



Traditional and Other Local Communities Governance Sangam 2024

**3rd-5th Aug 2024
Sittilingi, Tamil Nadu**



Acknowledgements

The “Traditional and Other Local Communities Governance Sangam” 2024 was organized by Vikalp Sangam and hosted by Tribal Health Initiative, Sittilingi, Tamil Nadu

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We would like to express our sincere gratitude to our hosts, Tribal Health Initiative (THI), who graciously hosted us at their campus. THI has been working in Sittilingi since 1993, supporting the local population in areas of healthcare, public health, farming, and crafts-based livelihoods.

We would also like to thank all the communities and the representatives who are still practicing traditional forms of governance for taking out time from their busy schedules to attend this gathering and share their valuable insights.

About Vikalp Sangam

This Sangam was held as part of a larger process called Vikalp Sangam. ‘Vikalp Sangam’ (VS) is Hindi for ‘Alternatives Confluence’. Vikalp Sangam is an evolving process that involves in its core functioning, over 90 movements and organisations in India.

The VS process started in 2014, emerging out of a search for grounded alternatives to the current model of ‘development’ that is built on ecological destruction and rising inequalities.

The VS process includes documentation of alternative initiatives across India, outreach with various kinds of people including youth, physical and online gatherings, and other forms of networking. It is a confluence where people share, collaborate, and reflect on their experiences and knowledge. This enables shared peer learning and envisioning of a just and ecologically conscious society. Additionally, the Sangam groups engage in collective advocacy for policy and systemic transformations. Visit [Vikalp Sangam's website](#) to learn more.





Context

The Vikalp Sangam at the Tribal Health Initiative, Sittlingi, in Dharmapuri District, Tamil Nadu, was held between August 4-6, 2024. Local groups from across the country were invited to participate in a three-day deliberation to discuss governance structures that they have continued to practice as communities since before colonialism and their current relationship and interface with constitutional provisions of the Indian state. The local hosts were the Tribal Health Initiative, Sittlingi, an initiative working on health, agriculture, and women's livelihood issues in Sittlingi for thirty years, while the organisational responsibility was that of Kalpavriksh.

It drew upon the deliberations and perspectives of an earlier Vikalp Sangam on Indigenous and Communities Worldviews held in November 2022 ([read report](#)), and in a sense, took that initiative forward. It was an attempt to highlight diverse ways of being and living and knowing of such communities across India, and to enable greater understanding and collaboration amongst them. The participants of the 2022 sangam included members of Adivasi or Indigenous communities like Warli, Mishmi, Dimasa, Gond, Soliga, Chakhesang, Oraon, Meena, and Lepcha, pastoral Maldhari and Van Gujjar communities, and Dalit women farmers from Telangana

Objectives of the Sangam

The key objectives were:

- A dialogue amongst Indigenous/Adivasi and local communities practising forms of direct democracy and local self-governance (including traditional and modern systems), in relation to economic, social, and cultural life and wellbeing;
- Understanding the experiences of the interface between traditional and modern governance systems and what learnings emerge;
- Understanding the key principles of such governance, including reciprocity and cooperation, egalitarianism, non-accumulative orientation, decision by consensus, living in harmony with nature, as well as inequalities and discriminations within such governance;
- Working out principles and recommendations for policy and programmatic action, towards alternative governance models that combine the best of traditional and new systems.



Sangam Planning Process

In planning meetings, the following constitutional provisions were taken cognisance of laws/policies directly mandating local political governance:

a. The national ones like 73rd/74th Constitutional Amendments and related laws like panchayat/PESA/urban bodies; and state ones that go beyond or are different from national ones with provisions for local governance, like for Nagaland, Sikkim (Lachung, etc), Ladakh

b. Laws/policies related to larger-scale governance with implications for local political governance, e.g., 6th schedule (governance at district or other regional level), Ladakh Hill council, British time ones that may still be relevant, like Chhota Nagpur Tenancy Act

c. Laws/policies relating to natural resources/commons which mandate local governance, e.g., Forest Rights Act, PESA, special state-level ones like Van Panchayats in Uttarakhand

d. Special Constitutional provisions such as the 371 A in Nagaland

A fairly detailed presentation on this was prepared, and while not presented, it formed the reference point for the meeting continuously.

Overview of the Sangam

The Sangam happened over a course of three days. The first day started with a welcome and introduction of all participants to the gathering, and setting the context for the meeting. Participants included representatives from communities across India that were still practicing traditional forms of governance as well as individual members and organizations working in the area of governance. Community representatives gave a small presentation on the key aspects and functioning of their governance systems.

On the second day, detailed discussions happened on key elements of the system, such as interface with state institutions, decision-making process, social equity of gender/caste, and management/custodianship of the Commons.

On the last day, all the communities drafted a **Declaration on Traditional Governance Systems of India** to add more recognition to these systems and further strengthen them.

The Sangam also had elements of cultural activities, including dance and singing performances by community members, as well as the sharing of local food that people had brought with them.



Key insights from the collective discussions

1. Need for coherence between systems

One of the most important perspectives that emerged from the Sangam was that a congruence, some confluence at least, of the community governance systems and the constitutional local governance systems needed to be established. Every single village panchayat had multiple institutions with likely compatible, sometimes overlapping responsibilities and capacities. This naturally causes confusion and sometimes discord, entirely unnecessary, but solvable problems. One of the most important issues was that the principles around which pre-constitutional governance systems were organised and that continued to be used by the communities, were not always understood or did not inform the constitutional systems. These were most evident in the work of biodiversity conservation, which has been an intensely debated issue in the last few decades. Biodiversity conservation is, moreover, impacted by international instruments and provisions. It was recognised that this area of concern seriously needed some light to clarify how the conservation tasks were to be undertaken and by whom.

This was directly related to the issue of the role of education in schools and universities in understanding governance issues. There is a clear disconnect between the principles and practices of community governance systems and constitutional ones. The latter are introduced in the education system as the legitimate sources of authority, also indicating broadly that the real power is vested in the instruments of the state, which the community has some control over and can exercise within broad constitutional provisions. Community governance systems, on the other hand, assume both the power and the responsibility of the community as primary, which turns equations around very differently.

What emerged was that modern democratic institutions, implicitly centralised in their orientation and viewing decentralisation at best as devolution, seemed strangely at odds with local, community governance systems that had been functioning since before colonialism.

2. Building leadership for the future

A very important concern that was almost uniformly expressed was about building leadership for the future, which can integrate traditional with the current local governance systems. Problems in this respect were at many different levels. The first was that young people were migrating in considerable numbers, looking for occupations and employment other than those typical of their communities. Well-known as an outcome of the impoverishment of traditional occupations and the unwillingness of younger generations to continue them, the issues pertaining to the communities were no longer primarily the concern of the young. Moving out of the village to take up other professions has meant the severing of their links with the issues that stem from the day-to-day concerns of village communities. In this situation, how things will be dealt with in the future, when the next generation needs to take on the leadership of local governance, whether of the constitutional or the older systems, has become a major concern.



3. Social equity in traditional governance systems

Whenever there is a discussion about the merits of traditional governance systems, invariably, the concern of social equity is invariably highlighted. It cannot be denied that inequalities based on caste, gender, and other hierarchies are most prominent in most communities, depending upon the specific region. The Sangam's discussions on this were openly accepting of this, going so far as to list the specific kinds of inequalities in the different communities that were attending.

The Maldharis, a pastoral community from Gujarat, are considered one of the lowest in the social order, and so are actively discriminated against on land issues. This remains a tricky question because this is linked to how their profession is having to adapt to pressures on land and their capacity to raise cattle and other draught animals on them. Earlier, they were greatly respected in terms of their knowledge of pasture lands and commons, which they used for their animals, within the seasonal cycles, with no pressure on the lands, while providing manure to the harvested fields, and offering wool and hide in exchange. But the prior arrangements between agriculturalists and pastoralists have changed, with panchayats deciding how much and which land was to be used by them, which changes the equations between communities.

Further, within them, the discrimination against women in the entire range of issues, whether of representation in their own governance systems or that of the work they do, continues at a basic level. There is active contestation by women in different ways, and these were discussed by the participants of the community attending the Sangam. Whenever there was an exposure to modern education, the women were able to articulate their ambitions more clearly. The difficulty though, was they were not able to access modern education easily. Traditionally however, they were the carriers of a significant amount of knowledge—about food, health of their community as well as cattle, a knowledge of the geo-spatial zones in which they travelled—all aspects of the pastoralist's life, as much as the men. Additionally, they also carried the knowledge of many crafts and exquisite handwork, which proved to be a saviour for them in different times of crisis. Interestingly, the women have formed their own pastoralist committees, in order that their knowledge be recognised both by traditional and modern technical entities. This way, they challenge the rules of tradition, while remaining within its rubric. In Saurashtra alone, another achievement they have had is that ten village panchayat institutions have recognised them as landholders, though they are not directly connected to the panchayats per se.

The Rai Centre is an unusual initiative in local governance, where there has been an active effort to bring the two kinds of systems to function in some harmony. The traditional systems of conflict resolution have been implemented by carefully



making space for the representation of both Adivasi and non-Adivasi communities. So, for instance, when the Pradhan of the Panchayat is a Gond, the secretary is a Patel. Of 2800 villages, the Centre covers 40, and there are 120 centres in all.

There is proportional representation of all communities, and new ones are added as and when their presence is registered. They have created a very good record of dispute resolution, such that when there is a crime, it is reported to the police and due process is followed. But whenever it is on broad questions of tribal welfare in particular, whether of the Forest Department or other such, the government approaches the Rai Centre for help. This is an example of a community organisation that asserts its known systems of management in many instances and has deployed them to assert its control over forest resources and the right to collect them for livelihoods and everyday life. This enabled them to create a fund from the sale of non-timber forest produce, which is being used for the expenses of the Centre. A short film on this by Naresh Biswas was also shared and discussed at length.

Of the north-eastern states, the two discussed were Assam and Nagaland. In Assam, while caste discrimination plays an important role not only in politics, but there is discrimination in employment and so on, the Dimasa community is a good example where this does not exist. While a significant proportion of women had acquired education, interestingly, that has not been able to influence the trend of their not inheriting familial property. The relationship between inequalities in caste and land ownership has meant that when there has been widespread privatisation of land, the upper castes have benefited.

Amongst the Dimasa, who are to be found in 5-6 districts of Assam and Nagaland, there are forty-two clans. They each have a Gaon Budha who is responsible for dispute resolution. For agriculture and commons management, Schedule 6 was deployed in 1952. In 1995, through Article 244 (a), they were granted an Autonomous status through the Autonomous Council. This gave them control of the commons, though customary law is not codified under the council. Over time, though, it has become clear that this council has become the site for Elite Capture, and the inequities within the community have surfaced.

In Sikkim, Dzumsa is a traditional institution, in which there is one person per household, mostly male. They are the final decision-making authority, which has oversight over all committees. They have done such good work that the BMC funds for biodiversity conservation now come to Dzumsa, and the JFM Committee is accountable to Dzumsa in carrying out plantations in their own time. The Panchayat Development Plan (CFR) accords them the authority of decision-making over the Non-Timber Forest Produce, and the Panchayat sub-committee has one woman, one man as gram sevaks.



In Korchi, the USS, which is the Joint Forest Committee at the gram sabha at the village level, has control over all decisions. There is a Sahniantran Committee, which means a Committee that controls by cooperation, has 11 members, half of whom are women. There is a Gram Kosh Samiti (Village Finance Committee) of the gram panchayat, a Forest Rights Committee for filing claims. Given that the BMC is not functional, the other three are the effective implementing agencies for MNREGA and help carry out forest works.⁴² Gram Sabhas have been formulated and are implementing the plans, of which the management of the Non-Timber Forest Produce (NTFP) is most significant. Because this is the most important source of funding, it has meant financial empowerment of the local bodies, enabling them to take on local work more systematically.

One of the most important local governance systems, where the customary rules as well as the Forest Rights Act have been the Van Gujjar in Himachal Pradesh and Uttarakhand. The communities are very assertive and have been able to negotiate their position with the local and state government to their benefit. A very important dimension of this has been to restore the sacred status of forests and other sacred sites of nature, enforce rules followed by communities earlier and thereby restore the verdant status of nature in these places.

In all of these, however, it was almost uniformly the case that while traditionally, the women had equal responsibilities, they did not have a say in the decisions, their knowledge was not taken seriously, and they were unable to report and receive redressal for complaints of harassment. In many of these contexts though, there had been good initiatives to mobilise women – into Self Help Groups, to insist on women doing the work in the panchayat when elected, thus doing away with the trend of the ‘Panchayat Pati’, creating mahila gram sabhas, insisting on bringing women into the gram sabha meetings and contest other kinds of gendered spaces. In Bhimashankar, a women’s group on Leadership with traditional knowledge was initiated, emphasising both the significance of the inherited knowledge of the communities and the leadership of the women who always carried this knowledge from one generation to the next and were not recognised for it. In all of the discussions, it was clear that changes have been sought and initiated by women, but implementing them was a very difficult task, yet not impossible, if tenaciously held on to. So clearly, there was room for both strengthening traditional systems, while challenging the inequities they had carried over time, and creating alternatives.



4. Principles behind traditional governance systems

It emerged from discussion around the groups that reciprocity and solidarity in the use of nature around communities, both within them and with others around, and nomadic communities, were the key principles behind traditional governance systems. Interdependence between all of nature and human beings and between all human beings seemed to be the common sense guiding the decisions taken by governance structures. Thus, every decision needed to be taken in the light of immediate requirements, but with a clear eye on possible repercussions in the future. This is also possible because nature's cycles are known, and the logical thing is to follow the cycles and be sure not to disrupt them because ultimately that would disrupt human existence. This key principle also makes for another foundational idea—of the limits of use of nature; that there has to be a point where it is 'enough'. This is what sets the boundary between use and abuse, and is perhaps the foundation of what scientists are calling 'planetary boundaries'.

5. Interface with modern governance systems

A number of issues were identified on the interface between the practices of governance inherited by local communities and the constitutional provisions, which repeatedly came up during the discussions. For each, the experience of communities differed, and it became clear that while there needed to be some principles that applied universally to all, such that basic constitutional safeguards were available to all, the specificity of concerns was equally important.

6. Managing of Commons and Custodianship

During the sangam, it was clear that one of the key roles of traditional governance systems is to manage the commons in a way that meets the needs of the local community as well as preserves it for the long run. Participants talked about the need of clear inclusive policies by the government to ensure the commons are not infringed upon without proper informed consent and there is equitable access to them. There were issues of elite capture of the commons in some regions. There was also a conversation on the importance of recognition of traditional wisdom related to the commons by the governments. The commons have a deep connection with livelihoods of the community as well.



Declaration on Traditional Governance Systems

On the last day of the Sangam, members from various communities drafted a declaration with the intention to strengthen the governance systems and put their collective voice behind it. The key action points that are mentioned in the declaration are as below.

- As communities we will assert our right to self determination and sustaining or reviving our traditional ways of self-governance and self-rule, seeking their complementarity with the panchayat system through empowerment of the full village assembly (gram sabha) at the level of a hamlet, self identified settlement, individual revenue village, among others, as has been provided for in the FRA and PESA. We also seek better understanding of our own customary governance heritage and of relevant laws and Constitutional provisions. For this, we seek the cooperation and understanding of all relevant institutions including of the government and civil society.
- Gram Sabhas as a unit of Decision making need to be strengthened, with devolution of financial powers (including to raise local revenues and use the proceeds locally), mandatory involvement in law and policy-making that affects them, and procedures of free prior & informed consent (FPIC) for all projects and activities that are in their area of jurisdiction. Changes in national or state laws and Constitutional provisions that enable this must be pursued.
- We need clarity on the inter-relations of multiple institutions of governance; this is particularly urgent in the case of traditional institutions and the Panchayati Raj institutions. Appropriate changes in relevant laws and rules of procedure need to be made.
- Custodianship of the local commons needs to be with us as local communities, and any use of such commons should only be with our FPIC.
- We commit to keeping our local governance institutions free from party politics as it tends to create conflicts within communities and doesn't really serve the purpose of strengthening democracy; we urge political parties to desist from trying to influence or take over local institutions.
- Internal injustices within the traditional systems (relating to gender, caste, ethnicity, etc), as also new ones introduced by external forces, need to be tackled .These internal inequities are being challenged by people's mobilisation and/or Constitutional provisions of non-discrimination and equality, and with that, the governance institutions themselves are changing. We commit to working further on this.



- We seek further documentation, and make known to the wider world the uniqueness and diversity of our cultures, languages, expressions, arts, crafts, knowledges, traditions, health practices, and their relevance for today and tomorrow. This will help in sustaining or reviving such ways of life, as also in intergenerational learning.
- We also seek support towards self-led and collaborative further documentation and , and sharing with the wider world, our initiatives in governance, food security and sovereignty, livelihoods, health, education and other fields, that are alternatives to the currently dominant systems.
- We commit to sustaining or reviving our community knowledge systems, while exploring and absorbing elements from other knowledge systems that will benefit us, and exploring educational systems that build on our knowledge, culture and language.
- In all of the above, our central involvement must be ensured, and our full contexts be reflected, rather than any actions that are piecemeal and extractive.

As a follow-up the above declaration will be launched online to the larger public. The complete declaration in Hindi and English is available at: <https://vikalpsangam.org/article/declaration-on-traditional-governance-systems-of-india-in-english-and-hindi/>

Some questions that emerged from the participants

Following questions emerged from the participants:

- How can we understand the role of the education system in deepening awareness of governance issues?
- How can we integrate issues of traditional governance systems in the Gram Panchayat Development Plan(GPDP)?
- How can we build leadership for the future that integrates traditional governance systems with contemporary systems?
- How can multiple institutions existing the same region co-operate with each other more seamlessly?



Pictures from the Sangam





Participants List

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Ameer Hamza, Van Gujjar Community, Van Gujjar Tribal Yuva Sangathan, Uttarakhand
Arjun Swaminathan, Independent Filmmaker, Bengaluru, Karnataka
Arvind Tekam, Gond Adivasi, Panchgaon, Maharashtra
Ashish Kothari, Kalpavriksh, Pune, Maharashtra
Baba Mayaram, Independent Journalist, Madhya Pradesh
Bhavana Rabari, Maldhari Mahila Sangathan (Pahel), Gujarat
Chandramouli Sharma, Kalpavriksh, Pune, Maharashtra
Gwasinlo Thong, Rengma Naga tribe, Sendenyu Village, Nagaland
Hishey Lachungpa, Bhutia tribe, Lachung Region, Sikkim
Khambhala Hajabhai Bhurabhai, Maldhari Community, Kutch, Gujarat
Khambhala Jashuben, Maldhari Community, Kutch, Gujarat
Kumra Vittal Rao, Gond Community, Centre for Collective Development, Andhra Pradesh
Lakshmi Venugopal, Inner Climate Academy, Tamil Nadu
Madhulika Banerjee, Professor of Political Science, Delhi University, New Delhi
Mayalmit Lepcha, Lepcha Community, SILTA, Dzongu region, Sikkim
Naresh Biswas, Activist, Chattisgarh
Nawang Tsering, Goba of Leh, Executive committee of Ladakh Goba Association
Neema Pathak Broome, Kalpavriksh, Pune, Maharashtra
Ramit Basu, Development Practitioner, New Delhi
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Tsewang Stobdan, General Secretary, Ladakh Goba Association & Goba of Alchi village
Usha Bhokate, Mahadeo Koli Adivasi, Bhimashankar, Maharashtra
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