1947 and 1948, the countries of South Asia diverged in various ways. We deal here only with India. A few more or less stylised facts relating to its polity, political culture and public policy provide essential background to the story we tell below about CVCs. First, those putatively ‘traditional’ institutions that had been incorporated into the colonial system of rule – notably *zamindars*, *jagirdars* and other ‘landlords’ – were legally abolished fairly quickly after Independence in 1947, generally as an element of land reform programmes. Unlike in parts of Africa until today, the independent Indian state positively rejected the ‘traditional institutions’ that had been associated with local territorial rule during the colonial period. Second, as a result above all of the cultivation efforts of Mahatma Gandhi, albeit on fertile and well prepared soil, the notion of the essential ‘villageness’ of Indian society, Indian culture, and the Indian soul became deeply embedded in political culture and discourse (Madan 2002: 7–8). Congruence with this ‘villageness’ became a yardstick through which political attitudes and public policies were evaluated. India was imagined as a land of villages. Many of its ills could be traced to some kind of deformation of village society and economy by colonialism or other (malign) external influences. Find a way to unlock the natural dynamism of village society, and the gateway to a new world would be opened. Third, this yearning to reinvigorate the village mingled with strong commitments to democracy, secularism (as a rejection of caste as well as more evidently ‘ethnic’ differences), legalism and modern formal state institutions to generate an insistent demand for Panchayati Raj. In its milder form, *Panchayati Raj* equates to local democratic governance, especially at village level. In its more radical form, can be interpreted as a call for extensive devolution of government down to elected village councils – India as a land of democratic village republics

1 For example, when writing a history of a village in the Punjab, Kessinger (1979: 6) located the following official nineteenth century records: a household census conducted in 1848 as part of the first revenue survey; later decennial population censuses and quinquennial livestock censuses; the *Jamabandi*, revised every four years, that recorded official title to all land in the village, and thus served also as a tax list and evidence of all leases and mortgages, and agreements to pay rent on share produce among co-owners; the *Shajra Nasib* – the genealogical tree of all families owning or permanently renting land in the village – that was revised at the same time as the *Jamabandi*; and the *Lal Kitab* – the annual statistical record of the cultivated and irrigated area, the area used for each crop, the value of land sold and mortgaged, and the number of wells.

2 The main exceptions were in the frontier provinces of what is now Pakistan, and in the ‘tribal’ regions of contemporary Bangladesh and India, where the British found the imposition of direct rule to be very problematic, and ceded considerable authority, *de facto* or *de jure*, to local collectivities.

(Mandelbaum 1970). The term *Panchayati Raj* resonates positively in India to much the same degree that the phrase ‘local government’ evokes a dull thud in British minds. Fourth, the politicians elected to the state assemblies that have existed in India since Independence have in practice been reluctant to cede power to elected local governments. While some states passed *Panchayati Raj* legislation, few powers were given to elected local bodies, and elections were often suspended for long periods. It was only in 1992, at the initiative of the central government, that legislation was passed mandating all state governments to establish a hierarchy of elected local governments. Fifth, India is indeed in a visual sense a ‘land of villages’: the most widespread pattern of rural settlement is a nucleated village, which is associated with a distinct area of land – the land covered by the village land revenue records. This is the ‘natural village’ we refer to below. Finally, even though the lowest tier in the post-1992 *Panchayati Raj* system – the *Grama Panchayat* (Village Council) – is far too small a unit to manage significant revenue-raising, it is nevertheless much larger than the ‘natural village’. In the southern Indian state of Karnataka on which we report here, the typical *Grama Panchayat* encompasses five or more natural villages.³

From the official perspective, one could sketch a realistic account of local rural administration in India in the later colonial and the post-Independence period with barely a mention of the ‘traditional *panchayats*’ that were known to exist in the villages. Because official colonial India never inducted these ‘traditional’ local institutions into the penumbra of the formal state apparatus, post-Independence governments had no compelling reason to repress or outlaw them. Assumed anyway to be only vestiges of the past, they were left alone by policymakers and largely ignored by researchers.⁴ This was very different from much of Africa, where ‘traditional authorities’ (‘tribal chiefs’) formally had been the lowest tier of colonial administration, and had been vested with considerable powers, especially in relation to land allocation and dispute resolution (Keulder 1998; Goodenough 2002; Ray 2003; Ntsebeza 2003a).

4 Customary village councils

Customary village councils are very common in rural India. The research reported here was conducted in 30 villages in Karnataka state chosen on a semi-random basis. There was a CVC in every one. Similarly, Anirudh Krishna has been doing long-term research in 69 villages in the north Indian states of Rajasthan and Madhya Pradesh, and he too found CVCs functioning everywhere (2002). Otherwise, social scientists who have conducted research in rural India after 1980

3 In 2000, the average *Grama Panchayat* in India served a population of almost 3,100 people. The figure for Karnataka state was 6,100 (Rajaraman 2003: 16).

4 Insofar as researchers have investigated CVCs – e.g. Srinivas (2002); Galanter (1989); Cohn (1971); Mandelbaum (1970) – they focused mainly on their judicial activities, rather than their broader governance roles.

generally seem not to have appreciated how widespread, active and important CVCs are. Insofar as India's mass media have paid any attention, this has been to report the occasional scandal or atrocity for which CVCs are held responsible:

In an incident reminiscent of medieval justice, a Rathi *khap* (caste) panchayat consisting of prominent Rathi elders from three villages, Asanda, Bhabroda and Kharhar, in Jhajjar district of Haryana declared on October 10 a married couple brother and sister, although the woman was three months pregnant, and ordered the termination of the marriage. In the *khap's* opinion, Sonia and Rampal of Asanda had violated the principle of village exogamy.

(Rajalaksmi 2004)

The verdict is out, but the case doesn't rest. It troubles. It troubles that just a fortnight ago, in this 21st century, a panchayat in Naurangabad village in UP's Meerut district ruled that a young woman, pregnant with the child of her second husband, return to her first husband who had reappeared after five years. This decision because 'her first husband, though assumed dead, had never divorced her', and this without so much as consulting the woman concerned.

(Wadhwa 2004)

These and innumerable other newspaper reports narrate the role of informal local *panchayats* in enforcing caste boundaries and gender inequalities, and the brutality of the punishments sometimes meted out against transgressors. The idiom of 'caste' is especially significant: consistent with the broad tendency of many observers of Indian society to interpret it largely through a lens of caste hierarchy and caste difference, we have the experience of talking to prominent Indian social scientists who cannot understand what we term CVCs as anything other than caste organisations serving caste purposes.⁵ The prejudice against CVCs is often extreme. In 2003, a prominent judge in the southern state of Tamil Nadu responded to a report that a CVC had imposed a punishment by calling on the government to introduce legislation to outlaw all such non-state systems of justice (*The Hindu* 18 and 30 September 2003). The sense of confrontation intensified in the state after a CVC in a coastal fishing village enforced sanctions against five local families for not handing over to the community the compensation they had received for damage wrought by the December 2004 tsunami. The case was taken to the state High Court, where the Bench declared:

The petition illustrates a new phenomenon which has arisen in the State, which is now gaining momentum, and which must be nipped in the bud. Otherwise, the *kattapanchayats* [CVCs] which are illegal institutions, will mushroom creating a law and order problem.

5 This is partly a matter of regional differences within India. We know that local informal organisations tend to be relatively more caste-based in north India and village-based in south India. Further, in contemporary India, inter-caste relations tend more toward violence in the north than in the south. Readers who know India might note that the three newspaper stories cited above all relate to north India. However, we are talking only of differences of degree. The evidence cited above from Anirudh Krishna's research demonstrates that CVCs are prevalent in those parts of north India he studied.

The Chief Secretary must see to it that the *goondaism* [thuggery] by the *kattapanchayats* is stopped throughout the State.

(*The Hindu* 6 July 2005).

Twenty one criminal cases were then registered against the CVC members concerned.

(*The Hindu* 20 October 2005).

In sum, there appear to be four main components to the image of CVCs presented in the mass media: they are not very important; they are a disappearing residue of tradition; they are essentially caste-based; and, to the extent that they continue to exercise influence, this is largely coercive and in defence of caste and gender inequalities. There is an element of truth in each of these characterisations. However, they are collectively highly misleading. It seems very unlikely that the following case, from one of the villages we studied in Karnataka, would ever get an airing in the Indian media. A Hindu boy and a Muslim girl from the same village eloped. The girl was already promised in marriage to a Muslim boy. Their parents brought them back to the village and took the case before the CVC. The Council first advised the couple to obey their parents. When the couple remained adamant, the Council persuaded the parents to accept the situation, on the understanding that, since the couple were both minors, they should not marry until they reached the legal minimum age.

Many CVC members we have interviewed are aware that much of official, urban India disapproves of them. They do not publicise their activities to casual visitors. This is presumably an important reason why we do not have an accurate picture of the role of CVCs for India as a whole. One purpose of this paper is to communicate just how little these institutions have been researched and how little we understand about them. What we do know, at least for Karnataka state – and to a lesser extent for the villages that Anirudh Krishna has researched in north India – suggests a very different picture: CVCs are active and valued providers of a range of local services; they do not seem to be disappearing, but rather are adapting to electoral democracy and the introduction of elected local government; while still rooted in caste and run almost entirely by men, they have become more inclusive in composition and provide many public services in a relatively impartial fashion.

5 Customary village councils in Karnataka

The research reported here was organised by one of us (Ananth Pur) and conducted during the period 2001–2005 in 30 villages divided equally among three contrasting districts of Karnataka state.⁶ Located in south India, Karnataka extends from the Arabian Sea coast in the west to the interior Deccan plateau. It comprises three distinct geographical regions: (a) the narrow coastal belt along the Arabian Sea; (b) the Western Ghats hill range that runs parallel to the coast; and (c) the interior

Deccan plains, where most of the population is located. The three districts selected for the study – Mysore, Dharwad and Raichur – are all located in the Deccan plateau: Mysore to the south and Raichur and Dharwad to the north of the state.⁷ Prior to Independence in 1947 and the subsequent creation of Karnataka state on the basis of the Kannada language in 1956, Mysore district was part of the princely state of Mysore, one of the most progressive political jurisdictions among those ruled indirectly under the Raj. Dharwad was ruled directly by the British as part of the Bombay Presidency. Raichur was part of the domain of the Nizam of Hyderabad, one of the more despotic and unenlightened of the princely states. As the figures in Table 7.1 illustrate, current levels of prosperity differ widely among the three districts. Average incomes in Mysore are about twice those of Raichur.

Karnataka is arguably the most democratic state in contemporary India. It is marked by relative socio-economic and political equality, a long tradition of democratic contestation and decentralisation, and experienced progressive reforms, including land reforms, before many other Indian states did (Manor 1997). We guess that CVCs there are likely to operate in a more pluralistic fashion than in many other parts of India. However, the research has not been done. Krishna's work in north India (2002) certainly indicates that there is nothing unusual about the level of activism of the CVCs we studied.

We chose to study ten 'natural' – and generally nucleated – villages from each of the three districts. They ranged in size from 100 to 800 households, with the exception of one village of 1774 households. It is central to our story that the lowest tier of formal elected local government in Karnataka, the *Grama Panchayat*, typically constituted for a population of 5-7000 households, covers between five and eight natural villages. The *Grama Panchayats* that featured in our field research

6 The research was conceived and carried out by and under the direction of Kripa Ananth Pur. Ten villages were purposively selected in each of three districts, Mysore, Dharwad and Raichur. The villages were chosen on the basis of the village size (from 100 to 800+ households), caste composition (multi-caste villages), literacy (low to high), and distance from a main road. The research was carried out in four main stages. First, a complete household census was conducted in 2001–2 by two field investigators, one male and one female, in each district. This gave us information on family size and composition, literacy, education, landholding and occupations. Second, the census information was used to draw a sample of 2183 adult villagers (51 per cent males), who were interviewed by the field investigators in 2002–3 for information on their attitudes to, perceptions of, and knowledge about CVCs, GPs, and the relation between the two. Third, over a two year period 2002–4, Ananth Pur undertook detailed investigations in each of the 30 villages, using individual interviews and group discussions, to understand how CVCs worked. Fourth, in 2004, Ananth Pur and three research assistants conducted focus group discussions in each village to determine the extent to which poorer people were aware of the activities of *Grama Panchayats*, and how they evaluated them. The focus groups comprised (a) men from Scheduled Castes and/or Scheduled Tribes (b) women from Scheduled Castes and/or Scheduled Tribes (c) other poorer groups in the village, mixed in terms of caste and gender, and (d) a general group. The general group acted as our control group and consisted of a randomly selected group of villagers. In addition, we collected a range of secondary data from official sources, as mentioned in the main text.

7 We know from previous research conducted by Ananth Pur that CVCs are rare in the coastal regions of Karnataka.

encompassed an average of six natural villages. Natural villages constitute the electoral wards for *Grama Panchayats*. *Grama Panchayat* elections tend in part at least to be contests between natural villages for influence at a higher level.

Individual CVCs are effectively autonomous; they are not part of any broader institutional network, and answer to no one but themselves or their constituents.⁸ It is no surprise that villagers use a variety of locally-specific terms to describe them.⁹ CVCs differ in composition and procedure from village to village. There is however a clearly defined common core. They have identifiable members – *panchas* – and are organised by a leader who is generally termed the *Yajamana*. CVCs meet in public, following advance notification, in defined locations, to discuss, debate and sometimes to decide, following established and clear procedures. The meeting itself is expected to occasion respectful behaviour on the part of the public.¹⁰ Some CVCs are procedurally very formal. In one village in Mysore district, the CVC meets every Monday morning for the purpose of dispute resolution. If no cases are notified by 7.30pm the previous day, the meeting is cancelled. Although not all CVCs meet this frequently or regularly, most of them in our 30 villages meet at least once a month. Membership is structured by gender and caste. Virtually all *panchas* are men. They are usually the acknowledged leaders of individual caste groups at the village level, and are clearly understood to represent their caste groups, and to be able to make commitments on their behalf.¹¹

The male gender monopoly and caste basis of CVCs may easily be read as evidence of their ‘traditional’ functions of social dominance. To focus only on that would be to miss the extent to which they (a) represent a diversity of interests, (b) are adapting to a democratic political environment and (c) are perceived by villagers to provide useful public goods. CVCs are rarely, if ever, controlled by a single, dominant caste leader or big landowner of the village. They are deliberative fora, marked by a higher degree of egalitarianism in procedure than one would predict from typical notions about inter-caste interactions in rural India.¹² Decisions are reached after extended discussions, and are almost always consensual. Members of Scheduled Castes – former ‘Untouchables’ – were by tradition excluded from CVCs. We found

8 The research did however reveal instances where CVC members known for their skills in dispute resolution would be invited to advise on cases before CVCs in other villages.

9 In Mysore district, CVCs are known variously as ‘*panchayati*’ (Council), ‘*Halli panchayati*’ (Village Council), ‘*nadu*’ or ‘*nadu panchayati*’ (Regional Council), ‘*nyaya panchayati*’ (Justice Council) or even ‘*nyaya samiti*’ (Justice Committee). In northern Karnataka, particularly in the area covered by the former Dharwad district, the terms ‘*pancharu*’ or ‘*Hireru*’ (village elders) are prevalent, while in one village the CVC is known as the ‘*Civic Board*’. In Raichur district the common term is ‘*Daiva*’ (God).

10 In most villages, CVCs meet in front of the village temple to resolve disputes. Villagers who attend the meeting are expected to remove their footwear as a mark of respect. In some villages, even passers-by have to do the same.

11 There are caste organisations in most of our 30 villages: hereditary – or, occasionally, elected – caste leaders control funds that are used for caste-specific purposes, and publicly accounted for to caste members at the Hindu New Year; and distinct caste *panchayats* that regulate conflicts and relations within the caste group.

12 This egalitarianism is not unique to Karnataka CVCs. Krishna found that in Rajasthan ‘the *panchas* of all caste groups sit as equals on the central platform’. (Krishna 2002: 136).

them represented in villages where they comprised large fractions of the population. Three of the *Yajamanas* of our 30 CVCs were members of Scheduled Castes or Scheduled Tribes. In two villages, elected female members of the formal *Grama Panchayat* sometimes were invited to join in the deliberations of the CVCs for specific agenda purposes, notably where these concerned women. Most strikingly, CVCs have expanded their membership to accommodate the reality of their coexistence with elected *Grama Panchayats*. Elected members of the *Grama Panchayats* have been recruited to sit on the CVCs in 24 of our 30 villages. In this way, CVCs are enlisting members of a group that is becoming very significant politically at village level in India: 'new leaders', whose power is rooted in their education and ability to intermediate between villagers and external political and bureaucratic actors, sometimes independently of their caste identities (Krishna 2002).

What do CVCs actually do? They engage in a wide range of activities. We collected information relating to the five-year period 2001–5. It is possible that we were not able to capture the full range of their activities or the full extent of their indirect influence. However, we believe we have most of the picture. The activities we learned about can be divided into six broad categories.

1. *Dispute resolution*. This is a staple activity of CVCs, and the one for which they are most widely known. All 30 of our CVCs engaged in this. Our detailed enquiries in the villages suggest that on average nearly 80 per cent of all local disputes are resolved by CVCs.¹³ This is the same figure that Anirudh Krishna arrived at for his north Indian villages (Krishna 2002: 138). According to CVC leaders, 'criminal' cases are handed over to the police, although there are questions about how incidents become labelled 'criminal'. The police in particular tend to recognise the judicial authority of CVCs. If the formal courts prove unsatisfactory, cases are occasionally brought back from there to the CVC.¹⁴
2. *Organising religious activities*. In all 30 villages, CVCs play an important role in organising religious ceremonies and festivals, in constructing and maintaining local temples, and in raising resources for religious functions.
3. *Social welfare*. Some CVCs are engaged in social welfare activities: providing material support to the disadvantaged and destitute, organising mass marriages for the poor, donating stationery to local schools, or supporting the education of poor, gifted students.
4. *Matching development funds*. In contemporary India, there is a range of development programmes funded by state or central government that require matching contributions from the local level. CVCs had recently raised matching funds in 17 out of our 30 villages. CVC leaders or members typically are part of the local committee that oversees the implementation of such programmes.

13 In 2003 we collected information in each of our 30 villages from CVC leaders, *Grama Panchayat* members, and villagers, about the proportion of disputes which get resolved within the village by the CVC, in an average year. Unresolved disputes include cases where one or both parties reject the decision of the CVC.

14 CVC leaders also appear to play a recognised proactive role in maintaining communal harmony in villages with significant Muslim populations.

5. *Autonomous development activities.* In 23 out of the 30 villages, CVCs have recently initiated their own development activities. This may involve simply organising the donation of land for building a local school, but might extend to raising substantial funds to construct school buildings, local hospitals, living quarters for public officials, community halls and local roads. A few CVCs are also involved in organising collective field patrols to prevent crop thefts and unauthorised grazing.

6. *Interaction with Grama Panchayats.* CVC leaders and members interact with *Grama Panchayats* mainly by (a) contesting *Grama Panchayat* elections themselves or deciding on the choice of candidates, including encouraging uncontested election in favour of their candidates; and/or (b) influencing decisions about development projects initiated by *Grama Panchayats* and selection of beneficiaries for government funded anti-poverty projects. We found such interactions in 29 of the 30 villages. When *Grama Panchayat* elections were held in 2000, at least one seat was filled without a contest in 18 out of the 30 sample villages; in four villages, no seats were contested.¹⁵ In cases where competing candidates stood for election despite attempts by CVCs to organise what are locally termed ‘unanimous’ elections, respondents say that most of the candidates actually elected were those originally chosen by the CVCs. Where elections are ‘unanimous’, candidates are generally asked to contribute to the village fund the equivalent of the estimated cost of an election campaign.¹⁶

These interactions between CVCs and *Grama Panchayats* are not always positive in an evaluative sense. This research arose out of field observations by Kripa Ananth Pur on how CVCs sometimes use their influence to help undermine the Indian government policy of giving women more political influence by reserving seats for them on *Grama Panchayats* (Ananth Pur 2002; 2004). That kind of thing still occurs. Like all governance institutions, CVCs simultaneously combine the provision of collective goods with the exercise of dominance. It is however the exercise of dominance that monopolises urban India’s understanding of CVCs, while, in Karnataka at least, villagers generally appreciate the wide range of local governance functions that CVCs perform. Women are somewhat more likely than men to value CVCs relative to GPs; and illiterates to value them more than literates (Table 5.1).

There are considerable variations among our CVCs in the type of functions performed and the level of activism. We turn now to explaining how we constructed quantitative measures of their activity levels and then set about explaining these variations. It is worth noting that some CVC activities – like resolving disputes, organising collective ceremonies, and providing social welfare and local infrastructure – are those one might expect local non-state institutions to perform when the central state lacks authority at the local level. By contrast, some activities – the raising of matching grants and influencing *Grama Panchayats* – are predicated on the existence of a state that is actively involved in promoting development in rural areas through relatively democratic and participatory mechanisms.

15 The sample villages seem to be typical of Karnataka as a whole: in the 2000 *Grama Panchayat* elections, 26 per cent of seats in the state were filled by ‘unanimous’ elections (*The Hindu* 1 March 2000).

16 In one village in Mysore district, Rs.25,000 mobilised through ‘unanimous’ *Grama Panchayat* elections was used to purchase land to construct living quarters for the local nurse (Ananth Pur 2002).

**Table 5.1 Villagers' attitudes to local governance institutions
Respondents' preferences for Customary Village Councils (CVCs)
and/or Grama Panchayats (GPs) (%)**

| | CVC only | GP only | Both CVC and GP | Neither | Don't know | Total |
|-------------------------------|----------|---------|-----------------|---------|------------|-------|
| All respondents | 27 | 32 | 27 | 9 | 5 | 100% |
| Female respondents | 36 | 25 | 20 | 12 | 7 | 100% |
| Literate respondents | 22 | 36 | 34 | 5 | 3 | 100% |
| Illiterate respondents | 30 | 29 | 22 | 12 | 7 | 100% |

Source: Open-ended question about adult villagers' preferences were asked in the baseline survey conducted in 2002–2003. We have interpreted and grouped the responses.

6 Measuring the activity levels of CVCs

We measured the activity levels of CVCs by collecting, standardising, and expressing in quantitative form information on (a) the number of categories of activities in which they had engaged over the previous five-year period and (b) the intensity of their engagement in each activity. As explained in Table 6.1, we identified 11 specific CVC activities, and then measured the level of engagement of each CVC in each activity on a scale ranging from zero to one.¹⁷ Some of the measures are subjective and/or rather 'lumpy'. That alone is reason not to try to explain variations among CVCs in their engagement in any of these individual activities. We have instead aggregated and averaged the scores on individual activities to generate a number of overall activity measures. The details are in Table 7.1. In sum, we have five different activity measures:

- a measure of the *total activity level* (TAL), that represents the simple average of scores on the 11 *individual activities*;¹⁸
- two main sub-groupings of TAL: the *autonomous activity level* of CVCs (AAL), and their *total influence over Grama Panchayats* (TIGP);
- two components of TIGP: *influence over Grama Panchayat elections* (IGPE), and *involvement in Grama Panchayat activities* (IGPA).

¹⁷ Note that not all CVCs had the opportunity to engage in activity number 4 – *raising resources for government development projects that required matching local contributions*. However, we know that, in some cases at least, villages became eligible for these programmes because of the organisational and lobbying efforts of the local CVC leadership. The fact that some villages did not participate in these activities may therefore partly reflect the weakness or passivity of their CVCs. We have simply scored a 0 for all such cases of non-participation, recognising that this is a rather rough procedure.

Table 6.1 Measuring individual CVC activities

| Activity number | Description of the activity | How was the level of activity measured? |
|-----------------|---|---|
| 1. | Resolving disputes | Percentage of local disputes resolved by CVC in a typical year, scored on a scale of 0–1. |
| 2. | Organising religious activities | Scored as either Yes (= 1) or No (= 0). |
| 3. | Performing social welfare activities | On a scale of 0–1, engaging in a single activity was scored as 0.25; two activities as 0.50; three activities as 0.75, and more than 3 activities as 1. |
| 4. | Involvement in raising resources for externally-funded development projects that require matching local contributions | Scored as either Yes (= 1) or No (= 0). |
| 5. | Initiating development activities in the village through raising local resources | On a scale of 0–1, engaging in a single activity was scored as 0.25; two activities as 0.50; three activities as 0.75, and more than 3 activities as 1. |
| 6. | Influence over nominations of candidates for <i>Grama Panchayat</i> elections | Scored as either Yes (= 1) or No (= 0). |
| 7. | Overlap of leadership of CVCs and <i>Grama Panchayats</i> | The proportion of members of the <i>Grama Panchayat</i> elected from the (natural) village who ‘represent’ the CVC, re-scaled from 0–1. |
| 8. | Influence over securing positions of <i>Grama Panchayat</i> President and/or Vice President | Where the CVC has not played any role the score was 0. The score was 0.67 for securing the position of President; and 0.33 for the Vice President. |
| 9. | Encouraging uncontested <i>Grama Panchayat</i> elections | The proportion of seats on the <i>Grama Panchayat</i> elected from the (natural) village that were uncontested in the last elections, re-scaled from 0–1. |
| 10. | Involvement in <i>Grama Panchayat</i> development projects | Scored as either Yes (= 1) or No (= 0). |
| 11. | Influence over selection of project beneficiaries | Scored as either Yes (= 1) or No (= 0). |

18 We chose finally to weight all CVC activities equally in generating these aggregate measures of activity, rather than giving more weight to those we thought might be more important. We did in fact experiment with an alternative measure of TAL: the average of the scores for AAL, IGPE and IGPA. However, the two measures were almost identical across the 30 villages, with a correlation coefficient of 0.98. Further, the statistical results obtained were virtually identical whichever measure of TAL was used. We have therefore stuck with the simplest measure of TAL: the simple average of the scores on the 11 *individual activities*.

Table 6.2 Constructing aggregate measures of CVC activity levels

| Individual activities (See Table 6.1 for details) | Activity levels by sub-groupings | | Total activity level |
|--|---|---|--|
| 1. Resolving disputes | Activities 1–5 = Autonomous Activity Level (AAL) | | Activities 1–11 = Total Activity Level (TAL) |
| 2. Organising religious activities | | | |
| 3. Performing social welfare activities | | | |
| 4. Involvement in raising resources for development projects that require matching local contributions | | | |
| 5. Initiating development activities in the village through raising local resources | | | |
| 6. Influence over nominations of candidates for <i>Grama Panchayat</i> elections | Activities 6–9 = Influence Over Grama Panchayat Elections (IGPE) | Activities 6–11 = Total Influence over Grama Panchayat (TIGP) | |
| 7. Overlap of leadership of CVCs and <i>Grama Panchayats</i> | | | |
| 8. Influence over securing positions of <i>Grama Panchayat</i> Chairman and/or Vice Chairman | | | |
| 9. Encouraging uncontested <i>Grama Panchayat</i> elections | | | |
| 10. Involvement in <i>Grama Panchayat</i> development projects | Activities 10–11 = Involvement In Grama Panchayat Activities (IGPA) | | |
| 11. Influence over selection of project beneficiaries | | | |

7 Explaining variations in activity levels among CVCs

WTAL scores varied widely among our 30 CVCs: from 0.90 for one very active CVC down to only 0.17 for a CVC that was involved only in dispute resolution, religious activities and securing the donation of land for a local school. Overall, 5 CVCs scored more than 0.75 and only one village scored less than 0.25. The average score was 0.60.

Table 7.1 Some comparisons among the three districts

| Index | Mysore | Dharwad | Raichur | Average |
|--|--------|---------|---------|---------|
| Ranking among Karnataka districts in terms of composite development index* | 4 | 8 | 16 | |
| District per capita income, 2002–3 (rupees)** | 22,000 | 21,000 | 12,000 | |
| TAL (for 10 CVCs studied) | 0.66 | 0.61 | 0.53 | 0.60 |
| AAL (") | 0.68 | 0.60 | 0.59 | 0.62 |
| TIGP (") | 0.64 | 0.62 | 0.48 | 0.58 |
| IGPE (") | 0.50 | 0.50 | 0.45 | 0.48 |
| IGPA (") | 0.90 | 0.85 | 0.55 | 0.77 |
| Total own revenue collection by Grama Panchayats as a % of district income*** | 0.10% | 0.04% | 0.04% | |

*From: Government of Karnataka, 2002, High Power Committee for Redressal of Regional Imbalances, Final Report, Annexure 4.1: 83.

** From: Government of Karnataka, Economic Survey 2002–03, Planning, Institutional Finance and Statistics and Science and Technology Department, March 2003, Appendix 5.5, District Income in Karnataka at current prices 2000–01 (provisional). From website of the Directorate of Economics and Statistics, Bangalore, www.des.kar.nic.in/economicsurvey

*** These figures are calculated from (a) data on own revenue collection by *Grama Panchayats* in Karnataka during 1999–2000 from http://nitpu3.kar.nic.in/Samanyamahiti/smeng_0203/default.htm (click on District Statistics in the quicklink box); (b) statistics on the total number of *Grama Panchayats* in 2000 from www.karnatkastat.com/adminstrativesetup/panchayats; and (c) figures on district incomes for 1999–2000 from Government of Karnataka, 2002, High Power Committee for Redressal of Regional Imbalances, Final Report, Annexure 4.1: 104.

How do we explain these variations in activity levels among CVCs? We began by looking at average differences among our three districts (Table 7.1). A clear pattern emerges: the more wealthy and developed the district, the higher the average levels of CVC activity, across all our measures of activity. This pattern seems to be at odds with the conventional view from urban and intellectual India that CVCs are disappearing vestiges of tradition. We also calculated a measure of the activity level of the formal *Grama Panchayats* in the three districts: the total amount of revenue they raised themselves ('own revenues') as a proportion of district income. The figures are given in the last row of Table 7.1. Again we find that *Grama Panchayats* are more active in Mysore, the wealthiest district. The results of these district

comparisons encouraged us to explore a wide range of potential explanations of differences in CVC activity level when looking at variations across our 30 villages and, in particular, to consider the possibility that CVCs and GPs might be complementary or synergistic rather than competitive.

Using a range of methods, varying from eyeballing the data to simple OLS regression analysis, we examined a range of possible explanations for inter-village variations in levels of CVC activity. In each case, we employed in sequence each of our five alternative measures of CVC activity levels – TAL, AAL, TIGP, IGPE and IGPA. Broadly speaking, we were seeking evidence of the effects of two main categories of potential explanatory variables.

The first category may be loosely labelled ‘collective action and peasant economy’ variables. Taking our cues from a wide range of literature, we thought it plausible that the level of CVC activity would tend to be higher in villages that were (a) smaller; (b) more rural or agrarian (and remote from towns); (c) more homogenous sociologically or occupationally (especially homogenised around family farming); (d) poorer; (e) less educated; or (f) any combination of the above. We do not have perfect data sets to test for all these types of explanatory variables. In particular, we have no data specific to our sample (natural) villages on income levels or on the distribution of land holdings among those who actually own land. We do have, from our surveys, data on: (a) the percentage of households who own agricultural land (PER_LAND); (b) the percentage of people who are literate (PER_LIT); (c) the number of households in each village (NUM_HH); (d) the number of caste groups in each village (NUM_CG); and (e) a range of other data on each village, including its location in relation to various kinds of infrastructural facilities. Some of our (single variable) regression equations, employing these dependent variables, are reported in the first rows of Table 7.2. The overall conclusion is very clear: none of those explanatory variables that we have labelled ‘collective action and peasant economy’ is consistently associated with any of the measures of CVC activity levels. That result holds when we use various combinations of these explanatory variables in multiple variable regressions. Only one of the variables named above – the number of households in the village (NUM_HH) – is associated with activity levels (TAL and AAL) with any consistency and degree of statistical significance. However, the direction of the relationship here is the very opposite of the one we might have expected: it is in villages with larger populations where CVCs tend to be more active, especially in performing what we have termed *autonomous activities*, i.e. activities that do not involve interaction with the *Grama Panchayat*. We can firmly conclude that, in this sample, there is no observable (linear) connection between CVC activity levels and any of the explanatory factors that we might derive from theories of collective action or peasant economy.

Prior observations from fieldwork meant that this finding did not surprise us. We had noted the extent to which the performance and effectiveness of CVCs often seemed to depend on the activism and skills of a small set of leaders, including their capacity to engage effectively with the local *Grama Panchayat* leadership. There did not appear to be a very tight link between the organisational performance of CVCs and the support or commitment of the population that the leaders claimed to serve. It was for this reason that, in trying to explain CVC activity levels, we looked for explanatory variables that measured something about the *Grama Panchayat* itself. As the last two rows of Table 7.2 indicate, we have two such variables:

Table 7.2 Summary results of single variable OLS regressions to explain activity levels of CVCs (N = 30)

| Independent variables | | Alternative dependent variables = measures of CVC activity level | | | | |
|--|--|--|----------------|---------------|--------------|---------------|
| | | TAL | AAL | TIGP | IGPE | IGPA |
| ‘Collective action and peasant economy’ independent variables | | | | | | |
| PER_LAND | Direction of relationship. Significance | (-) 0.098 | (-) 0.219 | (-) 0.092 | (-) 0.233 | (-) 0.057 |
| PER_LIT | Direction of relationship. Significance | (+) 0.189 | (+) 0.635 | (+) 0.083 | (+) 0.353 | (+) 0.021* |
| NUM_CG | Direction of relationship. Significance | (+) 0.086 | (+) 0.021* | (+) 0.316 | (+) 0.108 | (+) 0.808 |
| NUM_HH | Direction of relationship. Significance | (+) 0.036* | (+) 0.008** | (+) 0.187 | (+) 0.104 | (+) 0.434 |
| ‘Institutional’ independent variables | | | | | | |
| GP_DIST | Direction of relationship. Significance | (-) 0.016* | (-) 0.022* | (-) 0.042* | (-) 0.092 | (-) 0.041* |
| GPRR | Direction of relationship. Significance | (+) 0.038* | (+) 0.101 | (+) 0.041* | (+) 0.093 | (+) 0.038* |

* $p = 0.05$; ** $p < 0.01$

(a) the distance from the natural village to the village where the headquarters of the *Grama Panchayat* were located (GP_DIST);¹⁹ and (b) the only measure of the organisational efficiency or activism of the *Grama Panchayat* that we could access: the amount of revenue raised by the *Grama Panchayat* in 2003–4 in relation to the number of people it served (*Grama Panchayat* revenue-raising – GPRR).²⁰ The last two rows of Table 7.2 indicate that, in single variable regressions, these two institutional variables were in most cases related in a statistically significant way to

19 In 14 of our 30 cases, the *Grama Panchayat* headquarters were located in the same villages as the CVC.

20 This figure refers to revenue-raising, not to grants received from higher tiers of government. The data are from the official website of the Department of Rural Development and Panchayati Raj, Karnataka. Source: http://nitpu3.kar.nic.in/Samanyamahiti/smeng_0203/default.htm (click on District Statistics in the quicklink box).

each of our measures of CVC activity levels. CVCs tended to be more active when (a) they were located close to (or in) the headquarters village of the *Grama Panchayat* under which they fell; and (b) the Grama Panchayat was more active in revenue-raising. When we combine these two institutional explanatory variables in multiple regression analysis, we get results that are even more statistically significant (Table 7.3).²¹

Table 7.3 Summary results of multivariate OLS regressions with ‘institutional’ variables to explain activity levels of CVCs (N = 30)

| Independent variables | | Alternative dependent variables = measures of CVC activity level | | | | |
|-----------------------|--|--|----------------|----------------|---------------|----------------|
| | | TAL | AAL | TIGP | IGPE | IGPA |
| GP_DIST | Direction of relationship. Significance | (-) 0.001*** | (-) 0.004** | (-) 0.006** | (-) 0.029* | (-) 0.006** |
| GPRR | Direction of relationship. Significance | (+) 0.003* | (+) 0.017* | (+) 0.006* | (+) 0.029* | (+) 0.005** |
| | R ² | 0.42 | 0.33 | 0.35 | 0.24 | 0.35 |
| | Adjusted R ² | 0.37 | 0.28 | 0.30 | 0.19 | 0.31 |
| | F ratio | 9.82 | 6.76 | 7.35 | 4.40 | 7.53 |
| | Significance of F | 0.001*** | 0.004** | 0.003** | 0.022* | 0.003** |

* $p = 0.05$; ** $p < 0.01$; *** $p < 0.001$

The multiple regression equations reported in Table 7.3 explain no more than about a third of inter-village variation in CVC activity levels. We have a great deal left to explain. Random differences among villages in the skills and commitment of a few individual leaders are certainly a significant part of the story.²² However, these statistical results suggest two conclusions that are consistent with some of our other observations. The first is that prevalent ideas about CVCs in India – that they are disappearing but clinging on mainly in more ‘traditional’ or ‘backward’ areas –

21 We tried to see if we could capture statistically interaction between these two institutional variables by constructing an interaction variable and adding it to the multiple regression analysis. The attempt ‘failed’ in the sense that this did not significantly increase our ability to explain inter-village variations in CVC activity.

22 Anirudh Krishna (2002) was to some degree able to quantify the effects of individual leaders in the research he conducted on inter-village variations in ‘social capital’ in north India. His re-survey of the same villages, as yet unpublished, demonstrates that changes in leadership were a significant cause of changes over time in levels of social capital (Anirudh Krishna, private communication).

are substantially wrong. The more active CVCs do not seem to be found in the poorest or least 'developed' areas (or in the smaller or more agrarian villages), but may indeed often be located in more prosperous or developed areas. The second conclusion is that, in Karnataka state at least, there are now powerful synergies and interactions between CVCs and the elected *Grama Panchayats*. CVCs and *Grama Panchayats* appear to stimulate and nurture one another. It is possible that, at least for some period of time, the activism of the *Grama Panchayats* established under the 1992 amendment to the national constitution will actually invigorate what some people will continue to describe as 'traditional village councils'. To use a rather dated language, 'modernisation' seems to have energised these 'customary' institutions.

The interviews, surveys and focus group discussions that we organised in these 30 villages are consistent with the conclusions of the statistical analysis and with the hypothesis that CVCs are actually becoming more rather than less significant in response to the strengthening of democratic local governance in particular, and, more generally, the expansion of public programmes for rural development. We organised focus group discussions with sets of poorer people in the study villages. In those villages where the *total activity level* (TAL) of the CVC was high, levels of awareness of and satisfaction with *Grama Panchayat* programmes and activities generally were relatively high. Respondents believed that there was less corruption in *Grama Panchayats* because their 'own' CVC members were keeping watch. Villagers are well aware that CVCs have adapted to the more democratic environment, notably by recruiting into their ranks local political entrepreneurs who have no claim to membership on the customary criterion of caste leadership, but whose skills lie in their ability to help obtain resources from higher levels of government. As far as we can judge without specific time series data, CVCs are continuing actively to perform their 'traditional' functions, such as dispute resolution and organising religious activities, while also taking on new roles that involve interaction with state and electoral institutions.²³

8 Interpreting the CVC phenomenon

We have clear evidence that, in Karnataka at least, CVCs have in recent years begun to interact more with higher-level formal state institutions, notably the elected *Grama Panchayats*. It is equally clear that CVCs have become more pluralist in composition, incorporating to a higher degree both representatives of lower castes and the people who are elected from the village to the higher-level *Grama*

23 Some do more than work with and through elected *Grama Panchayats*: in relating to higher levels of government and electoral politics, they have become significant actors in their own right. For example, one CVC has organised a health and legal awareness camp. Others have negotiated directly with local Members of the State Legislative Assembly, Members of Parliament, and area development boards for direct access to funding for local development projects.

Panchayat. They remain almost entirely male monopolies, but have in a few cases begun to allow women to become members for specific purposes. We suspect, although we have no conclusive evidence, that they have on average become more active. What are the broader implications of these findings?

First, they relate to the well-worn question, mentioned in our opening paragraph, about the connection between ‘traditional’ institutions and those associated with ‘modern’ bureaucratic and market systems. To have discovered, yet again, that ‘modernity’ does not necessarily drive out ‘tradition’ is of little moment for academics. It should however matter in non-academic circles. The notion of a radical conflict between ‘traditional’ CVCs and modern, formal, constitutional governance is clearly well-established in urban India. It would be a good thing for those who make public policy to at least entertain the possibility that CVCs are becoming ‘modern’ as they come to engage more with the institutions of formal, constitutional government.

Table 8.1 Relationship between degree of caste dominance and Total Activity Levels of CVCs in the sample villages

| Degree of caste dominance* | Number of villages in which Total Activity Level (TAL) of CVCs was within the specified range: | | | Average TAL for each category of villages | Total |
|----------------------------|--|------------------------|---------------|---|-------|
| | Low TAL (Below 0.59) | Medium TAL (0.59–0.65) | High (0.66 +) | | |
| <i>High dominance</i> | 3 | 5 | 3 | 0.64 | 11 |
| <i>Medium dominance</i> | 4 | 3 | 4 | 0.62 | 11 |
| <i>Low dominance</i> | 3 | 2 | 3 | 0.54 | 8 |
| Total | 10 | 10 | 10 | 0.60 | 30 |

* The degree of caste dominance is measured by the numerical strength in the village of caste groups that also enjoy economic and political power regionally – Lingayats, Vokkaligas and Kuruba Gowdas. We broadly follow Srinivas (2002: 57). *High dominance* indicates that a single, dominant caste forms 30 per cent or more of the population. *Medium dominance* indicates that two or more dominant caste groups together form 30 per cent or more of the population. *Low dominance* indicates that all the dominant caste groups comprise less than 30 per cent of the population.

Second, our findings speak to a related academic debate about the role of caste in the structuring of rural institutions in contemporary India. While researching in the Indian state of Andhra Pradesh two decades ago, Robert Wade (1988) discovered villages served by large-scale irrigation canals that were engaged in very high and sustained levels of collective action and collective financing. Dedicated village-level organisations – neither elected *Grama Panchayats* nor CVCs – were raising very

large funds, particularly by manipulating auctions for liquor licences and by renting out fallow village agricultural land to pastoralists for animal grazing. Broadly accountable to village assemblies, these organisations were using the money mainly to bribe Irrigation Department staff to obtain irrigation water for their villages and to remunerate their own field irrigation guards and controllers (Wade 1988: 6–9). Just as we found in researching CVCs, villagers kept these activities hidden from passing visitors. Wade points out that his findings were all the more striking because the existing literature on rural India and on irrigation contained no hint of collective action on this scale organised at the level of the village. Researchers had not seen these organisations in part because they had not been expecting to find them. And they had not expected to find them in part because of widespread assumption in Indian sociology that rural society was organised dominantly around caste relationships and networks. From the conventional perspective, local corporate organisations based on the material needs of a territorially-defined community were distinctly anomalous (Wade 1988: 4–5 and 180). There is a near-parallel with our findings. Caste is far from irrelevant to CVCs. As we have explained above, CVCs are still constituted mainly in terms of the representation of caste groups. Further, as the information in Table 8.1 indicates, there is some evidence from our data that the level of collective action, as measured by the Total Activity Level of CVCs, tends to be somewhat higher in villages where one of the politically dominant castes of the region is relatively numerous. However, neither of those facts justifies the view that CVCs are either oriented to the pursuit of caste-defined goals or, more narrowly, are (principally) instruments for caste domination.

Some of the ambiguity about the nature of CVCs derives from the varying roles they can play at different times. In Chapters 19 and 20 of his compendious interpretation of Indian society through synthesis of existing published work, David Mandelbaum (1970) paid considerable attention to what he termed ‘traditional *panchayats*’ (i.e. CVCs). He pointed out that, while they tended to be caste-centred in constitution and procedure, they were simultaneously institutions of local territorial governance, performing roles that could not be reduced to the imperatives of caste relationships. In particular, he suggested that CVCs often transcended caste orientations when they represented the village as a collectivity in relation to external agents or threats (Mandelbaum 1970: 327, 329–31, 370–1). That observation provides the most plausible explanation of why, in Karnataka at least, CVCs seem to be more active in more wealthy areas, and appear to have become increasingly active in recent years. First, the political system has changed to provide greater incentives for CVCs to take on the role of representing the natural village collectively in local politics. There has been a steady increase in the number of government-funded development programmes that make resources available to those local communities able to organise themselves to actually claim their formal entitlements, often to the extent of organising and overseeing project implementation locally on behalf of over-burdened lower-level public servants (Krishna 2002). Most of these resources are for spatially-specific projects: a new road, health centre, water pump, school or public works scheme – for this village and not for that one. Second, and more striking, are the effects of the 1992 constitutional change that mandated the introduction of a system of elected local government with real substance. The lowest level of the new three-tier system, the *Grama Panchayat*, regularly receives income transfers from above, and is now a channel through which substantial public resources may be accessed. In Karnataka,

a *Grama Panchayat* serves a handful of natural villages. Each of those natural villages has a CVC, and elects one or more members to the *Grama Panchayat*. CVCs are therefore an obvious potential instrument for efforts by the population of natural villages collectively to capture or influence *Grama Panchayats*. Shifting to this more corporate role, CVCs would automatically tend to become more pluralist, to include hitherto-excluded populations like Scheduled Castes (former 'Untouchables'), Scheduled Tribes and women, and to co-opt people elected to the *Grama Panchayat* independently of their social status. Richer villages, already better placed to compete at higher levels of the polity for public resources, would be especially likely to support a more active CVC. So too would larger villages, and those that already house the offices of the *Grama Panchayat*. CVCs have adapted not simply by absorbing the democratic norms that have permeated Karnataka society, but because their roles have changed. To effectively represent their populations in political activity above the village level, they have to make themselves more representative of those populations.

Do we then have a convincing explanation of why CVCs appear to be becoming more active over time, and are relatively more active in wealthier areas and in larger villages where *Grama Panchayat* offices are located: because they are more useful as vehicles for competing for public resources? Almost. But our explanation is not quite adequate. The requirement for a particular kind of institution does not automatically generate a supply. We need to address two other sets of questions. First, why are all these political and electoral responsibilities being assumed by a body that 'traditionally' and most visibly serves an intra-village judicial function? Are there not potential conflicts among these functions? Would it not make more sense to assign them to distinct organisations? Second, why are CVCs taking on these political functions, with popular support when, as we explained in Section 2, in some other agrarian societies the non-state local governance institutions that existed during colonial rule have become unpopular and have sometimes been abolished?²⁴ We can reformulate this bundle of questions in more simple terms: why is there so little opposition at village level to CVCs, and why are they trusted to take on a wide range of roles? An answer is implicit in some of the analysis presented above: the authority of CVCs is so limited and so contingent upon their performance that they can be trusted with power.

First, as we explained in Section 4, in relation to their judicial functions in particular, CVCs face a pluralist, competitive environment. On the margins at least, villagers can choose between taking cases to the CVC and referring them to the police or the courts. Formal courts are relatively accessible to many people in India.²⁵ Second, as we mentioned in Section 2, CVCs differed from similar institutions in

24 For example, in Sri Lanka, 'village headmen' lost their positions in 1956 (Moore 1985: 59–60). Kwame Nkrumah, Prime Minister of the first British colony in Africa to gain independence, not only tried to suppress the powers of Ghana's 'traditional chiefs' but also managed to systematically reconstruct 'chieftaincy' in the 1950s (Crook 1986; Rathbone 2000). Similarly, soon after independence President Mugabe eliminated 'traditional leaders' from rural administration in Zimbabwe (Keulder 1998).

25 By contrast, in much of Africa, rural populations have very little scope for appealing against traditional authorities to formal courts (Nyamu-Musembi 2003; Scharf 2003).

some other countries in that they never exercised significant influence over the allocation of land rights. In India, a ramified state bureaucracy, focused on land revenue, and therefore on land rights, has long existed at village level. In most of India, and certainly in Karnataka, neither CVCs nor any other non-state local institution control significant local material resources.²⁶ To the extent that they continue to exercise dominance, it is in the realms of culture, behaviour and local personal disputes. Their dominance is not directly socio-economic. Our research shows that members of CVCs are well aware of the constraints within which they operate, and their need to work to maintain the trust of their public if they are to retain their authority.²⁷

CVCs in India have limited authority, and possess coercive power only to the extent that they can represent or mobilise the weight of public opinion. They are not subject to the same rivalries and distrust that would follow if they had more power or more control over basic material resources. To the best of our judgement, we conclude that the new activism of CVCs, especially in relation to *Grama Panchayats*, reflects both new opportunities for collective political action at the level of the natural village that arise from changes in local politics; and constraints on the authority of CVCs, embedded in history, that make them plausible representatives of village communities in a democratic environment despite their roots in systems of highly structured caste and gender hierarchy.

26 By contrast, in parts of Africa, *chiefs* and other traditional authorities still have considerable authority to allocate unused land to existing residents or new arrivals, to authorise land transactions between ordinary citizens, and even to dispossess existing rights holders involuntarily (Keulder 1998; Goodenough 2002; Mamdani 1998).

27 To quote one CVC member from Mysore District: 'We cannot afford to give wrong decisions as even if one person in the village questions our judgement, it damages the authority of the customary panchayat'. The slightest transgression on the part of CVC leaders is taken seriously as it undermines the legitimacy of the institution. In one of our study villages, a person who was a caste leader and a member of the CVC was ostracised by his caste group for misappropriating funds collected for a caste festivity. By losing his position as a caste leader, he also had to forfeit his right to sit on the CVC. Although he was re-admitted to the caste group after tendering a public apology, reimbursing the money and giving a feast to its members, he was not reinstated as a member of the CVC (Ananth Pur 2004). Krishna (2002) cites cases from Rajasthan villages of CVC members being replaced, one because he was often found drunk in public, and another because he had solicited a bribe from a party to a dispute.

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