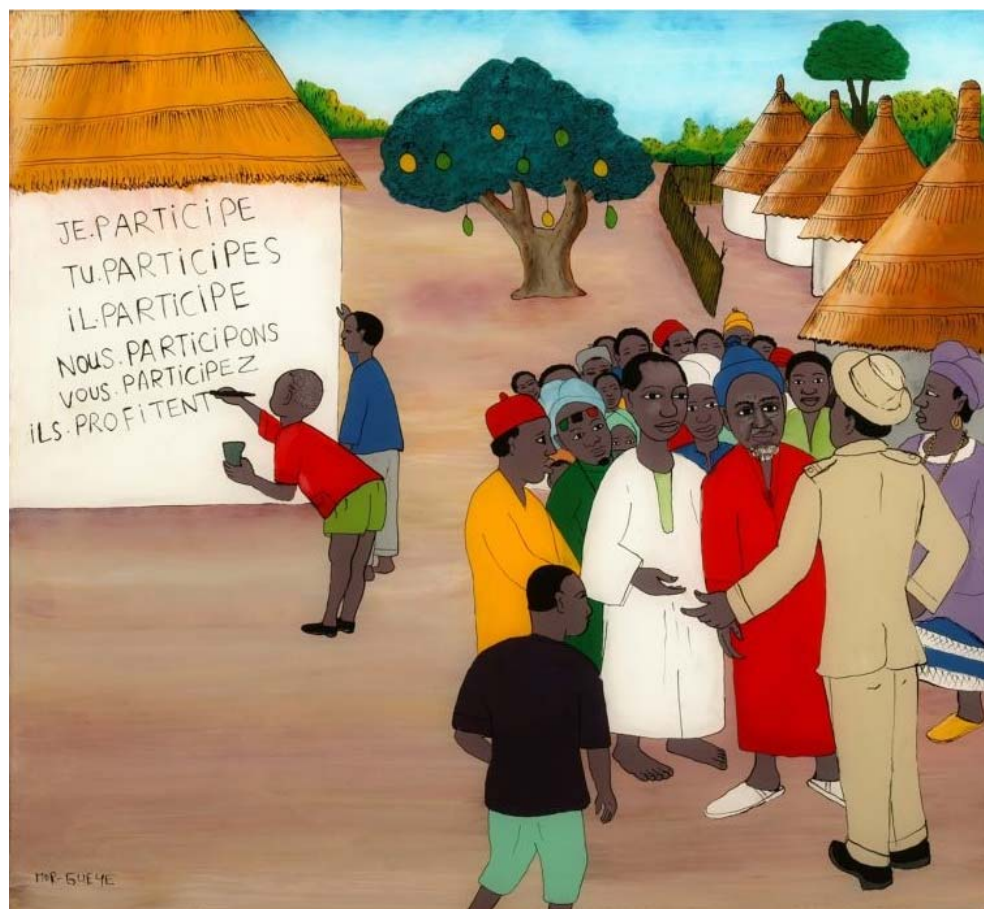


REPRESENTATION, EQUITY & ENVIRONMENT

Working Paper Series



WP # 23

Accountability in Decentralization and the Democratic Context: Theory and Evidence from India

by

Ashwini Chhatre

January 2007

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REPRESENTATION, EQUITY AND ENVIRONMENT

WORKING PAPERS: WP #23

**Accountability in Decentralization and the Democratic Context:
Theory and Evidence from India**

by

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January 2007

Series editor:
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ABSTRACT

New institutions created through decentralization policies around the world, notwithstanding the rhetoric, are often lacking in substantive democratic content. New policies for decentralized natural resource management have transferred powers to a range of local authorities, including private associations, customary authorities, and NGOs. Scholars see such transfers as detrimental to the legitimacy of local democratic institutions, leading to a fragmentation of local authority and dampening prospects for democratic consolidation. In much of this critique, however, there is limited attention to the wider democratic context (or lack thereof) and its effect on local governments. This article develops the concept of political articulation to characterize the relationship between citizens and elected representatives, and argues that accountability in decentralization cannot be conceptualized or analyzed separately from the accountability of higher institutions of representation and governance. The empirical analysis of the paper uses the experience of World Bank-funded Ecodevelopment Project in Himachal Pradesh, India, to generate insights into the role of political articulation in analyzing decentralization reforms.

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INTRODUCTION

‘As the products of previous conflicts and confrontations, institutions have embedded in them the sediments of earlier struggles.’

Florencia E. Mallon

Decentralization in natural resource management is about community agency. The natural resource management literature uses the terms ‘participatory development’, ‘community-based conservation’, and ‘social capital’ to imply that decentralization requires actors in place-based relationships who have the willingness and capacity to act collectively towards desired goals (Chambers, 1997; Uphoff et al., 1998; Pretty, 2003; for a critique, see Williams et al., 2003). As Gaventa (2002) puts it, decentralization can open spaces to encourage citizen engagement through inclusive participation, leading to new kinds of local agency. Projects invariably start with the premise that capacity is lacking, and seek to improve it through program interventions (Grindle, 2007; Ribot, 2004). While the significance of community agency is obvious and accepted as being central to successful decentralized natural resource management, the sources of such agency are less clear. While some projects and policies may build community capacity to engage, it is hardly plausible that the target communities had no capacity or agency before the interventions. Participatory institutions at the local level are often designed to build capacity in ways that overlook the sources of pre-existing capacity and agency. More importantly, projects tend to focus narrowly on capacity, defining it as a technical or managerial problem (Grindle, 2007).

Constraints imposed by development policies and projects are in tension with impulses unleashed by wider processes of social and political mobilization, often through participation in democratic politics (Sivaramakrishnan, 2000; Gidwani and Sivaramakrishnan, 2003; Goetz and Jenkins, 2004). Such participation provides communities, as indeed individuals within communities, with ideological and operational resources to harness collective energies for common goals. The neglect of local agency in decentralization policies may be hindering creative solutions to local problems (Turner, 1999). A robust literature in political ecology has documented in historical detail the manner in which local communities have resisted state efforts at resource appropriation in many parts of the world (Neumann, 1998; Peluso, 1992; Guha, 1989; Guha and Gadgil, 1989). If communities are correctly ascribed agency in resisting state resource appropriation, we need to understand the role of this agency in responding to bad policies, attempts to shape good policies, and the appropriation of space provided by good policies. More importantly, we need to understand why and under what conditions do communities mobilize to oppose the imposition of institutional forms that they deem to be inappropriate to the situation, and the role played by the wider political context in mediating community agency.

The implicit assumption that states are predatory and communities are powerless underlying most arguments for ‘participatory’ forms of interventions is being challenged by analyses of democratic interactions between citizens and state institutions in several less-developed countries (Andersson et al., 2004; Gibson, 1999; Saberwal, 1999;

Chhatre and Saberwal, 2006b; Tandler, 1997). Scholars need to focus on how communities—self-defined and self-realized—act on their priorities and assume an agency for their objectives. Research must look beyond stated objectives of particular policies to what the constituents are doing through and inside the institutions created by such policies. The degree to which particular projects or policies enable (or disable) community agency depends on the larger democratic context and the role of political parties (Kohli, 1987; Veron et al., 2006). This paper argues that accountability of local governments cannot be conceptualized or analyzed separately from the accountability of other/higher institutions of representation and governance.

More recently, attention has been focused on the democratic potential of decentralization reforms, and the politics of institutional choice in community-based natural resource management that leads to fragmentation of local authority and attenuation in the legitimacy of democratic local governments (Ribot, 2003; Manor, 2004). While it is indisputable that transfer of powers to parallel institutions would reflect poorly on the legitimacy of democratically elected local governments as perceived by their constituents, it is by no means axiomatic that local governments would inevitably suffer from such imposition. The relevant issue, therefore, is to examine the conditions under which a plurality of governance institutions at the local level weakens or strengthens local elected government. Where local governments are endowed with sufficient autonomy and resources, communities and sub-groups within are more likely to channel their agency through local governments to influence the implementation of policy and the functioning of parallel institutions. Local governments are located at the bottom of a pyramid of institutions for democratic governance, often in close proximity to the communities affected by state policies. A coupling of community agency with local governments will reinforce their legitimacy and authority. Additionally, the location of local governments in a hierarchical network of governance institutions will enable communities to harness the power of local authorities in influencing higher levels of government. Such linkages between community agency and local governments are nevertheless incumbent upon the opportunities that the wider democratic context provides. They are represented by the articulation between social movements, electoral institutions, and political parties.

Political articulation can be defined as the degree to which citizens and citizen groups can influence policy through democratic institutions. Rather than being a static property of a political system, it is determined by the institutional architecture governing representation at multiple levels, as well as the degree of competition between political actors for the privilege of representing local interests. Disarticulated political systems are characterized by the alienation of elected representatives from their constituents. They also suffer from a lack of incentive to respond positively to demands from below. Accountability, in this formulation, is a function of the level of political articulation in the system. Citizens are more likely to hold representatives accountable in an articulated political system.

The accountability, or lack thereof, of decentralized institutions is perhaps irrelevant in a disarticulated political system, at least from the broader normative standpoint of the democratic potential of decentralization policies. Local institutions created through a

'perfect' decentralization policy will fail when located in a disarticulated political context. The examples of fiscal decentralization in Senegal (Juul, 2006) and Uganda (Livingstone and Charlton, 2001) illustrate this failure. The success of community-based natural resource management policies, or other decentralization initiatives that seek to reformulate institutional arrangements at the local level, depends on the extent to which new or old institutions are made accountable through the interaction of multiple processes at multiple scales. An articulated democratic system will enable local communities to influence local institutions. At the same time, the level of articulation in the political system will determine the degree to which communities can harness the accountability of higher institutions of representation in making local governments accountable.

Political articulation is a dynamic outcome of interactions between the structure of electoral institutions, the competition between political parties, and patterns of political participation and mobilization. Decentralization policies, whether they involve devolution of power to elected local governments or creation of parallel institutions, create spaces for engagement of citizens and civil society with state agents. The effects of such policies on local governments depend on the level of political articulation. In highly articulated political systems, citizens can use the spaces created by decentralization to hold local elected representatives accountable. Accountability is a critical component for realizing the democratic potential of decentralization policies (Ribot, 2004). The central question is not whether institutions are downwardly accountable, but the manner in which they become so. The long list of mechanisms for encouraging downward accountability that scholars of decentralization have generated only serves to highlight the political process through which citizens and citizen groups engage with their representatives in order to hold them to account.

Policies that create new institutions for decentralized natural resource management or other objectives will perform better when located in a democratic system with a high degree of articulation between political actors at different levels. The literature on accountability conveys a very low opinion of elections, almost always depicting them as 'crude instruments' of accountability (Agrawal and Ribot, 1999; Blair, 2000; Devas and Grant, 2003; Olowu, 2003). Following Sivaramakrishnan's (2000) call for more 'ethnographies of political action', I take elections as the starting point of political engagement for citizens, as an integral part of a repertoire of mechanisms linking individuals and communities to their representatives. In a highly articulated political system, regular elections serve to amplify local agency, enabling communities to hold representatives accountable. Conversely, in disarticulated systems, citizens have limited opportunity to influence policy through engagement with the democratic process.

With so many actors at multiple levels involved in making local officials downwardly accountable, 'accountability in decentralization' must be considered a dynamic process. It is a process whereby accountability is constructed actively, and is subject to unfolding iterative cross-scale interactions between multiple actors, rather than being a static component of decentralization policies. Just as ecology has benefited from attention to non-equilibrium dynamics, the study of institutions stands to gain from a de-centering of focus from the conceptualization of institutions as equilibria, and towards attention to the

dynamic context within which institutions must perform. 'Emphasis on flux is a major marker of the idea of nature at the millennium' (Zimmerer, 2000: 356). Somehow, this shift seems to have passed by the debate on institutions and institutional change, particularly in the context of decentralized and/or community-based natural resource management. Flux is an appropriate marker of the idea of democratizing societies as well, with multiple actors at different levels competing for access to political space and public resources at a feverish pace. At the same time, 'With its impulse to create plural structures of political decision making, democracy combines awkwardly with development, which serves most often as a vehicle for elite nationalism, to create a tense field of force for modern politics' (Sivaramakrishnan, 2000: 449). The fate of any interventions, for development or conservation, can only be understood as unfolding within this field of force created by the processes of democratic politics. The success of decentralization policies, therefore, is linked to the wider democratic context.

This article examines the process by which a highly articulated democratic context helps to make elected local governments accountable to the citizens in the state of Himachal Pradesh in north India. The article uses an ethnographic account of political action in a democratic context where local governments became more representative and accountable to constituents. They did so through social mobilization against the World Bank-funded Ecodevelopment Project that created parallel institutions to plan and implement activities, bypassing local elected governments. Competitive democratic politics at higher levels and its articulation with localities provide the mechanism for citizens to enlist local governments in communicating their grievances, thereby strengthening local democracy. Regular elections at three levels enable the cross-scale articulation of democratic politics, and allow social mobilization against the externally aided project to be translated into downward accountability in local governments. In the next section, I lay out the larger social and political context within which social mobilization against the ecodevelopment project unfolded, resulting eventually in a consolidation of local democracy. Through a description of democratic politics in Himachal Pradesh, this section also illustrates the concept of political articulation, thus laying the foundation for an exploration of its role in enabling community agency. The third section contains an ethnographic account of the use of local governments by the nascent social movement in opposition to the ecodevelopment project and in voicing grievances to higher authorities. It explores the roles of political parties and competitive elections at multiple scales in terms of their contribution to the dynamic constitution of local accountability. I conclude in the final section with reflections on the relationship between democracy, decentralization, and the role of communities in natural resource management.

ARTICULATED AND DISARTICULATED POLITICAL SYSTEMS

Amin (1974, 1976) argued that economic and social development is often constrained by what he termed 'disarticulation'—a structural distortion of the economy characterized by the lack of strong linkages across sectors, especially between sunshine sectors that are the engines of growth and underdeveloped sectors. Disarticulation, therefore, explains the lack of correspondence between human development indicators and levels of economic

growth amongst less developed countries. It operates through the inhibition of impulses of positive social transformation ordinarily assumed to be associated with economic growth (Stokes and Anderson, 1990). In this formulation, disarticulated systems are characterized by a dual economy, with wages at subsistence level and dynamic sectors oriented towards the production of luxury or export goods. In such a situation, there is very low incentive to produce consumer goods for domestic consumption due to lack of distributed purchasing power, leading to stagnation and underdevelopment. Conversely, articulated systems generate domestic demand leading to higher wages to produce goods for domestic markets, resulting in a positive spiral of overall economic growth.

Drawing on this literature, it is possible to theorize the political dimension of disarticulation; after all, the linkages across economic sectors can be enabled and strengthened through policy and political intervention. As an ideal type, a disarticulated political system is one in which the majority of citizens have little or no direct influence on the political process. Conversely, articulated political systems provide the space and opportunity for actors to influence the political process through direct engagement. Political actors in disarticulated systems are oriented upwards within the political hierarchy, following the direction of power and authority. There are structural impediments to downward accountability. These impediments are only exacerbated by vertical networks of patronage and clientelism that privilege narrowly defined identities over democratic norm of citizenship. Decentralization in disarticulated systems leads to elite capture, or worse, serves to mask strategies of recentralization of power (Ribot et al., 2006).

Disarticulation in the political system is mainly a function of the institutional architecture of politics. In democratic polities, elections and political parties constitute two of the principal mechanisms for the translation of social preferences into policy. Policy interventions, in turn, are instrumental in enabling community agency, which could then be directed at making local governments accountable, among other objectives. Ideally, decentralization policies create the space for demands from below and empower local authorities that can attract the attention of citizens for engagement. The extent to which political parties competing in electoral arenas will respond to popular demands or constitute enabling policies is determined in the first place by the incentives that electoral institutions present. An illustration are closed list proportional representation systems with a large number of seats per electoral district, such as in Brazil, which are likely to act as a disincentive to political parties in responding positively to any locality-specific issues. First-past-the-post plurality systems with single member districts, such as in India, do not provide such a disincentive, but nevertheless allow representatives to be elected with a minority of total votes.

However, to extend the dimensions of disarticulation, a democratic system will only push political parties towards greater responsiveness under certain conditions (see Schumpeter, 1944). High political competition at the electoral district and higher levels will push political parties to be more responsive towards local grievances. Further, competition between multiple parties creates conditions for winning elections with a minority of votes. It is only when political competition evolves into a two-party system, at least at the

level of the electoral district, that citizens will gain leverage with political parties and their representatives. Disarticulation, therefore, signifies the absence of both enabling institutional infrastructure and high two-party political competition.

The disillusionment with the lack of deepening and consolidation after the ‘third wave’ of democratization across the developing world is perhaps attributable to political disarticulation. Electoral institutions are often designed in ways that encourage upward accountability of elected representatives. But, even with enabling institutional infrastructure, the pattern of political competition may also serve to discourage citizens from engaging effectively in the political process. India has a system of representation characterized by low barriers to entry, with electoral institutions facilitating citizen engagement. Yet, India presents a variety of articulated and disarticulated political systems at the provincial level. These variations in levels of articulation are largely determined by the pattern of political competition. States with established two-party high-competition pattern like Kerala, Himachal Pradesh, Tamil Nadu, are examples of highly articulated political systems, and have the best record of economic and social development. Other states where such a system is evolving but is not yet fully established, such as Maharashtra, Rajasthan, Andhra Pradesh, have better political articulation. States with high political competition but three or more parties competing as in Bihar, Uttar Pradesh, or low levels of political competition, as in West Bengal, represent disarticulated political systems within India.

Democratic institutions that encourage or enable local agency through creating spaces for citizen engagement represent an institutional choice reflecting the propensity to create democratic accountability at a local level. While it is hypothetically possible for communities to hold local governments accountable in the worst of circumstances, and for this process to expand from the inside out or bottom up, articulated political systems allow for the transmission of accountability in both directions in a mutually-reinforcing relationship. Of course, articulation or disarticulation in political systems is not a static property; economic growth and distribution, demographic changes, technological progress, and market penetration lead to social transformations that reconfigure politics over time and reformulate the incentives of political actors, changing the level of articulation. However, the limitations and opportunities provided by the institutional architecture governing politics-at-large exert a significant influence on the extent to which there will be any meaningful decentralization, and on whether decentralization will result in local accountability.

Looking at the enabling mechanisms for local accountability that Agrawal and Ribot list (1999), it is easy to see how an articulated political system is conducive to higher accountability. Vigorous media, NGOs and social movements, widespread participation, and embeddedness of leaders in their community, are all likely to be more effective in a system with higher articulation. Moreover, these features of a society are often in dynamic interaction and tend to evolve in a common trajectory. The dynamic nature of political articulation is best illustrated with the case of the state of Himachal Pradesh in north India. As mentioned earlier, India has a plurality system with one representative per electoral district, with the possibility of independent non-party candidates running in any

election. This system allows easy entry for new political formations reflecting popular opinion at a local level, and in highly competitive situations, increases the responsiveness of political parties to local issues. As a federal system, India also has multiple layers of political representation—at local, state, and national levels—that amplify the possibility of holding representatives accountable. Himachal Pradesh has witnessed rising participation in elections since its inception into the Indian Union as a full state in 1971. The two main political parties have regularly alternated in power at the state level, with only one instance of a party retaining power through two terms over the last nine electoral cycles. The periodic loss of power has forced the parties to retain an edge in mobilizational capability, and has resulted in a thriving democratic opposition to the government in power in any period. High levels of citizen participation have allowed political leaders to stay connected to their constituencies and contributed to healthy intra-party competition. Patterns of political competition combined with enabling electoral institutions have resulted in a highly articulated political system in Himachal Pradesh.

The high level of citizen participation in democratic politics, combined with an open and vigilant media, have forced elected representatives to be accountable to their constituents. Himachal Pradesh, amongst a handful of other states in India, boasts relatively better human development indicators such as education, health and sanitation, nutrition, and rural electrification. In contrast to most other states, every village in Himachal Pradesh is electrified and has access to drinking water. For a total of 17,495 villages, there exist close to 11,000 primary schools employing more than 28,000 teachers. They obviously have been functioning well, as the basic literacy rate has increased from 42 percent in 1971 to 77 percent in 2003, with women's literacy pegged at 69 percent (DES, 2003). The proportion of girls in school in the 6-17 years age group is a staggering 97 percent, and Himachal Pradesh is located at the top of the rankings for almost all gender related indicators across Indian states (Dreze and Sen, 2002). Minor innovations in delivery systems have had a dramatic impact on the quality of services. For example, teachers for primary schools have been recruited from within the district into a district cadre, thus allowing them to be close to their own villages. At the same time this system ensures that children are not burdened with a teacher who is ignorant of their general context. Rural drinking water supply schemes have been implemented in a completely decentralized manner. Every scheme is situated on a local stream and caters to a few villages at the most, allowing the vast network of small tributaries to be tapped at source or not far from it. In other words, in its welfare incarnation, the state has been decidedly closer to the people and its functioning has been slightly more transparent than is the case with most other parts of the country.

This is not to say that tensions do not exist, but rising levels of political articulation have allowed the state, through political parties and elected representatives, to respond to societal demands in a manner that leads to negotiated resolution of most issues. For example, a social movement in the 1980s mobilized large numbers of people in the western parts of the state. The mobilization targeted commercial forestry policies that were replacing natural forests with monocultural plantations of species providing industrial raw materials, mainly pine and eucalyptus. Beginning in 1983, the movement generated considerable support amongst citizens, and extracted significant concessions

from the government. In 1984, in direct response to the demands of the movement, the Himachal Pradesh government became the first in India to ban the planting of eucalyptus on public lands. By the early 1990s, forestry policies in Indian states had moved in the general direction of participatory forest management under pressure from donors. However, in Himachal, the experience of the movement in the 1980s and the presence of its leaders as key NGO activists provided an important check on the Forest Department in the implementation of participatory forestry projects. Within local communities, the high level of citizen participation in democratic politics and the consequent linkages to elected representatives provided the former with leverage in dealing with the consequences of imposition of 'parallel institutions.' Experience with communal forms of forest management, along with a long history of collaborative state-society initiatives, helped foster an environment of negotiation rather than open conflict (Agrawal and Chhatre, 2006; Chhatre and Saberwal, 2006a).

The Himachal Pradesh Panchayati Raj Act of 1994 to empower elected local governments was enacted and implemented in this context—high levels of citizen participation in democratic politics, accountability of elected representatives to citizens, a tradition of social movements, and media scrutiny of public policies and citizen grievances. With the mandate of the 73rd constitutional amendment to devolve powers to panchayats, there was a heightened discussion on the future role of panchayats in the state.¹ The second half of the 1990s was a period of increasing tensions between panchayats and parallel institutions created by externally-supported projects all over the state. Donors ranging from multilateral agencies such as UNDP and World Bank, to bilateral agencies such as DfID (UK) and AusAid (Australia), to private charitable organizations like Oxfam and ActionAid, were implementing projects in collaboration with the state government in several sectors. The projects involved the creation of 'village-level' committees without any linkages to constitutionally mandated panchayats. The Ecodevelopment Project in the Great Himalayan National Park was part of a state-wide and national trend of creating 'user committees.' These encompassed education, public health, forestry, irrigation, drinking water, and watershed management. By 2003 however the Himachal Pradesh government and donors had converged on the choice of local elected governments (panchayats) as the locus of participatory development and/or conservation programs. Ten years and three local elections after panchayats were empowered in 1994, political articulation in Himachal Pradesh encouraged greater citizen engagement with local governments, making them more representative and accountable.

¹ The 73rd amendment to the Constitution of India mandated greater autonomy and resources to be devoted to local governments in the country. In principle, it provided for three main changes: 1) Regular and guaranteed elections to local governments every five years, to be supervised by an autonomous State Election Commission; 2) Assurance of funds for local governments through the setting up of autonomous State Finance Commissions to award shares of state finances to local governments; and 3) The reservation of one-third seats for women at all levels of local government. The state governments were required to enact legislation to implement these provisions in their respective states.

ECODEVELOPMENT IN THE GREAT HIMALAYAN NATIONAL PARK²

Faced with mounting criticism of an exclusionary policy that displaced communities around national parks, conservation organizations over the world have come up with a number of variants on the same theme—local communities needed to be provided with a stake in the conservation process if it were to have any chance of success (Wells and Brandon, 1992). In India this took the form of ecodevelopment. According to the logic of ecodevelopment, local communities would be provided alternative means of livelihood through a variety of development initiatives. This would arguably reduce their dependence on resources within protected areas. Eight National Parks were chosen as sites for experimentation in the country. The projects enjoyed the support of the Global Environment Facility (GEF). Prior to that however, the World Bank provided funds for two pilot sites—the Great Himalayan National Park (henceforth GHNP), Himachal Pradesh, and the Kalakkaad Mundantarai Tiger Reserve, Tamil Nadu (Mahanty, 2002; World Bank, 1994, 1996; Singh, 1997; Pandey and Wells, 1997). Ecodevelopment came to GHNP in 1994. Over the course of the next five years, approximately 70 million Rupees (US\$ 2.2 million) were spent as part of ecodevelopment, research, and management activities in GHNP—all part of a loan from the World Bank. Since ecodevelopment was pursued in the name of the people, and required their cooperation, it was to be implemented through the agency of ‘village ecodevelopment committees (VEDCs)’ formed at the level of a few villages.³

Nearly a year before the ecodevelopment funds arrived, news about the project had been filtering down to the villages, raising hopes and political noise. By early 1995, with the money in the state kitty, decibel levels in local politics had risen sharply. Through political and kinship networks, the word was out that resources from the new development project and exclusively for the consumption of villages around the National Park were up for grabs. Local politicians, particularly Congress leader Sat Prakash Thakur, were the most voluble, eager to apportion credit for the yet-to-happen development of the region. Sat Prakash Thakur was then a member of the Himachal Pradesh Legislative Assembly from the Banjar constituency, roughly half of which was included in the project area. He was also Cabinet Minister for Horticulture. The bonhomie percolated down the political and bureaucratic rungs, and officials and politicians started promising all manner of benefits to the only too willing local villagers. Without a clue as to the details of the project, networks were being activated throughout the ecodevelopment zone to access that money.

The notification of intent regarding GHNP had been promulgated in 1984. Like many other similar protected areas in India, it had remained in suspended isolation since then. There was no serious effort on the part of the bureaucracy to complete the formal acquisition of rights of local communities before GHNP’s final notification under the Wildlife Protection Act (WLPA). Under the Act, all usufruct rights in a national park must be eventually acquired through compensation and extinguished before the final

² The following section is based on fieldwork and direct involvement with local NGOs over several years, and draws upon the collaborative project with Vasant Saberwal, Satya Prasanna, and Sanjay Barnela.

³ For more details, see Chhatre and Saberwal (2006a).

notification. Until early 1995, local villagers were completely ignorant of the provisions of the WLPA and the consequences of living next to a national park. Nobody—bureaucrat, politician or scientist—had taken the pains to explain the unpalatable provisions of the law to any section of the affected population. Ultimately, it fell upon NGOs to undertake that task. In November 1994, the issues raised by GHNP were discussed in a separate session during a conference that Navrachna, a state-level coalition on forests and governance, organised.⁴ Among those present were many environmental activists and NGO leaders of Himachal Pradesh, along with some senior officials from the Forest and other state departments. The Director of GHNP made a presentation on the status of the Park and the upcoming ecodevelopment project. Evading questions on the fate of the people presently using the Park resources, the Director chose to concentrate on the positive outcomes that would follow from the ecodevelopment project.

Subsequent to this meeting, a local NGO Society for the Advancement of Village Economy (SAVE) decided to take the information to villages in the periphery of GHNP, with assistance from Navrachna. The NGO was mainly concerned with informal education and vocational training programs. Its leader, Iqbal Singh, became interested in, and involved with the GHNP issue because of demands from villagers for information on the ecodevelopment project. When it became clear that the Park authorities were actively hiding the implications of the Wildlife (Protection) Act from the people dependent on the Park, SAVE trained its workers to organize villagers. It began disseminating information regarding the ecodevelopment project, as well as the Wildlife Protection Act. SAVE activists then walked through the villages on the Park periphery in January 1995, holding meetings and informing people about the implications of the Park for their livelihoods. In a popular expression of dissent, protests erupted around the National Park in the spring of 1995. In early March, villagers blocked the road connecting the park to the district headquarters to prevent a bus carrying some villagers and forest personnel to an ‘exposure visit’ to another district, demanding information about how the project money was being spent and how the villagers were selected for the exposure visit. In a public meeting to disseminate project information held in the Neuli village on the edge of the park, the GHNP Director was manhandled and roughed up by local women, who demanded the truth. The truth, the Director insisted, was that the Park would not abrogate the rights of local people and the ecodevelopment project was the best thing to have happened to the region.⁵ Over the course of the first six months of 1995, the protests became more coordinated and organized across the three main valleys of the park—Jiwa, Sainj, and Tirthan—even as the trickle of official information continued to be scarce. The SAVE and Navrachna activists provided community leaders with information, infrastructure support for coordination, and access to park authorities.

⁴ Navrachna is a forum for discussion on issues of natural resource management and governance, based in Palampur but drawing its membership from all over the state. It was also a member of the Governing Body of Himachal Pradesh Biodiversity Conservation Society, the NGO set up to administer the Ecodevelopment Support Fund, as well as a nominated member of the State Biodiversity Committee, constituted to prepare the State Biodiversity Strategy and Action Plan. For details, see their website www.navrachna.org.

⁵ The author participated in the information campaign in 1995 as a representative of Navrachna and witnessed most of the events between November 1994 and July 1996.

Work started in earnest in April 1995 to repair the damage by the protests to political support for State Assembly representative Sat Prakash Thakur. The main instrument of confidence-building was, initially, gifts of pressure cookers to several individuals in the villages. Pressure cookers take less time to cook food, and therefore could legitimately be seen as helping reduce fuel wood consumption. Perhaps more importantly, the measure was designed to build bridges and gain entry into the community. Simultaneously, the process of setting up VEDCs and preparing microplans was also taken up. This activity, channelled by earlier confidence-building measures into a certain direction, was reduced to orchestrating the execution of the project through existing political and kinship networks. The pageant was choreographed by the imposing political persona of Sat Prakash Thakur, himself a senior and powerful Congress leader. Thakur had successfully lobbied for political control of the project monies and went about the task of activating local networks for distributing the largesse. During the 1995 protests, he was conspicuous by his absence in the affected villages, the protests having been taken over by the opposition political party. Working through the Park authorities that were only too amenable to his direction, he worked through party workers to attract attention of villagers to the potential patronage from the project. By the time VEDCs were being organized, Thakur was firmly in command of the disbursement of project funds.

Until mid-1995, panchayats—elected local governments at the level of a few villages—were not involved in the process in any way. The Ecodevelopment Project design stipulated that villagers would participate through the project-organized Village Ecodevelopment Committees. These were archetypical ‘parallel institutions’ that bypassed panchayats. On the other hand, panchayats were also not considered to be very legitimate by villagers, with few powers and even fewer resources. Things, however, were changing, at least at the level of rhetoric. The 73rd amendment to the Constitution of India in 1993 provided greater autonomy to panchayat institutions, and instructed state governments to enact suitable legislation to meet the new constitutional requirements. Himachal Pradesh passed a new law in 1994, incorporating many new provisions, but also leaving ambiguous the issue of discretionary powers and autonomy. Nevertheless, the national buzz around the new powers to be devolved to panchayats had percolated down to the villages in Himachal Pradesh. When elections to panchayats were scheduled in November 1995, a new dimension was added to the dynamic around the Ecodevelopment Project.

With the panchayat elections in view, the local leadership of the main opposition party in the state assembly—Bharatiya Janata Party (BJP)—moved to capitalize on the opposition to the Ecodevelopment Project. Even as BJP captured the initiative, the ruling Congress Party leader—Sat Prakash Thakur—mobilized his supporters in the villages to defend the project. Ecodevelopment funds were spent as patronage to win support for panchayat candidates, and indirectly for the project. In the short run, the panchayat elections became the battleground between the two political parties, and panchayats became linked to the Ecodevelopment Project in a manner not foreseen in project documents.

The results of the panchayat elections were mixed. The opposition BJP enjoyed only a slight lead over the other parties. Irrespective of who won in any particular panchayat, elected representatives became burdened with the responsibility of bringing Ecodevelopment funds to the villages. They were the links to district-level political leadership of both parties, the carriers of aspirations and grievances of villagers. Even candidates who lost the election stayed involved, acting as alternative couriers of information to the higher levels of authority. In the process, the Village Ecodevelopment Committees, still being constituted, failed to gain any legitimacy as interlocutors for ecodevelopment funds. Panchayat representatives, acting on behalf of their constituents, negotiated with the project directly. The Raila panchayat refused to cooperate with the project authorities until they provided written guarantees that the grazing rights of residents inside the national park were protected. The Shangarh panchayat welcomed the project with open arms, promising full cooperation. The Shrikot panchayat was divided down the middle, and conflict between the two sides led to sporadic acts of violence in 1996 over the location of project-related civil works.

The Panchayat representatives, who became important links to higher representatives and authorities for local villagers, were also evolving into even more important sources for the political leadership in accessing their constituents. As elections to the state assembly approached, the Ecodevelopment Project rose to prominence as the prime campaign issue in the Banjar constituency. In the elections to the provincial legislature in April 1998, the BJP candidate Karan Singh defeated Sat Prakash Thakur by a comfortable margin. BJP was also returned to power at the state level, and immediately set about making changes to the status quo in GHNP. The Park Director was replaced amidst a renewed rhetoric of participatory development through the project. The new Director made changes to the way ecodevelopment funds were being spent, urging dialogue with local leaders, including panchayat representatives. He started new initiatives, such as women's savings and credit societies and small-scale value-added processing of apricot oil at the village level. Soon, however, the focus of all relevant actors shifted from the Ecodevelopment Project to the National Park itself.

In November 1998, the state government signed a Memorandum of Understanding with the National Hydro Power Corporation (NHPC) for the construction of a hydroelectric project in Kullu. The Parbati Hydro-electric Project involved the construction of diversion weirs and related structures inside the National Park. In order to get around the Wildlife Protection Act-imposed restrictions on construction activity inside Protected Areas, the state government initiated proceedings for the final notification of the National Park. The initiative included a possibility of carving out the small area required for the Parbati project. A notification was issued on 24 December 1998. It called for claims for compensation of rights to be acquired for the National Park, and the issues were further clarified by senior officials from the Revenue and Forest departments in a public meeting on 5 January 1999.

Several community leaders and panchayat representatives from the affected villages met on 12 January 1999 to discuss the situation and ways to safeguard their rights. There was disagreement regarding the course of action. One faction wanted to ignore the official

process, as filing claim for compensation would indicate that the local people were willing to give up access to the Park. The other faction suggested that filing the claims was the best way to validate the locals' rights in the first place, and fight for continuation later. Ultimately, the second faction won the argument, and the representatives decided to compile lists of all rights enjoyed by their respective villages in a week's time. A committee of representatives including panchayat leaders put together a master list of rights for all the villages, and presented it to the Settlement Officer on 23 January 1999, a day before the limitation on the filing of claims ran out.

The final notification for the Great Himalayan National Park was issued on 21 May 1999, along with a settlement award for compensation of rights acquired.⁶ As details of the settlement award percolated down to the villages, people mobilized against the compensation provided. They also sought to forestall the closure of access to the Park for summer grazing and medicinal plant collection. The summer of 1999 was a period of turbulence and uncertainty. The villagers protested collectively against the notification and the compensation, while the Park Authorities sought to enforce the closure of the Park following the final notification. Eventually, in September, the national Member of Parliament from the Kullu constituency, Maheshwar Singh, came down heavily against the administration, calling for a suspension of the final notification until the issues were settled amicably between the villagers and the administration. Two aspects of this position of Maheshwar Singh are noteworthy: one, he was the elder brother of the Banjar representative to the state legislative assembly, Karan Singh, and two, elections to the National Parliament were scheduled for later that year. Both of these factors were exploited by villagers in persuading Maheshwar Singh to force the park authorities to suspend the implementation of the final notification.

Maheshwar Singh won the seat to the National Parliament in December 1999. Next year, the term of panchayats was coming to an end, and elections were scheduled for December 2000. Following the previous five years of increasing participation of panchayat representatives in local politics, the elections were even more keenly contested than before. Many of the young activists who had coordinated the protests against the Ecodevelopment Project and the final notification fought the elections to various local government offices, often as independents, without the support of either political party. The new panchayat representatives were thus closer to their constituents, and were more easily held accountable. They were also younger and more educated, less amenable to political control from above, and, given the reservation of seats for women in panchayats, more representative of sub-groups within the community. Panchayat representatives provided a crucial link between people and higher levels of elected representatives, and this role was strengthened through the almost continuous sequence of elections to office at different levels—local, state, and national. Simultaneously, panchayat representatives also enlisted the support of wider sections of the community in exercising the powers provided by the 1994 legislation, which until then were largely on paper. In 2002, for example, when a private contractor delayed payment of wages to local laborers working

⁶ The politics surrounding the final notification of GHNP is covered in greater detail in Chhatre and Saberwal (2005).

on the Parbati project, the Raila panchayat threatened legal proceeding against the contractor, leading to immediate payment of back wages.

Panchayats were marginal players in local politics in the GHNP area prior to 1994. With no powers of consequence and fewer discretionary resources at their disposal, they were considered nothing more than village level extensions of the district administration, carrying out tasks decided and designed elsewhere. Things changed on paper with the 73rd constitutional amendment in 1993 and the HP Panchayati Raj Act in 1994. Nevertheless, on the ground, even when the Ecodevelopment Project started in late 1994, panchayats were conspicuous by the absence of their representatives in opposition to the project. It was only with the panchayat elections in late 1995 that these institutions became involved in the movement against the Ecodevelopment Project. As panchayats evolved in their role as conduits between villagers and elected representatives to state and national legislatures over subsequent elections in 1998 and 1999, as well as to leaders of major political parties, local constituents—often divided into sub-groups of overlapping interests—also made the panchayats downwardly accountable. The subsequent panchayat elections in 2000 reinforced the accountability of elected representatives through active participation of villagers in the elections, and the candidature of several activists from the movement against the project. The presence of democratic elections at three levels interacted to provide sufficient opportunity to local villagers to voice their grievances to higher authorities at regular intervals, and generate a dynamic that resulted in increased downward accountability of panchayat institutions.⁷ By the 2005 panchayat election, the candidates for local offices were left in no doubt that their constituents would hold them accountable.

In a manner similar to the process in GHNP, communities in several parts of Himachal Pradesh harnessed the newly mandated panchayats to help them protest against the imposition of project components deemed undesirable. Some projects, such as the German-funded Changar Ecodevelopment Project in Kangra district, moved to incorporate panchayats formally in their design and implementation. By 2000, there was general consensus amongst donors, NGOs, and political leaders that future projects must be channeled through the agency of panchayats. The DfID-supported Poverty Reduction Through Sustainable Livelihoods Project, which commenced in 2001, envisaged the panchayat as the primary unit of planning for sustainable livelihoods. When negotiations started with the World Bank in 2003 for a project for participatory forest management in the middle Himalayas, as a follow-up to the earlier Kandi Watershed Project for the Shiwalik mountains, there was no doubt that the project would be implemented through panchayats. This contrasted with the Kandi Project which was implemented through parallel watershed committees. Project implementation in 450 panchayats began in September 2006. At the legislative level, the state amended the Panchayati Raj Act in

⁷ Whereas NGOs played a critical and catalytic role in precipitating opposition to the Ecodevelopment Project, their role in influencing the political process—either directly or through local communities—diminished over time as panchayats gained legitimacy. SAVE, instrumental in providing information and organizational support to local activists in the mid-1990s, had withdrawn all its activities from the GHNP area by 2000. Navrachna continued to provide a forum for local activists to voice their concerns regarding the National Park or the Parbati Hydro-electric Project at the provincial level, but maintained distance from local politics in the GHNP area.

2001 to extend the powers of panchayats to forest management, explicitly linking the new community-based forestry initiatives to local governments. Later, it promulgated the Participatory Forest Management Rules in 2002 to provide detailed guidelines for the involvement of panchayats in decentralized forest management. The experience of Ecodevelopment in GHNP was not isolated, but representative of trends in the rest of Himachal Pradesh. The trends in Himachal Pradesh likewise resonate with experiences in several other Indian states (see Heller (2000) for Kerala, Sivaramakrishnan (2000) for West Bengal, and Goetz and Jenkins (2001) for Maharashtra and Rajasthan).

CONCLUSION

“Institutions are never finished products.”

Anirudh Krishna

The process through which panchayats were made accountable to their constituents could arguably be attributed to one of several conjunctures in the story: the legal regime (peculiarities related to the Wildlife Protection Act applicable to national parks), design faults in the Ecodevelopment Project, political competition (the BJP-Congress rivalry in the Banjar assembly constituency), the presence of NGOs (SAVE and Navrachna) as catalysts, among others. However, the outcome of the process—increasingly representative and downwardly accountable local governance institutions—is visible all over Himachal Pradesh to varying degrees. The outcome is not a product of conditions peculiar to the GHNP region or even the Kullu district. In order to understand the relationship between accountability of local governance institutions and democracy, it is necessary to look at the larger context within which events in GHNP unfolded. Particularly relevant here are the two elements of political articulation—enabling electoral institutions and high competition between political parties.

The effects of recognition granted to parallel institutions that bypass local governments are mediated by the level of articulation in the political system. The mobilization against the ecodevelopment project and responsiveness of political actors to local demands is related to the space and opportunity for community agency. These are provided by the political system, both in terms of the institutional architecture for representation and the articulation of citizen mobilization and electoral politics. Community agency that opposition to the project manifested was easily transferred to local governments, making them more representative and accountable to their constituents. The presence of competitive elections with high levels of political articulation was also instrumental in the process. Representation and accountability were actively constructed from below, and the accountability of elected officials at higher levels was transferred to local governments. It remains to be seen whether local governments will play a significant role in providing the goods and services that were objectives of the ecodevelopment project.

A focus on the politics of institutional choice in decentralization is a welcome corrective to the naïve conception of local institutions as independent of the interests of external actors (Ribot, 2003; Hadiz, 2004). Nevertheless, it would be inappropriate to limit the examination of the politics of institutional choice to choices made by external actors—

such as, for example, creating parallel institutions instead of transferring powers to elected local governments. Instead, we must look at how the local governments themselves respond to such initiatives, how this response is mediated by the level of political articulation in the system, and how the intended beneficiaries of new institutional innovations navigate the reshaped terrain of local politics. Additionally, we must pay greater attention to the manner in which the larger political context enables or disables such responses. This paper argues that we need to ‘look beyond “well-behaved” local participation in specific government projects to a more openly political and even confrontational engagement with the government apparatus as a whole’ (Ackerman, 2004: 450) in order to make sense of how citizens respond to development, conservation, or other interventions ostensibly intended for their benefit.

In discussions of the role of external actors in decentralization, it is customary to refer to donors, local and international NGOs, and even government departments and parastatal organizations. It is a rare analysis that seriously considers the role of political parties and/or institutions of democratic governance such as parliaments or chambers of deputies. Analyses of Brazilian extractive reserves, set up after extended struggles and advocacy, continue to reflect this lack of attention to democratic politics (Goeschl and Iglori, 2006). In an otherwise insightful analysis of the experience and performance of extractive reserves in Brazil, Katrina Brown mentions interactions between all actors but political parties (Brown, 2002: 14). In a similar article, Brown and Resondo (2000) suggest that the chief gains to the Brazilian rubber tappers from the struggle to constitute extractive reserves are political rather than economic. But again, there is no mention of the long association of the rubber tappers organization with the trade union movement in Brazil, or with the Worker’s Party (PT), currently in power at the national level. Is it plausible that the political gains achieved by the rubber tappers are somehow linked to the ascendancy of PT to power in Brazil? Or that these linkages contribute towards making extractive reserves examples of accountable institutions? Anne Larson partially attributes this success to the ideological alignment of the rubber tappers with a political party that has ‘chosen to defend the rights of marginalized, particularly forest-dependent, groups’ (Larson, 2003: 222). But the process through which one political party aligns itself with the interests of what have hitherto been considered ‘local’ groups remains unexamined.

As mentioned in the introduction to this paper, the literature on decentralization dismisses elections as ‘crude’ means of accountability, trying to move beyond elections to discuss more finely graduated mechanisms (Agrawal and Ribot, 1999; Blair, 2000; Devas and Grant, 2003; Olowu, 2003). This article shows that elections are much more than punctuation marks in local political trajectories, and that their effects evolve over time, in dynamic interaction with other mechanisms for accountability (Agrawal and Ribot, 1999). Most importantly, multiple levels of elected officials provide competing sets of political spaces and actors that improve citizen access to public institutions, and these competing sets of office holders also improve the prospects of downward accountability (Blair, 2001: 123). The extent to which elections can perform such a role depends on the level of articulation in the political system however. Political commitment from above is considered crucial for the success of decentralization reforms (Toner and Franks, 2006;

Devas and Grant, 2003; Charlick, 2001; Ratner, 2006), but where does this commitment come from? This paper suggests that repeated competitive elections at multiple levels in an articulated political system can contribute towards the construction of political commitment to decentralization and local government institutions, as well as to democratic processes and power-sharing between different levels of government. Mobilized citizens may transform bad policies or dysfunctional institutions through collective action in a way that neither planners nor scholars anticipate. The non-equilibrium dynamics of democracy and local institutions preclude an ex ante design of the 'perfect' institution for any local setting. Greater research attention needs to be paid to the nature of community agency, and the level of political articulation or disarticulation that enables or disables such agency, in order to make sense of the variety of outcomes of decentralization policies in the developing world.

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