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- Pastoralism in Western India from a Comparative Perspective: Some Comments by Ilse Köhler-Rollefson
 - Goats and Grasses in Western Rajasthan: Interpreting Change by Paul Robbins
 - Some Observations on Pastoralism in Parts of Gujarat and Rajasthan by D.V. Rangnekar
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I DON'T NEED IT, BUT YOU CAN'T HAVE IT: POLITICS ON THE COMMONS

Arun Agrawal

INTRODUCTION

For much of the past several decades two opposed positions have dominated the writings on natural resource use. Many analysts have advocated substantial government intervention and direction in the management of natural resources (Hardin 1978, Ophuls 1973, and WCED 1987). Such partisanship is predicated on two beliefs: 1) that resources such as forests, fisheries, pastures, or underground water, bear important resemblances to public goods; and 2) that deregulated markets are not the best mechanism to achieve efficient outcomes where public goods are concerned. Centralised direction, according to this perspective, will help regulate people's behaviour and prevent over-exploitation of resources.

A second perspective accepts the public goods nature of natural resources, but draws precisely the opposite lessons for resource management in the face of the collective irrationality of the market (Demsetz 1967, Smith 1981, Welch 1983). The solution lies, proponents of the second perspective assert, not in attempting to remedy market failure by directing human behaviour through centralised rules, but in privatising resources and letting the 'invisible hand' shape outcomes into desired forms. The inefficiencies inherent in state intervention and bureaucratic centralisation can only be justified, if then, on grounds of national security or law and order.

In contrast to these two dominant paradigms to which resource managers and academics alike often subscribe, a significant minority has emerged in the past decade. These theorists analyse the possible role that local communities can play in the efficient and equitable management of natural resources. Drawing on the writings of the new institutionalists, and highlighting the role of institutional arrangements and rules devised by local communities, they suggest that successful resource management crucially hinges on institutions, that the dichotomy of public and private does not exhaust the possible forms that successful institutions can assume, and that communities are perfectly capable of creating and sustaining such institutions of resource use. In support of their arguments they have documented hundreds, if not thousands, of cases of successful and sustainable resource management by local, indigenous communities (Berkes 1989, Bromley 1992, McCay and Acheson 1987, McKean 1992, NRC 1986, and Ostrom 1990).

The arguments advanced by the proponents of communitarian management of resources have greatly advanced our understanding of the nature of resource

management problems. In addition, their research has provided a much needed balance by demonstrating the existence of alternatives to the heated arguments between the advocates of private property rights and central government intervention. In the context of increasing doubts about centrally sponsored development, and a growing faith in the environmental and development community about the relevance of decentralised, participatory strategies, their ideas seem to be gradually finding wider acceptance.

This paper, while accepting the main thrust of the arguments advanced by students of common property, seeks to point out a major oversight in the work of many theorists of this persuasion. Except for some notable exceptions, these theorists ignore local politics. The community institutions they describe seem to be harmonious ideals, untouched by such human frailties as are embodied in hierarchical structures, political machinations, and jealous behaviour. In ignoring the politics inherent in the formation and functioning of all institutions that allocate resources, and in championing the cause of community institutions, common property theorists have fallen prey to the same mistake committed by early neo-institutional writers such as Alchian (1950, 1973), Barzel (1977, 1989), Cheung (1970), Demsetz (1967), Furubotn and Pejovich (1974), de Alessi (1980, 1983), and North (1980). These early writers argued that more efficient (read private) property rights will come about as the value of a resource increases. They thus ignored the role of politics in creating institutions as well as in deterring the creation of new institutions. Many theorists of the commons similarly valorise the 'little community' to the point where it seems that life in these communities is untouched by political manoeuvres; that local populations know best; and that there would be no victims if only the state stopped intervening into local contexts. Such a view simplifies the complexity of interactions among different groups at the local level. By implication it pits the state against the local community, investing the state with a monolithic rationality, intentionality and structure. Worse, it sees the actions of local resource users as occurring primarily in reaction to external influences.

This paper examines politics and its role in the formation of institutions around the 'commons'. A number of property rights theorists, of course, have pointed out the relevance of political considerations in considering institutional origins and resource allocation (Bates 1988, 1989, Libecap 1989, North 1990). The following argument, however, goes beyond much of the existing literature by describing how distributional struggles between rival factions can lead to new institutional arrangements that leave *every faction worse off* as compared to outcomes under earlier arrangements. More broadly, the paper describes the interlaced elements in the relationships within local communities, and how different state institutions permeate communities to provide both an arena and the resources which mark local political struggles.

The setting for the study is a village in semi-arid Rajasthan in India. The actors are settled farmers and their caste factions. I analyse the process of institution formation in Patawal village¹¹ with respect to the struggles among local factions over distribution of fodder and fuel wood from the village common, the *oran*.¹² This account of the factional struggles in the village hints at the ubiquity of resistance to existing inequalities in the distribution of power and resources. It also underlines the limits of 'everyday resistance' (Colburn 1989, Genovese 1974, Scott 1985, 1990).

The argument in the paper proceeds through the following steps. I first introduce the village and its two major factions - the landholders and the animal owners. The second part of the paper examines the extent to which political activity in Patawal is and has been influenced by state policies. Finally, using the information on the village and the relative autonomy of local politics, I discuss how distributional struggles contribute to institutional change in Patawal. Institutional change can be viewed as an attempt by political actors to consolidate their existing power, an investment into the future. I suggest that different factions, when they compete over the same resource, attempt to change institutions but not necessarily to increase their benefits. Rather, a particular faction may be willing to change institutional arrangements so as to increase its share relative to other factions - even if the new institutions were to reduce the absolute amount available to all factions, including the group that initiated the change.

THE VILLAGE AND ITS FACTIONS

Patawal is located close to the district administrative headquarters,¹³ the city of Jodhpur. Situated in the drier, flatter part of the district, the landscape of Patawal is disturbed only by *nadis*, tanks dug in the village common to conserve rainwater for drinking during the dry season. Water from the tanks and from an old well are crucial to the villagers, especially during the dry season when the government pipeline for drinking water is often broken by migrating shepherds.

The village common, the *oran*, occupies 22.5ha, approximately a quarter of the cultivated area. Most of it is located close to the main settlement of the

¹¹The real name of the village has been disguised.

¹²The word *oran* (also *Auran*) derives from the Sanskrit word *Aranya* which literally means forest or wilderness. *Orans* are sacred groves of trees, often set aside during the feudal period in Rajasthan for religious purposes (see next section). Villagers still regard trees on the *oran* with some religious significance. However, today for the most part, *oran* simply denotes common land with trees and some grass cover on it.

¹³A district is an administrative division in India. Each district comprises approximately one thousand villages and has an average population of two million.

village. The common is an administrative as well as an ecological unit. *Orans* have existed for longer than people can recall. (Brara 1987). The *oran* also is distinguishable from cultivated fields by its surface which has not been ploughed for centuries, and by the relatively higher density of trees and shrubs. For many villagers and their animals, the common and its vegetation represent sources of important benefits. Its small trees provide fuelwood and fodder; its grasses, fodder for cattle and sheep. Some lower caste villagers also use some grasses for making ropes, bedding and cushions for their furniture.

The village contains 212 upper and lower caste families (see Table 1). Between 1981 and 1988, the number of households increased by almost 25% (verbal communication from the village *panwari*).

Table 1: Caste distribution of livestock ownership in Patawal

Caste	Number of Families ¹	Cattle ²	Sheep/Goats ²	Camel ³
Raika	57 (27)	22 (0.4)	2870 (50)	66 (1.2)
Meghwal	38 (18)	24 (0.6)	55 (1.5)	NA
Patel	27 (13)	49 (1.8)	18 (0.7)	NA
Bhil	24 (11)	8 (0.3)	152 (6.3)	4 (0.2)
Charan	14 (7)	42 (3.0)	97 (7.0)	1
Sargara	12 (6)	5 (0.4)	21 (1.8)	NA
Brahman	4 (2)	9 (2.3)	3 (0.7)	NA
Rajput	3 (1)	8 (2.7)	NA	NA
Others	33 (16)	39 (1.2)	22 (0.7)	NA
Total	212			

The two more numerous castes, *raikas* and *meghwals* (both of whom are scheduled castes),¹⁴ make up nearly half of the village population. *Brahmins*, *rajputs* and *charans*, the upper castes, form just 10% of the population. The *patels* are primarily an agricultural caste and count themselves among the upper castes. Numerically they are the largest of the higher castes. Over the last thirty years they have succeeded in assuming a significant position in local politics. The factional struggles that I recount and analyse, took place between the *patels*, *rajputs*, *charans* and *brahmins* on the one hand, and the *raikas* on the other.

¹⁴Scheduled castes are so called because they are listed in the Indian Constitution as oppressed and disadvantaged castes. The Indian state has undertaken to target specific programs - e.g. affirmative action, job reservations - to improve their socio-economic status.

The *raikas* are chiefly animal owners. This, apart from their lower caste status, separates them from the *patels*, *charans*, *rajputs* and the *brahmins*. As Tables 1 and 2 show, there is a large difference in the animal- and land-owning patterns between the *raikas* and the higher caste groups. Let us first consider Table 1 again. It reveals divisions between *raikas* and other castes in the species of animals owned. We see that *raikas* own almost 90% of the sheep and more than 90% of the camels in the village. Yet, they form only 27% of the population. Cattle holding in the village is somewhat more evenly spread out among the different castes. The four higher castes (*charans*, *brahmins*, *patels* and *rajputs*) together own just about 50% of the cattle in the village. They form 23% of the village population.

The landholding pattern is highly skewed in favour of the four higher castes (see Table 2). The *charans* and the *patels* have the highest per household landholding figure in the village: 10.2ha per family.¹⁵ The rest of the village households own 3.3ha of land on the average. The *raikas* possess just 2.1ha of land per household.

Of the various castes in the village, the *sargaras*, the *bhils* and the *meghwals* occupy the lower position in the caste hierarchy. After 40 years of Indian independence, their economic status remains congruent with their social position. They hold a little more land on the average than the *raikas*. On the other hand, they possess very few animals. Caste inequalities in land and animal holdings are further accentuated by the fact that just a few families in each caste hold most of the land and animals of that caste. For example, just 20% of the *raika* families own more than 50% of the camels and sheep in the village. Similarly, less than 10% of the upper caste households own more than 50% of the land and cattle held by the upper caste families.¹⁶

The inequalities between the upper caste families and the *raikas*, in terms of their land and animal holdings, have an important effect in polarising the interests of the two groups, especially when it comes to harvesting benefits from the commons. To understand how the unequal division of land and animals affects the interests of village caste groups in the village common, the *oran*, we need to look at the economic activities of the villagers.

¹⁵I use household and family interchangeably in this work.

¹⁶The same pattern of inequalities in landholding is revealed if we consider the village as a whole. The bottom fifty percent of the households own less than 15% of the cultivated land in the village. But the top 20% own fifty-six percent of the cultivated land in the village.

Table 2: Land Distribution according to Caste Groups in Patawal

Caste	Area Owned (ha)	Households No. (ha)	Per Family Holding
Raikas	120	57	2.1
Meghwal	170	38	4.5
Patel	264	27	9.8
Bhil	40	24	1.7
Charan	155	14	11.1
Sargara	3	12	1.9
Brahmin	34	4	8.5
Rajput	10	3	3.3
Others	167	33	5.0
Outsiders	73	12	6.1
Total	1056	212	5.0

Source: Patwari Records, 1987.

Most families in the village rely on agriculture. Almost all households possess and cultivate some land. The major crops in Patawal - millets, fodder crops, legumes, and some oilseeds, are cultivated during the summer monsoon. To take advantage of every bit of available moisture after the first showers have fallen, farmers use tractors instead of bullock-drawn ploughs since tractors are much faster. Once crops are sown, they mature quickly, within eighty to ninety days. For the rest of the year, all fields in Patawal lie fallow.

None of the fields in the village are enclosed. Although cultivated fields are private property, they become common property for the purposes of grazing during the fallow period (there are thus two types of commons in Patawal, the *oran* and the post-monsoon fallow). The treatment of fallow as common is not a phenomenon particular to Patawal. Most villages in the dry regions of India lack irrigation and have only one cropping season. Therefore it makes sense to treat privately-owned fallow as common in the post-monsoon period when no crops are standing in the fields (see Dahlman 1980 and McCloskey 1990). Because of open access after the harvest, fallow becomes an important source of fodder for both the upper and lower castes. It does not seem that the lower castes benefit more from the fallow than do the upper castes (but see Jodha 1987, 1988). Almost all caste groups in the village maintain cattle. Further, the cattle owned by different caste groups roughly match the proportion of land owned by that group. Inequalities in cattle ownership parallel landholding inequalities (see Tables 1 and 2). The grazing patterns for the cattle and other

village animals demonstrate that open access to the fallow for grazing confers no extra benefits on any caste group in the village.

Most villagers graze their animals on the open fallow from November to May. In this period, chiefly cattle are present in the village because the *raikas*, who own almost all the sheep and camels in the village, leave for their annual migration cycle. Of the few sheep that are left behind in the village, many browse on the vegetation on the *oran* rather than on the crop stubble in the fields. Cattle, on the other hand, seldom graze on the *oran* after the monsoons because the vegetation quickly deteriorates to an extent that makes it unsuitable for cattle. As the fodder available to the cattle from the crop stubble in the fields declines with the approach of summer, more and more cattle are fed from private fodder stocks. Families that do not have sufficient stocks usually purchase fodder from neighbours and neighbouring villages.

With the onset of the monsoons, the private fields are sown with crops and closed to grazing. Some of the cattle, then, begin to graze in the *oran*.¹⁷ A few farmers set aside a part of their land for pasturage, but only a minority have surplus land to set aside for pasture. Therefore a large proportion of the households rely on the vegetation in the *oran* during the monsoon months to feed cattle. While both higher and lower castes rely on the *oran*, upper caste families can also feed their animals from private fodder stocks and crop residues.

The *raikas* return from their migration just around the beginning of the monsoons. At this time the sheep population of the village increases enormously. The same situation is replicated in other villages around Patawal since the *raikas* of these villages also return from their migration cycle at the same time. Almost all their sheep browse on village commons. As a villager described it, in the monsoon months, the *oran* is so filled with sheep that it resembles 'the back of a flea-ridden dog.'

There exists a distinct difference in the extent to which the *raikas* and the higher caste groups rely on the *oran* and on private fallow for fodder. The upper castes own cattle which graze on the *oran* only for a short period during the year. For most of the time, the cattle are either fed from private sources, or on the private fallow which turns into common property after the harvest. The *raikas* on the other hand are sheep owners. They are absent from the village for the main part of the year, but return for approximately four months. In this

¹⁷During the monsoons, approximately 30% of the fodder needed for the cattle comes from the *oran* and the rest from private stocks of fodder. After the monsoons are over, cattle usually graze on the fallow and are stall fed. Pregnant and lactating cows are always stall-fed. In addition to the usual hay, they are also fed green fodder, some enriched cattle feed, and traditional medicines to improve milk yield (Household Survey, 1989-90).

period, the vegetation on the *oran* is crucial to the survival of their sheep and their household because they possess little land that could be spared.

Where benefits from the *oran* are concerned, unequal land and animal holdings between castes polarise caste interests. The *raikas* would like the common to be as large as possible so that their sheep can graze during the monsoons. Any reduction in the size of the *oran* directly reduces the fodder availability for their sheep. Other groups in the village, especially the richer landowners, are not strongly affected by reductions in the size of the *oran*. At the same time, as we shall see, inequalities of wealth and assets within a caste facilitate joint political action to improve the benefits for the entire caste. We will see that the events that led to institutional change were precipitated by the more powerful and influential members within the *raika* and the landowning castes.

Different factions in the village gain fodder from the commons (the fallow and *oran*) in proportionately different amounts. But fuelwood from the two types of common lands is harvested by village households relatively more equally. A large proportion, nearly 70%, of the fuel needed for cooking is gleaned from fallow once crops have been harvested. Almost all village households use twigs, branches and crop residues rather than wood logs. The women and female children of the household gather them from the *oran* and the fallow. But these are collected more often from the fallow than from the *oran*.

POLITICAL PROCESSES

Historically, Patawal was a part of the feudal state of Marwar. Erstwhile patterns of administration and land use profoundly influence the present day dynamics in the village. Local institutions, especially the informal village *panchayat* and the caste *panchayats* function on principles that date back three to four hundred years. To appreciate the autonomy of local institutions today, it is necessary to investigate their historical roots. The history of institutions of resource use trapped in the collective memory of the villagers inspires many of the rules that villagers use currently to conserve resources.¹⁸

¹⁸One of the most intriguing rules used by villagers, for instance, requires individuals who break rules for using the common, to feed birds. To punish individuals who cut wood or grasses on the *oran*, the informal *panchayats* require them to stand in the village square and feed seeds/grains to birds. Although the rule has historical roots, many *panchayats* still follow it. In the current context the rule makes sense only as an act of altruism. Three facts, juxtaposed together, provide the rule with an economic rationale. One, birds often deposit undigested seeds in their droppings - thus birds are efficient seeders. Two, the *orans* date back to the feudal period when even petty lords controlled large areas, and many *orans* lay within their domain. Three, the lords would be concerned to protect and enhance vegetation all over their fief. An obvious inference from these three facts is that the rule for feeding

Three historical factors prove to be important in analysing how community resources are utilised in the village today: 1) that Patawal was part of the *khalsa* lands in the feudal state of *Marwar*;¹⁹ 2) that local community institutions vigorously enforced social and economic decisions at the grassroots level; and 3) that traditional rules guided resource use on the commons.

Prior to Indian independence, the princely state of *Marwar* was administered feudally with the king at the top and a congeries of nobles called *jagir-dars* (fiefholders) below him (Upadhyaya 1973). In principle, the nobles held their domains, the *jagir* lands, at the pleasure of the king, and had to fulfil several conditions to remain in office (Sharma 1977, Sharma 1972). In practice, however, they ruled as mini kings administering their fiefdoms without much hindrance by the centre. They appointed their own officers to collect revenues, to police the villages, and to dispense justice in their lands. On *khalsa* lands, however, the crown's decrees held sway, unmediated by the authority of local lords.

A large number of institutions influenced the social and economic life in the villages on *khalsa* lands. Informal panchayats and caste panchayats were two of the most important institutions that prescribed rules for social behaviour and guided the behaviour of villagers on resource use. Informal panchayats still persist in many villages, albeit in a somewhat attenuated form. In *Patawal* this informal body comprises ten elder and respected residents of the village. It settles minor disputes among villagers and presides over significant events.

The informal *panchayat* also manages the local common resources, something that again has historical roots. In most villages in Jodhpur state some land was reserved for communal grazing (Patwa 1989). All such land was controlled by the panchayats. They also possessed and managed other common resources. Some of these resources were naturally given (pastures, forests), some provided by the feudal lords (*orans*, *nadis*), and for others such as drinking water wells, the *panchayat* could undertake construction activities.

Jodha (1990) details some of the rules that regulated grazing access to the community grazing lands. According to him, scattering of watering points evenly in the grazing areas, deliberate rotation of grazing, periodic restriction on some types of animals, use of watchmen to prevent villagers from breaking rules, auction of rights to dung collection, top feed lopping, and restrictions over cutting wood were some of the more prominent ways in which villagers protected and conserved commons. Often the panchayats also levied user fees.

birds was created by feudal lords to improve vegetation on the *orans*. Today, when commons are small, villagers do not necessarily gain the benefit of indirect seeding by feeding birds.

¹⁹Villages directly controlled by the crown were known as *Khalsa* villages. Villages granted to the nobles were called *jagir* villages.

The revenues gathered through user fees and taxes went to a village fund and were used for public purposes.

Orans were usually dedicated to a local deity which was supposed to protect the villagers and their animals. A number of rules regulated the use of *orans*. Over time, as the influence of the feudal state declined, many of the rules lost their force. This is the substance of a number of studies carried out by Anantram (1988), Brara (1987) and Jodha (1985). They argue that after India's independence in 1947, existing rules lost their force especially quickly. Jodha (1985: 255) studies two villages in Western Rajasthan and concludes that out of nineteen rules that villagers used for managing commons in the past, only two survive today. Anantram also contends that local panchayats have become less effective in implementing rules for conserving common resources. This study, however, shows that at least for Patawal, the erosion of community institutions has not proceeded apace. In the last fifteen years, the formal village council has attempted to resurrect the rules for utilising the commons. Its efforts have been crowned with some success.

The formal village council²⁰ is quite different from the informal *panchayat* discussed earlier. It constitutes one of the most obvious forms of state intervention in local political processes. Mandated and funded by the state, the council is an elected body that carries out developmental tasks in the village. It is a multi-village council and is responsible for welfare activities in Patawal and four other villages. Through more than 500 near unanimous resolutions in the past twelve years, the thirteen council members have voted to construct local schools, lobbied the government to provide drinking water to the villagers, and undertaken relief works during droughts.

The head of the council is called the *sarpanch*. Its twelve other members, each called a ward *panch*, are chiefly upper caste members (*patel*, *rajput*, *bishnoi*, and *charan*). Ten are elected and two nominated. The nominated members must come from disadvantaged or lower caste groups. All the elected ward *panches* except one - a *raika* - are from higher castes. The two nominated ward *panches* are a lower caste woman and a *meghwal*. The resolutions of the council have for the most part been unanimous, although this trend has changed a little in the past few years.

The mutual compromises that the upper castes have crafted to ensure cooperation include an understanding that on relief and construction works financed by the state government, the upper caste villagers will be the primary employees. The amounts involved are not trivial, exceeding Rs.15 000 in six of

²⁰From this point I will refer to the informal *panchayat* comprised by village elders as the 'informal *panchayat*'. The formal, legal, elected body of villagers, on the other hand, will be called the 'village council', or simply the 'council'.

the last ten years.²¹ For the eighty or so upper caste families in the village, this represents fifteen to twenty days of employment in the summer, when agricultural work is non-existent.

Only fourteen of the 512 resolutions that the *panchayat* has passed concern the *oran*. Six aimed at converting part of the common into land for settlement. Two petitioned the government to remove encroachments. Three detailed sanctions for individuals who illegally harvested wood, and the remainder aimed at improving grass and tree cover. The last six resolutions occupied the centre stage in the political struggle which led to changes in the institutional arrangements guiding use of fodder and fuelwood from the *oran*.

CHANGE IN THE INSTITUTIONAL ARRANGEMENT

The vegetation cover on the common in Patawal is superior to that for the *orans* in most neighbouring villages. There are many more trees and they are less severely lopped. When asked the reason, villagers stated that trees are sacred objects, especially the *khejri* tree (*Prosopis cineraria*). They should therefore be preserved, not cut. But they also admitted that prior to the concrete steps taken by the village council and the informal *panchayat* in Patawal the vegetation on the common was declining. Clearly, to make people translate their feelings of respect towards trees into protective behaviour, reinforcement is necessary. Reinforcement can adopt several forms: new protective rules, economic incentives, or strengthened norms. The village council undertook to protect vegetation by creating new, enforceable, rules.

Beginning from 1979, the council initiated resolutions that restricted the access of different villagers to the common. Although the new rules restricted the access of different caste groups equally, they more adversely affected those caste groups which depended on the common to a greater extent. These were the *raikas*. We saw in the first section that since they own sheep, and since sheep browse chiefly on the *oran*, restrictions on access to the *oran* would affect the *raikas* more than other groups. The political process whereby the village council accomplished its objective of restricting access to the common is interesting and instructive. The higher, land-owning castes combined with the *meghwals*; forced the *meghwals* to vote against the *raikas* in the local council elections; and used their dominance in the elected council to reduce the area of the *oran* and effectively reduce benefits from the common to the *raikas*.

²¹ These figures were extracted from the Panchayat's accounts. Daily wages for unskilled labour typically lay between Rs 10.00 and 15.00 per day in 1980. Thus Rs. 15,000 created about twelve hundred days of employment in the village. (Twenty-nine rupees equal a dollar)

In 1979 the council passed a resolution which banned villagers from cutting green wood from tree species such as *ber* (*Zizyphus nummularia* and *Zizyphus mauritiana*) and *khejri*. This was not a unique incident. Several similar resolutions had earlier been debated on some occasions. There was, however, one difference this time. Coupled with the passage of the resolution to restrict villagers from cutting wood, council members debated whether part of the *oran* should be fenced to prevent animals from entering it. The debates in the *panchayat* assumed a new meaning in 1979 because of certain developments that took place in the civil and revenue courts of the state, and because around this time the state government began to consider a new forest bill. The sequence of these developments can be briefly described.²²

The Rajasthan Tenancy Act (1955) and the Allotment of Land for Agricultural Purposes Rules, (1970), specify that certain village lands cannot be converted into agricultural land. Pasture lands, lands covered by water, lands reserved for village forests and lands earmarked for purposes of public utility fall under the provisions of these two statutes. These statutes safeguarded the interests of animal owners in Rajasthan by ensuring that grazing lands for their sheep will not be privatised into agricultural land. A series of court decisions between 1961 and 1977 further strengthened the principle that certain categories of land in the western dry districts of Rajasthan could not be used for agricultural purposes. In the case of *Nanu Ram V. State of Rajasthan* (1961), the Board of Revenue decided that 'grazing lands which were recorded as such ... were to be frozen as *charagah*'²³ lands. In *Ram Singh V. Parmoli* (1971), the courts reversed the decision that grazing lands could not be diverted for agricultural purposes. But this reversal of the earlier decision did not apply to grazing lands in the semi-arid Western districts of Rajasthan. Therefore shepherds in districts such as Jodhpur, Barmer, Bikaner, Jaisalmer, and other western districts were still safe. In *Durga Prasad V. Pannalal* (1977), it was reiterated yet again that all lands in the villages that were unassessable for revenue were exempt from conversion into agricultural land. The *oran* in Patawal, recorded as community grazing land in land settlements prior to independence, was exempt from conversion into private cultivated land. Safe were the interests of the *raikas*.

However, in the late 1970s, a new forestry bill began to be considered by the government. This bill contained a provision through which common lands in a village could be enclosed so that the vegetation cover could improve. According to the provisions of this bill, once a formal *panchayat* in a village passed a

²² I am indebted to Braza (1987) for the discussion in the following paragraph.

²³ *Charagah* literally means an 'area for grazing'.

resolution to enclose a part or whole of the village common, government forest departments or some other government agencies could fence the common and help the village council plant trees. In addition to fencing and planting the common land, the forest department would also provide the council with funds to hire a guard to protect from grazing the planted saplings.

The *raikas* in Patawal were (and are) completely against any enclosure of the *oran*. In the elections for selecting ward *panches* for the formal *panchayat* in 1982, they put up two candidates. They believed that once their candidates were elected, they could attempt to persuade the rest of the members of the *panchayat* to desist from enclosing the common lands. They could also go to meet higher level district authorities and as members of the *panchayat*, their word would carry greater weight.

A second factor was possibly more instrumental in orienting the *raikas* toward putting up their own candidates. The village council was and remains the conduit for much government largesse in the form of funds that the state disburses as development expenditures. The council uses its funds primarily to hire individuals belonging to the upper castes. The *raikas* hoped that by sending two candidates to the council they might get a share in the employment opportunities created each year. They had reason to entertain some hopes of success in the elections. Numerically, they are by far the largest caste group in Patawal. Although Patawal is a multi-village *panchayat*, they expected to get some support from the other lower caste groups in the village. These were the first elections in the village in which a lower caste group had threatened the unchallenged domination of the *panchayat* by the upper caste groups.

The hopes of the *raikas* proved illusory. The first effect that the *raika* candidates had on the upper castes was that it united the *patels*, *charans* and *rajputs* against the *raikas*. The threat to their monopoly on government funded jobs was sufficient to forge a front that ultimately succeeded in scotching the danger. Once united, the upper caste, landowning faction in the village, reacted predictably. It tried each of the four strategies prescribed by *chanakya*:²⁴ *Saama* (cajoling or persuasion); *daama* (bribes); *danda* (threats) and *bheda* (dividing the enemy), in negotiating with the *raikas* to prevent them from putting up any candidates. None worked.

Then the upper caste faction used a carrot and stick policy with the other major lower caste group, the *meghwals*, in the village. If the *meghwals* voted for the *raika* candidates, the upper caste group threatened, they (the *meghwals*) would never again receive employment on the farms of the *patels* and the

²⁴ *Chanakya* was prime minister to the first Indian Emperor - *Chandra Gupta Maurya* who ruled from 323 to 300 B.C. As his advisor, *Chanakya* gained the reputation of being the greatest diplomat in Indian history. His reputation has not yet faded.

brahmins. When the election returns came in, only one of the two *raika* candidates had been elected.

Although the *raikas* had got their way, their attempt to enter the village council polarised the landowning castes against them. Over the course of the next five years, the council passed five resolutions that effectively restricted the access of villagers to the common and enclosed 30% of the *oran*. The *raika* representative in the *panchayat* duly voted against these five resolutions. Apart from indicating a voice of dissent, his vote had little other effect. The newly elected set of council members passed a resolution in 1982 which disallowed villagers from cutting trees on the common without first obtaining permission. Between 1982 and 1987, the council passed three resolutions through which it enclosed 70ha of the common. Trees have been planted on the enclosed land with the help of the forest department and the Centre for Arid Zone Research Institute (CAZRI) in Jodhpur. The area is enclosed by barbed wire and none of the village residents are allowed to graze sheep or cattle in this part of the common.

Finally, in the beginning of 1987, the village council passed a comprehensive resolution that fixed precise and graduated fines for offenses involving the cutting of wood on the *oran*. Where wood could be recovered from the offenders, the council handled the matter directly. In cases where wood could not be recovered, the council could call in the police. To enforce the rules it appointed a five member committee consisting of one ward *panch* and four prominent villagers. Members of this committee were not paid, nor were they supposed to act as guards. Their primary task, rather, was to arbitrate disputes among villagers over the use of the common. In the same meeting the council also specified that money collected as fines would be used for collective welfare within the villages. Further, the amount of fines in specific cases could be reduced at the discretion of the council. The informal *panchayat* plays an important role in enforcing rules and protecting the trees within the village boundary. It comprises one representative from each of the major castes in the village and two representatives each, from among the *patels* and the *charans*.

The relationship between the multi-village, formal-council and the informal *panchayat* is difficult to pinpoint exactly. There are no defined areas of authority and influence for the informal *panchayat* in Patawal. It has no legal standing and no formal powers of enforcement. Within the village, however, its word carries considerable weight. Since it is composed of the elder residents it is difficult to defy their decisions unless villagers want to cut themselves off from the village community life.

The informal *panchayat* meets regularly. The meetings serve two purposes. The *panchayat* reaffirms rules about cutting of trees in the *oran* and on private fields. At the same time, it usually also selects one or two guards for the village

(or confirms the existing guards in their position). The guard is entrusted with the dual function of preventing outsiders and villagers from cutting wood in the *oran* and in private fields. He is paid a salary by the village families collectively. While the formal multi-village council is officially responsible for auctioning dry trees from the *oran*, in practice it is the informal *panchayat* that oversees this task. It also retains the revenue from the sale of dry trees and uses the money for public purposes in the village.

The effect on different village groups of the rules that prevent them from cutting wood is similar. Few differences mark caste groups in their fuelwood consumption patterns (but see Jodha 1986, 1987). However, because the *raikas* and the landowning castes in the village differ substantially in the animals they possess, the rules restricting fodder use from the *oran* have adversely affected the *raikas*. Indeed, 30% of the *oran* was fenced precisely because the landowning groups dominating the formal village council knew that the new rules would affect the *raikas* unfavourably. The new institutional arrangement was created to show the *raikas* who was the boss in the village. The new arrangement, as one *raika* put it, also hit the shepherds where it would hurt the most - in their stomachs.

When 70ha of the *oran* land were fenced, the benefits to the upper landowning castes declined a little because during the monsoons some of their cattle graze on the *oran* (see Table 3). The reduction of benefits to the *raikas*, however, was comparatively much greater.

During the monsoon months, the vegetation in the village *oran* forms the only source of forage for the *raikas'* sheep. The fields which lie fallow during most of the year are planted with crops during the monsoons. The fencing of a large part of the *oran* has reduced substantially the benefits available to them from the commons in the village. Today, six more *raika* families have been forced into migration as a result of the fenced *oran*. The landowners in Patawal not only reduced the economic benefits to the shepherds, they also reduced the threat of future challenges in the *panchayat* by forcing many of the *raikas* to stay out of the village for longer periods and thus be even less of a force in the electoral politics in the village.

Fencing the common has reduced present benefits to all groups in the village. It has also not increased future streams of benefits from the *oran* to the villagers. The forest department planted most of the trees on the *oran*. Survival rates for trees are as low as 20%. After five years, survival rates of less than 5% are common²⁵ in other parts of the district where the forest department

²⁵Indeed, in many parts of Rajasthan the forest department has stopped recording survival rates of trees because of its abysmal performance in protecting planted seedlings. The department only records the number of trees it planted as its performance indicator.

undertook plantation programs. The fenced part of the *oran* is distinguishable only because of the broken fencing that surrounds it; not because it has a higher vegetation cover. It seems clear then, that not only have present benefits to all groups declined in the village, proportionately more precipitously for the *raikas*, but also that none of the village factions can hope to reap greater benefits in the future.

Table 3: Grazing days lost as a result of fencing the common

Caste Group	Grazing days ¹ available on the common		Days lost
	Before Fencing	After Fencing	
Higher castes (patel, charan brahmin, rajput)	8238 (171) ²	5675 (118)	2562 (53)
Raikas	70897 (1243)	48840 (856)	22056 (387)
Lower Castes (bhil, sargata, meghwal)	7770 (105)	5342 (72)	2417 (32)

¹One grazing day equals one livestock unit grazing for one day (Five sheep/goats = 1 livestock unit).

²Figures in brackets are grazing days for each household.

Assumptions:

1. During the monsoon months, the sheep graze on the *oran*.
2. During the monsoons, 70% of the fodder requirements for the cattle are met out of private stocks for all villagers
3. After the monsoons and harvest, sheep graze on the *oran* 25% of the time.
4. The fenced area of the common possesses, on the average, the same level of productivity as the unfenced area

CONCLUSION

This paper set out to accomplish three tasks: 1) to show the importance of political struggles in the 'little community'; 2) to show that the formation of new community institutions, and the distribution of benefits through such institutions are strongly governed by political tensions; and 3) that for competing factions in a 'community' it is not the absolute level of benefits that is important in bringing about institutional change. Rather, rival groups compare each other's relative share of the benefits and react to bring about changes when their

existing shares are threatened. The changes they effect may actually reduce benefits to all factions. The story of the *raikas* and the land owning, upper castes in Patawal illustrates and confirms this statement. In so doing, it resonates with wider issues.

Much of the literature on local communities and peasants attempts to understand their societies primarily in relation to the state and the market. It is certainly true that the state and its policies greatly influence internal relationships within peasant groups. The possibility of reducing the grazing benefits to the *raikas* arose because of the presence of the village council, a structure introduced into the village politics by central fiat. The *raikas* attempted to alter the existing political balance in the village by seeking representation on the council because of the resources that the central government disburses through the same institution - the village council.

But the peasants, larger landowners, and livestock owners do not just react to policies and rules that central governments enact. The different groups in the village attempt to use the intrusions by the state to enhance the position of their own coalition in the ongoing and shifting struggles against other groups. State interventions create new spaces where older differences can be played out anew by constant re-testing and in fresh contests. The state interventions thus enable existing conflicts to take place on new terrains, rather than creating such conflicts. The landowning castes in the village were not content to simply defeat the attempt by the *raikas* to gain a place in the council. That would have been a simple enough matter. They also undertook, by enclosing the common, to reduce the future possibility of similar threats. By reducing the grazing available to the sheep in the village, they forced more of the *raikas* to migrate longer; indeed, they forced those *raikas* who had larger sheep-holdings and who were respected more to migrate longer. The absence of these more powerful sheep owners consolidates their gains in village politics.

The paper, in outlining the processes that factionalise and divide local 'communities', highlights local politics. For the rural resident, the nature and outcomes of local politics create a far greater impact on livelihood. Such politics exists independent of external interventions. As it always has, and will. State interventions, whether to develop or conserve, provide supports that can facilitate new coalitions, new alliances, new contests and new resistances. The enclosure, thus, must be seen, not simply as an attempt to preserve the vegetation on the common, but as one of the political weapons that could be used to settle, for the time being, an ongoing struggle for power and position.

The paper reveals the pervasive nature of challenges to persistent constellations of power and status. Subaltern groups, whatever the perceptions of those commanding resources, constantly attempt to modify the relations of power that structure their lives. At the same time it shows that resistance by itself is insufficient to alter existing inequalities. Without external support, or

extraordinary mobilisation and organisation, everyday resistance usually fails to transform the structural conditions that allocate costs and gains from local resources. Finally, the political processes and outcomes in Patawal accentuate argument that all attempts at conservation and development are ineluctably political.

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REFERENCES

- Alchian, A. (1950) Uncertainty, evolution and economic theory. *Journal of Political Economy* 58(3): 211-21.
- Alchian, A. (1973) The property rights paradigm. *Journal of Economic History* 33:16-27.
- Anantram, K. (1988) Economic analysis of harnessing common property resources for livestock development in arid zones of Western Rajasthan. *Unpublished PhD Thesis*, University of Jodhpur, Jodhpur, India.
- Barzel, Y. (1977) An economic analysis of slavery. *Journal of Law and Economics* 20(1): 87-110.
- Barzel, Y. (1989) *Economic Analysis of Property Rights*. Cambridge University Press, Cambridge.
- Bates, R. (1988) Contra contractarianism: Some reflections on the new institutionalism. *Politics and Society* 16: 387-401.
- Bates, R. (1989) *Beyond the Miracle of the Market: The Political Economy of Agrarian Development in Kenya*. Cambridge University Press, Cambridge.
- Berkes, F. (ed) (1989) *Common Property Resources: Ecology and Community Based Sustainable Development*. Belhaven Press, Belhaven Press.

- Brara, R. (1987) *Shifting Sands: A Study of Rights in Common Pasture*. Institute of Development Studies. Mimeo. Jaipur, India.
- Bromley, D. (ed) (1992) *Making the Commons Work: Theory, Practice and Policy*. Institute for Contemporary Studies, San Francisco, CA.
- Cheung, S. (1970) The structure of a contract and the theory of a non-exclusive resource. *Journal of Law and Economics* 13: 49-70.
- Colburn, F. (ed) (1989) *Everyday Forms of Peasant Resistance*. M.E. Sharpe, Inc., Armonk, NY.
- Dahlman, C. (1980) *The Open Field System and Beyond: A Property Rights Analysis of an Economic Institution*. Cambridge University Press, Cambridge.
- de Alessi, L. (1980). The economics of property rights: A review of the evidence. *Research in Law and Economics* 2: 1-47.
- de Alessi, L. (1983) Property rights, transactions costs and X-efficiency: An essay in economic theory. *American Economic Review* 73(1): 64-81.
- Demsetz H. (1967) Toward a theory of property rights. *American Economic Review* 62: 347-59.
- Friedman, M. and R. Friedman. (1980) *Free to Choose: A personal statement*. Harcourt Brace Jovanovich, New York.
- Furubotn, E. and S. Pejovich, (eds) (1974) *The Economics of Property Rights*. Ballinger Publishing Co., Cambridge, Mass.
- Galbraith, J. (1977). *Age of Uncertainty*. Houghton Mifflin, Boston, MA.
- Genovese, E. (1974) *Roll, Jordan Roll: The World the Slaves Made*. Pantheon, New York.
- Hardin, G. (1978) Political requirements for conserving our common heritage. In: H.P. Bokaw (ed) *Wildlife and America*. Council on Environmental Quality, Washington DC.
- Jodha, N. (1985) Population growth and the decline of common property resources in Rajasthan, India. *Population and Development Review* 11:247-63.
- Jodha, N. (1987) *A Note on Contribution of CPRs to PPR-Based Farming Systems in Dry Tropical Regions of India*. Paper presented at Common Property Resources Workshop in Sariska, Rajasthan, India
- Jodha, N. (1988) *Population Growth and Common Property Resources: Micro-Level Evidence from Selected Areas*. Paper presented at Expert Consultation on Population and Agricultural Development: Institutions and Policies. June 29-July 1, FAO, Rome.
- Jodha, N. (1990) *Rural Common Property Resources: Contributions and Crisis*. Foundation day lecture, May 16, 1990. Society for the Promotion of Wasteland Development. Mimeo. New Delhi, India.
- Libecap, G. (1989) *Contracting for Property Rights*. University Press Cambridge, Cambridge, UK.
- Little, I. (1957) *A Critique of Welfare Economics*. Clarendon, Oxford, UK.

- McCay, B. and J. Acheson (eds) (1987) *The Question of the Commons: The Culture and ecology of communal resources*. University of Arizona Press, Tucson.
- McCloskey, D. (1990) The open fields of England: Rent, risk and the rate of interest. In: David Galenson (ed), *Markets in History: Economic studies of the Past*. Cambridge University Press, Cambridge.
- McKean, M. (1992) Success on the commons: A comparative examination of institutions for common property resource management. *Journal of Theoretical Politics* 4(3): 247-81.
- NRC (National Research Council) (1986) *Proceedings of the Conference on Common Property Resource Management*. National Academy Press, Washington, DC.
- North, D. (1981) *Structure and Change in Economic History*. Norton, New York.
- North, D. (1990) *Institutions, Institutional Change, and Economic Performance*. Cambridge University Press, Cambridge.
- Opuhls, W. (1973) Leviathan or Oblivion. In: H.E. Daly (ed) *Toward a Steady State Economy*. Freeman, San Francisco.
- Ostrom, E. (1990) *Governing the Commons: The Evolution of Institutions for Collective Action*. Cambridge University Press, New York.
- Ostrom, E. (1992) Community and the endogenous solution of commons problems. *Journal of Theoretical Politics* 4(3): 343-52.
- Patwa, S. (1989) *Paryavaran Ki Sanskriti*. Bikaner, India: Vagdevi Prakashan
- Root, H. (1987) Peasant and King in Burgundy: Agrarian Foundations of French Absolutism. University of California Press, Berkeley.
- Scott, J. (1985) *Weapons of the Weak: Everyday Forms of Peasant Resistance*. Yale University Press, New Haven.
- Scott, J. (1990) *Domination and the Arts of Resistance: Hidden Transcripts*. Yale University Press, New Haven.
- Sharma, G.D. (1977) *Rajput Polity: A Study of Politics and Administration of the State of Marwar, 1638-1749*. Manohar Publications, New Delhi, India.
- Sharma, P. (1972). *Maharaja Man Singh of Jodhpur and His Times, 1803-1843 A.D.* Shiv Lal Agarwala. Agra, India
- Smith, R. (1981) Resolving the Tragedy of the Commons by creating private property rights in wildlife. *CATO Journal* 1: 439-68.
- Upadhyaya, N. (1973) *The Administration of Jodhpur State: 1800-1947*. International Publishers. Jodhpur, India.
- WCED (World Commission on Environment and Development) (1987) *Our Common Future*. Oxford University Press, Delhi.
- Welch, W. (1983) The political feasibility of full-ownership property rights: The case of pollution and fisheries. *Policy Sciences* 16: 165-80.
- Wolf, C. Jr. (1990) *Markets or Governments: Choosing between Imperfect Alternatives*. MIT Press, Cambridge, MA.