

**Panel 20**  
***Contours of local governance in South Asia: Legitimacy and Empowerment***  
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## **1. Conrad Schetter**

### **Conceptualizing Local Governance**

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#### **Abstract**

Due to the lack of vital state structures (e.g. Afghanistan, Nepal) and/or the devolution of power from the centre to the local level (e.g. India) local governance takes on a prominent role in politics across South Asia. However, modes of local politics are shaped by different traditions and external influences what lead to a high varieties of formations of governance. Thus this paper aims to understand to what extent differences as well as similarities in local politics can be found across South Asia. Hereby the bottom line of this paper is which factors generate legitimacy on the local level and are reflected in governance processes.

## **2. Siri Hettige**

### **Crisis of Local Governance in Sri Lanka**

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Given the multiple legitimation crises that the post-colonial state in much of south Asia faces, it seems unrealistic to expect the state to voluntarily bestow greater powers and legitimacy to lower tiers of government. Greater powers and legitimacy to the latter is often perceived by politicians at the centre as a threat to their own power and legitimacy. This is particularly so when the key functions of the state are largely undermined by violent anti-state forces, globalizing markets and multinational actors. Under these conditions, national political leaders often tend to take measures that are aimed at augmenting their own power and legitimacy in the public eye. This they do by incorporating or neutralizing their perceived competitors at lower levels of the political system, namely those at sub-national and local levels. When the state's capacity to formulate and implement socio-economic policies is reduced, political leaders are encouraged to resort to patron-client politics in order to maintain their links to the electorate. This often means going down to the local level and dealing with local issues or taking over functions traditionally assigned to local government bodies. This in turn undermines the authority and legitimacy of local level leaders resulting in a conflict of interest between the centre and the periphery, unless the national level leaders take measures to incorporate local level leaders and neutralize their resistance. On the other

hand, such measures naturally reduce the authority, legitimacy and functions of local authorities, thereby making the latter an appendage of the central government.

This paper looks at recent political developments in Sri Lanka that have gradually undermined the autonomy, legitimacy and authority of elected local bodies in both urban and rural areas. It argues that the increasing involvement of the central government in the management of local community affairs has greatly reduced the capacity of local bodies to perform their legitimate functions and maintain their autonomy and legitimacy. This has serious implications for development, local governance and public welfare in the country at large.

### **3. Sarah Byrne**

#### **Local governance practice in Nepal – experiences in community forest user group governance and local development planning**

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#### **Abstract**

Community forestry in Nepal has become, in the eyes of many, more than a means of managing forests for environmental and economic benefits, but an important vehicle for social transformation and for promoting ‘good governance’. Community forest user groups are among the most robust and legitimate governance institutions in the country. This paper analyses the experience of the Nepal Swiss Community Forestry Project (NSCFP) in attempting to build upon the experiences of inclusive representation, empowerment of disadvantaged groups, and participatory planning and implementation that have been generated through community forestry by supporting village level development planning processes in three of its partner districts. In supporting local development planning processes, NSCFP was responding to an increasing level of frustration expressed by citizens about uncoordinated development interventions, leading to overlapping and duplication of activities, as well as the multiplication of user groups and the frequent bypassing of local government structures. With local governments not fulfilling their role in coordinating local development, the multi-pronged approach to soliciting citizens’ participation in local level governance issues via a wide range of user groups, and to empowering a variety of spaces for this governance at the local level, inevitably leads to a certain complexification of the local institutional landscape and to high transaction costs for citizens who are obliged to participate in multiple consultation exercises.

Into this complex landscape, the village level planning processes opened up new spaces for local governance – new institutional arenas through which citizens could participate in negotiations and decision-making about their priorities for local development. Indeed, the process sought to channel decision-making about development priorities through one space, rather than the present multiple spaces. However, governance spaces are

never created in a vacuum; they react upon already existing spaces, on spaces which are simultaneous and overlapping and on the wider social-economic-cultural setting in which they are embedded. In defining its boundaries, the governable space of the village level development planning processes, being an inherently political process, and being carried out in the highly politicised environment of rural Nepal, was subject to contestations and conflicts of various kinds. Among these include the question of legitimacy – is such a demand-driven, people’s plan legitimate when the Local Self Governance Act gives planning authority to local governments, although these, following the decade long civil conflict, have not yet been re-established on a democratic basis? In the absence of an effective and accepted institutional (constitutional) framework for local governance, when the powers of local governments or even the basis on which they will be delimited is not yet clear, what constitutes legitimacy? Who has the legitimate authority to coordinate local development and facilitate the prioritisation of investments?

Indeed, NSCFP sought to legitimise its approach by basing it closely on the process already well known to citizens through community forestry: a focus first on people creating their own ‘constitution’ and setting the rules of the game, before entering into the planning exercise. However, the process legitimacy claimed by the project was contested by those who insisted that the local government take the leading role in local development planning, despite its present lack of democratic accountability. Positioning with respect to the legitimacy issue in different villages where the planning process was supported was strongly influenced by local social and political dynamics. Based on evidence gathered from focus group and key informant interviews, this paper analyses these two legitimacy discourses and how they were played out by different actors in the governance space created by the planning process. The paper finds that the legitimacy of the local development planning processes was most strongly contested where this was perceived as threatening a shift in the local balance of power.

#### **4. Vanita Leah Falcao**

##### **Potential to Empower: MGREGA and Women**

###### **Abstract**

As a result of the 73rd Constitutional Amendment, India has had a compulsory Panchayati Raj system of governance for over 15 years. This system makes possible the devolution of power from the Centre to villages i.e. the lowest possible level of local governance. Besides the decentralisation of power it also serves to connect the various levels of administration.

The National Rural Employment Guarantee Act (NREGA), 2005 renamed in 2009 the Mahatma Gandhi Rural Employment Guarantee Act (MGREGA), relies on this decentralized system of governance for its implementation. The Act requires every state in India to implement an Employment Guarantee Scheme (EGS) which sets out rules for initiating developmental works. The choice of works is to be made in consultation with people at the respective village level. The implementation of the MGREGA would not have been possible without localised governance such as the system of panchayats.

The paper first gives a detailed description of the implementation of the MGREGA, to highlight the decentralization of duties mandated by the Act. The focus of the study is then narrowed down to the Rajasthan Employment Guarantee Scheme (REGS). Questions about how empowering this Act has been for women are raised and

answered. Here, a special focus is laid on human security and whether it has increased or not. This study examines the economic, social and cultural spheres of the women of Abu Road. Along with highlighting the positive impact of the scheme, the paper will also draw attention to the ill effects it has had particularly in terms of women's workload and girls education. Finally, the possible link between the faulty implementation of the scheme and the ill effects observed will be explored. There is need to stress that the intent of the study was not to evaluate the implementation of the MGREGA in the context of Rajasthan or even at a block level, but instead to explore the potential of this Act to empower and include a group that is excluded more often than not.

This evaluation of the impact of the REGS is based on a 15 day study carried out in Abu Road block, Sirohi district, Rajasthan. This study is especially significant because of the demography of the site studied. Abu Road has a scheduled tribe population of almost 70%. A total of 131 women were consulted, using semi-structured interviews and focus group discussions. Another important aspect of the study was that a special attempt was made to speak with single women; as a result 20% of the sample consists of single women.

## **5. Soumyadip Chattopadhyay**

### **Decentralized Urban Governance: Participation and Accountability in West Bengal's Municipalities**

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#### **Abstract**

One of the major promises of decentralization is that it brings popular participation and accountability to local governance and, therefore, makes local government more responsive to citizens' desires and more effective in delivering services. The 74<sup>th</sup> Constitutional Amendment Act in India provides the much needed platform to operationalize the rhetoric of decentralization into reality. This amendment marks a distinct watershed in the concept and practice of citizens' participation in urban governance. Acknowledging the importance of participation in democratic local government, this paper, using primary data, evaluates the implications of constitutional provisions for participation and accountability at the municipal level in West Bengal. The study finds that a large gap exists between the rhetoric surrounding the constitutional provisions and their actual implementations. Political nature of the ward committee and thin attendance of the citizens in the meetings put a question mark on the efficacy of the WC as a true participative forum at the municipal level. The numerical representation has not transformed into effective representation with respect to participation of elected representatives and their accountability in municipal governments.

## **6. Anke Schüttemeyer**

### **Industry as agent of environmental governance in Indian cities**

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#### **Abstract**

Most Indian cities currently face high growth rates, accompanied by a lack of adequate infrastructure as well as changing political and administrative settings. These circumstances lead to several problems on a local scale. Water and electricity supply, sanitation, health support and the living conditions of the urban poor are the major challenges that need to be tackled in most Indian cities. While these processes are (scientifically) well observed in the Megacities, there is a growing number of secondary cities that also encounter high pressure on their environmental, social and economic situations. The goal of India's decentralization policy since 1992 was to strengthen the role of municipal governments; however, until today, the majority of cities has not been able to use this power to improve their situation. Especially those secondary cities that depend largely on polluting industries are suffering from huge environmental problems. The municipal government, in charge of implementing state and national laws and regulations, is frequently over-challenged. Therefore, it is on the local level that various types of governance processes can be found.

This paper presents results from a current research project (funded by the DFG/GRF), which focuses on the role of industrial agents in local environmental governance processes. The project looks at two secondary Indian cities – Pune (Maharashtra) and Kanpur (Uttar Pradesh). While Pune is dominated by a growing number of large international automobile companies producing for the Indian market, Kanpur on the other hand is a centre for small scale leather industry producing for the global market. Therefore, the branch of industry in both case studies is (in very different ways) involved in global value or production chains. Meeting certain environmental standards is demanded by lead firms and puts pressure on their suppliers. This way, international trade could also affect local governance processes. This research project identifies important agents and instruments for the local bargaining processes concerning the environmental situation as well as industry-related services (e.g. liquid and solid waste disposal, effluent treatment plants). More than 90 interviews (2008-2010) with local industries, industrial agencies, service sector agencies, public authorities on various government levels and local environmental NGOs highlight the complexity of local environmental governance processes and help to identify supportive and hindering structures for environmental upgrading.

## **7. Katja Mielke**

### **The case of rural Afghanistan: Patterns of legitimacy and empowerment in the face of existential struggles**

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If local governance is taken to mean more than local government, the question of local self-organization, i.e. actors and processes of decision-making and enforcement including conflict mediation come into view. Drawing on field research in Afghanistan's Northeastern Provinces Kunduz and Takhar, patterns of legitimacy and empowerment as they have been observed in highly resource-scarce and relatively resource-rich communities will be compared. Despite high expectations put forward by the local population towards the central government in Kabul and (though already less pronounced) with the respective provincial administration, the relationship with local government departments and offices in district centers and municipalities is characterized by high levels of distrust and dissatisfaction in both, comparatively resource-rich and resource-scarce areas. Yet, also the government agencies' perspective in regard to resource-scarce locations can rather be called ignorant. In view of everyday struggles for existence the local population is forced to rely on subsistence activities and remittances sent home by male family members, mostly from Iran. Sectors which are regarded crucial for the establishment of government legitimacy, such as security, economic survival, legal ventures (conflict mediation) and poverty mitigation are solely in the hands of the local community. Here the distinction in wealth often determines power and legitimacy in the favour of few community members whereas the majority is dependent on their mediation to advance own causes. The paper will take a detailed look at legitimacy and power structures of rural local society in both settings from the perspective of the deprived. This requires an opening-up of the 'black box' 'rural population' or 'local communities' which can be approached by taking a closer look at socio-economic differences and interdependencies within such communities.