

THE SOCIAL CONSTRUCTION OF ORDER AND DISORDER

IN TWO SOUTH INDIAN COMMUNITIES ¹

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The commonest way of settling disputes and maintaining order in communities in traditional India has been through village councils, known as *panchayats*. Even today in most rural communities *panchayats*, which consist of about five village elders, help toward the settlement of disputes. Recourse to official criminal justice agencies has not yet become a common phenomenon, as it is in most industrialized societies. However, as Indian society industrializes, this *panchayat* way of informally settling disputes could become outmoded. There is a gradually increasing trend toward resorting to litigation in courts.

There have been studies and descriptions of formal litigation in India (Kidder 1973, 1974a, 1974b, 1977, 1983; Mendelsohn 1981; Galanter 1968; Khare 1972), but few in-depth studies of the informal, traditional village *panchayats*, which have been noted in passing in many ethnographies and articles as performing various administrative and dispute settlement functions. Some studies are available on the *Nyaya (Justice) Panchayats* in North India (Morrison 1971, 1972, 1974; Baxi and Galanter 1979; Meschievitz and Galanter 1982; and Moore 1985), introduced by the Indian Government through legislation in many states. My study focuses on the traditional *panchayats* in two villages, Anbur and Pudur, in Tamilnadu State, South India. It reveals what cultural and social structural features promote *panchayat* success and what features lead to its failure.

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COLLECTIVE ORIENTATION AND INFORMAL JUSTICE

Panchayats, as any other communal institution, can function effectively only when they are founded on collectivistic traditions. These make possible popular participation and collective support. Only then have *panchayats* empowerment to settle disputes and regulate the lives of community members. On the other hand, if a community is based on individualistic principles, people pursue their own private ends without caution or concern for what happens to their community. The *panchayat* under these conditions lacks the necessary community support to be authoritative in deliberating on disputes and making decisions. In other words, for successful *panchayats* communities must be based on what Durkheim (1933 [1895]) calls mechanical solidarity, in which people in small rural communities have similar occupational experiences and develop common perspectives which bind them together. This is opposed to organic solidarity in large urban communities, in which people perform complex and divergent occupations, which generate a multitude of dissimilar perspectives that divide them. Tonnies (1963 [1887]) in a similar vein refers to the former type of community as *Gemeinschaft* and the latter as *Gesellschaft* communities. Communities with mechanical solidarity and *Gemeinschaft* relationships are well suited for conciliation, mediation, and the *panchayat* type of justice. Communities founded on organic solidarity or *Gesellschaft* principles either do not have such systems of informal justice, or do not have systems which can be functionally effective.

INFORMAL JUSTICE IN A COMPARATIVE PERSPECTIVE

A review of ethnographic literature outside and within the Indian subcontinent supports the view that a collective orientation in communities is a basis for the informal settlement of disputes. In traditional China, where hierarchy and a collective way of life were stressed with an emphasis on harmony in human relations, informal settlement of disputes was practised in preference to official modes of dispute settlement; official modes were thought to bring disruption and disharmony to community life and to human relations (Yang 1945; Lubman 1967). In the socialistic societies collectivistic attitudes stimulated people to submit to dispute settlement by representatives of their own communities and work organizations (for China see Cohen 1967; Lubman 1967; Crockett and Gleicher 1978; for Cuba see Berman 1969; Canter 1978). The cohesive and egalitarian type of life among the Zapotec has been noted to favor "making a balance" in the settlement of disputes at the informal court of the community's Presidente (Nader 1969: 69-91). In Japan (Kawashima 1963), as in Korea (Hahm 1967) and Thailand (Engel 1978), the objectives of 'saving face' in the eyes of one's community members and living a harmonious life without friction

led disputants to resort to conciliation and mediation with minimal use of the official systems of justice. Similarly the Liberian (Gibbs 1963) and Ghanaian (Lowy 1978) moots founded on socially integrative community traditions entailed peace-making through public participation in the settlement of disputes.

Most examples of the success of informal institutions of justice are noted in communities of traditional and small-scale societies. This is because the collective traditions in communities of these societies have not been severely disrupted by influences of industrialization, urbanization, and modernization, or they have adjusted their informal institutions of justice to their changing needs, as have some Thai (Engel 1978: 205-209) and Japanese (T.C. Smith 1961; R. J. Smith 1983) communities. It seems that as long as communitarian values prevail in these communities informal settlement of disputes will be successful.

The efforts put forth to induce informal methods of settling disputes in communities of industrialized, urbanized, and modern societies have largely been a failure. Industrialization, by creating complex divisions of labor, disturbed the symbiotic relationships that once prevailed in rural communities. As this type of life has become commoner in urban communities in these societies, efforts to introduce informal systems of community justice have failed in the absence of a needed collective focus and a willingness on the part of the people to submit to community authority. Thus, in relation to informal justice centers, Merry writes:

...since American centers function in large metropolitan areas, the community pressures necessary to induce disputants to accept a compromise settlement are generally absent. (Merry 1982: 34)

Under these circumstances, if people feel the urge to take action against their adversaries, albeit private action, they often prefer the official system, as they seek punishment for the offender more than a peaceful settlement; as they desire to be regulated more by superior authority such as the official court than by mediators in the neighborhood equal to themselves; and as they fear that injustice may be done by mediators, who may represent sectional and class interests more than the official system would. However, certain dispute-settlement projects, such as that in San Francisco, which emphasized the building of civic responsibility among community residents to resolve community problems, including procedures for dispute settlement, showed promising results (Shonholtz 1987: 42-53). In addition it has been noted that certain ethnic communities where social ties are strong and the authority of community leaders is positively perceived are able to settle interpersonal problems through local leadership (see Doo 1973 for Chinese-American communities and Gans 1962 for

Italian-American communities).

THE PANCHAYAT AND INFORMAL JUSTICE IN INDIAN COMMUNITIES

The Indian context provides both opportunities for and barriers to success for the *panchayats* in settling disputes. In traditional India the *panchayats* were very successful under the hegemony of the caste hierarchy and collectivism emphasized in the stratification of communities. Village *panchayats* dealt with disputes arising from issues of intercaste relations and appropriateness of ritual behavior of the various castes. The caste *panchayat* regulated the behavior of individuals within each caste and saw to it that ritual expectations due to the caste were carried through by its members.

With the introduction of British law and the laws of the Indian government after independence - which emphasized equality as opposed to caste hierarchy, and individual rights as opposed to submission to caste and community requirements - Indian communities began to change (Cohn 1959: 90; Kidder 1977; Beteille 1986). This, along with the egalitarian and individualistic influences of an industrializing and economically developing society, created serious disturbances in communities, which had been largely based on caste principles and holism (Marriott 1955: 178; Rudolph and Rudolph 1967: 111; Beteille 1986: 123). Indian communities today are undergoing a wide spectrum of changes. Lower castes are trying to establish their superiority to certain other lower castes and equality with higher castes. In these efforts they have built fictions about their superior caste origin, and have adopted the 'clean' habits of the higher castes, which Srinivas (1966) refers to as "sanskritization." Sometimes higher castes have given tacit approval to such claims of some 'decent' castes, but with others, especially at the lowest caste levels, they have not. As higher caste statuses are also linked with higher class statuses, this has created problems especially for oppressed and poor castes, such as the Harijans, who are kept under and as a whole are unable to improve their caste and economic statuses (Beteille 1965, 1972; Mencher 1974). Higher castes can 'hit' the lower castes, especially Harijans, 'in their stomach' and make them behave submissively. Sometimes organized efforts to keep the Harijans lower resulted in Harijans protesting against their exploitation (Kolenda 1978), often with violent reprisals against them, causing their ultimate subjection (Joshi 1986: 7). Thus both caste and class consciousness promote friction within Indian communities.

At the same time, however, factions have also developed within both higher and lower castes, creating alliances that reduce caste animosities, but increase intra-caste disunity. The development of splits within higher castes competing for

status and power has created factions in which many castes participate and take sides, even sometimes at the expense of the needs of their respective caste unity. Some Harijans in Harijan communities, for instance, have supported higher caste factions, ignoring the demands of loyalty to their own group. Dissensions, factions, and disputes have been noted among the Rajputs in Senapur (Cohn 1959), in Khalapur (Hitchcock 1963, 1971), in Mohana (Majumdar 1958), and in Sirkanda (Berreman 1972); the Brahmans in Kishan Garhi (Marriott 1955: 175); between close kin in Haripur (Mendelsohn 1981); and in Arunpur (Sharma 1978) within higher castes and lower castes. Factions represent struggles for power. The aim is to make one's adversaries and their associates suffer and render them powerless, and in these attempts disputes are escalated and often taken to official courts for publicity, harassment, and punishment (Cohn 1959). Such intercaste alliances have dampened prevailing caste animosities and promoted accommodation and cooperation, the lower castes recognizing the unavoidable caste differences, and yet cooperating with higher castes in the context of their economic dependence on the higher castes. An implication that can be drawn from this is that at the individual level, regardless of caste membership, people also compete for economic benefits and personal improvement.

These caste rivalries, class differences, and factional splits, along with growing egalitarianism and individualism, have disrupted Indian communities. In these contexts, the effectiveness of *panchayats* in settling disputes has been severely affected. Many and opposing normative perspectives suited to caste, class, factional, and individual interests have surfaced, and village *panchayats* have been unable to harmonize these diverse normative perspectives. Where the *panchayat* elders represent higher caste and class interests, the lower castes and the poor often do not find justice suitable to their egalitarian consciousness. Many *panchayats* have lost credibility. When factional conflicts are brought to the *panchayat*, they cannot be settled, as most villagers are themselves participants in such conflicts and are inclined to escalate them rather than harmonize. Many *panchayats* do not receive empowerment and can not do much about creating peace. Under these circumstances neither the traditional *panchayats* nor the government-introduced *Nyaya (Justice) Panchayats* are effective. The *Nyaya Panchayats*, created to promote democracy and equal justice, became an instrument of caste and class oppression, as many of the elected members tended to represent higher caste and class interests (Morrison 1965; Baxi and Galanter 1979). In their study of *Nyaya Panchayats* in Bharatpur, Uttar Pradesh, Meschievitz and Galanter write:

What was to be a neutral, unbiased body of local leaders helping to negotiate and mediate petty disputes has either

become a stronghold of landed elites and dominant castes, or in other localities, been stillborn (Meschievitz and Galanter 1982: 68).

Further, because people in various communities, including single-caste communities such as Pudur, have become egalitarian and individualistic, settlement of disputes in *panchayats* has become difficult. Disputants and their supporters argue from their own individualistic perspectives in the *panchayat* forum, without yielding to peace-making efforts and the authority of *panchayat* elders. Similar occurrences are noted in Susaipuram (studied by the author).

Nevertheless, cohesive communities, where *panchayats* seem to be effective, can still be found. Traditional multicaste villages still bound by the caste system and single-caste communities that have a collective focus have successful *panchayats*, especially if they are geographically removed from urban areas. Malaradu, a multicaste remote village (studied by the author), presents a more cohesive village functioning largely within the context of traditional caste occupations. Here higher caste and class status coincide, with the lower caste poor performing caste functions, without which they cannot earn their livelihood. The village *panchayat*, consisting of higher-caste individuals, wields great authority in bringing disputes to conclusion. Similarly, Hayden's (1983) study of Tirumal Nandiwalla in Maharashtra provides a good example of a remote and cohesive village where the *panchayat* functions successfully. Also Rosser's (1952) study of the Kanets of Malana, a single-caste Himalayan village, reports a successful *panchayat*. On the other hand, multicaste villages near urban centers exhibit problems of unity. In Selvapuram, a multicaste village near the Chidambaram-Annamalainagar urban area, where caste and class feelings run high, the *panchayat* has disappeared. Pudur, one of the subjects of this article, is also near that urban area and undergoing severe disruptions. However, the single-caste Harijan village of Anbur, the other community included in this study, though near Pudur, adjusted to the individuating influences of the area differently and has a successful *panchayat*. Because they have a strong, continuing tradition of collective orientation, they have been able to keep individualistic influences under control.

In order for a *panchayat* to be successful, therefore, the people in the community should have a collective orientation. This is found in three types of communities. First, it is found in remote multicaste rural communities, where there is traditional interdependence of castes based on occupational specializations and relations that are vital to the stratification of the communities. Multicaste communities near urban centers where many villagers find wage labor away from the village tend to have weak integrative links. Second, a collective orientation is often found in traditional and remote single-caste rural

communities where commonality in caste status provides a strong base for it. Third, a collective orientation can sometimes be found in single-caste communities located near urban centers as well. This is because some of them include residues or traditions of communitarian life that allows them to continue to be collectivistic, such as in Anbur. Each of these community characteristics - rural location, single-caste community, and communitarian tradition - is important. Each by itself often allows for effective *panchayats*, but *panchayats* are most successful when all three characteristics are present in a community.

ANBUR AND PUDUR, AND THEIR PANCHAYATS

On the basis of my interviews with the elders of the Anbur and Pudur *panchayats*, young and old, and men and women, and of my observations of the *panchayat* fora and community life in Anbur and Pudur between 1988 and 1990, I have conceptualized their cultural and social structural differences to explain the success of the Anbur *panchayat* and failure of the Pudur *panchayat*. Anbur and Pudur are two small villages about 250 yards from each other. Anbur has a population of about 300 people living in 54 households, and Pudur has a population of 293 people living in 65 households. The peoples of these villages share many common characteristics. All people in Anbur are Harijans (specifically, Paraiyars) who belong to one of the most oppressed castes in the Hindu caste hierarchy, referred to as untouchables. In Pudur most people are Harijans, many of them related to people in Anbur, except for a few persons who belong to Padayachi and Kallar castes, non-untouchable lower castes, above the rank of Harijans. As most people are poor they live in small mud huts with thatched roofs. Each village has a few college-educated individuals, but most persons have less than high school education. Some have permanent jobs in the neighboring towns of Chidambaram and Annamalainagar. Most are daily wage earners in construction work. Many, especially women, participate in seasonal farm work.

CASTE RELATIONS IN THE AREA OF STUDY

Anbur and Pudur and their *panchayats* must be seen in the context of the relations between Harijans and caste Hindus in the Chidambaram-Annamalainagar area. The Harijans are the lowest in the caste hierarchical statuses, below the four main caste categories, Brahman, Kshatriya, Vaisya, and Sudra. They are often considered as outsiders to the caste system, and yet part of it in removing the 'pollution' of the community. There are also many discrete castes or *jatis* among Harijans, as there are among the higher castes. Since

traditional times, physical contacts between the Harijans and higher caste Hindus have been prohibited under the caste rules, as Harijans are thought to be ritually polluting to 'pure' higher caste Hindus. This is because Harijans performed 'unclean' and religiously polluting occupations, such as removing dead animals and garbage from the streets, cremating dead persons, and skinning animals and working with leather, even though most were employed in agricultural work. Present laws in India prohibit untouchability and discrimination against Harijans, but untouchability is still practiced as custom. Harijans are considered to be basically stupid, uneducatable, lazy, and sexually loose. In comparison to the educational and economic advancements that many higher and lower castes have made, Harijans for the most part lag behind, in spite of special government supported programs created for their uplift and progress. Centuries of oppression and continuing discrimination against them account for their underdevelopment. However, many are receiving education and some occupy very important positions in government.

In the meantime, however, fears and jealousies infect many in castes above the Harijans. They would like to see Harijans held in their low place, as they fear that Harijan improvement could tilt the caste hierarchy, and give the Harijans higher class statuses. They would like to see their own caste and class superiority over the Harijans continue. In the context of such attitudes and feelings, higher castes with the cooperation of lower 'clean' castes use violence to discipline Harijans and keep them in check (Beteille 1965: 146-161; Joshi 1986: 7; *The Hindu* 1991: 1). In the communities surrounding the Chidambaram-Annamalainagar area, there are strong feelings against Harijans, especially from lower 'clean' castes such as the Padayachis and Kallars. There have been violent attacks on Harijans and Harijan villages in the area. In this uneasy and dangerous context, most Harijans realize the importance of developing and maintaining village unity and peace through institutions such as their *panchayats*.

PANCHAYATS IN ANBUR AND PUDUR

Both Anbur and Pudur have traditional village *panchayats* (councils) called *naaTTaanmai*, each consisting of five elders, all male, who are responsible for local administration and dispute settlement. Anbur has a long-established *panchayat*. Pudur village was founded in 1967 and its *panchayat* in 1973, after a housing colony developer had bought out the land close to Anbur, where Pudur villagers had lived in scattered family and kin groups under the Anbur *panchayat*. Traditional *panchayats* are not legally recognized in India, but they exist mainly because of past traditions, the support of the people in the communities, and informal recognition given by all, including agents of the official criminal justice system. By tradition both women and unmarried young

men do not participate in the *panchayat* meeting, unless they are connected with village problems or disputes. The Anbur *panchayat* has been very successful in local administration and dispute settlement, while the Pudur *panchayat* lacks the ability to effectively regulate people and successfully settle their disputes.

Even though Harijans in general tend to be somewhat more individualistic and independent than other castes, due to poverty and most family members working for a living, the people in Anbur present more collectivistic, rational and moralistic traditions and behavior patterns than the people in Pudur. Because of this Anbur people resolved their disputes cautiously, sensibly, and peacefully with commitment to their collective concerns. In contrast, the people of Pudur are more individualistic and sectarian in the absence of the traditions and morality needed for order in their community. Often decisions made by the *panchayat* were not complied with, and many disputes that arose could not be processed by the *panchayat*. Furthermore, the *panchayat* failed to take the lead and make decisions on important disputes, and the people themselves often failed to take their grievances to the *panchayat*, but resorted to self-help, and in this way endangered the whole community.

DEFINITIONS OF ORDER AND DISORDER IN ANBUR AND PUDUR

The peoples of Anbur and Pudur as participants in the day to day interaction within their own communities are well aware of their current communal ways of life. They also have a generalized notion of how life was in the past. In the context of what they know of the past and present they have constructed definitions about their communities that are markedly different. The people of Anbur often stated that overall their way of life is as orderly as it had been, and they expected this would continue, while the people of Pudur often said that their way of life had become disorderly and they thought it would worsen. From their descriptions of their way of life, what 'order' means to people in Anbur and 'disorder' means to people in Pudur can be inferred.

Order in Anbur is conceptualized as the behavior of people within the limits of what is accepted and expected in the community. For them, life is generally orderly because there is little aberration and friction among people, and when disputes arise they are settled amicably under the authority of the *panchayat*, to which the disputants submit in search of a peaceful settlement. Disorder in Pudur is thought of as a condition that evolves from the behavior of people who do not follow the framework of what is accepted and expected in the community. Their community has become disorderly because people behave in atypical, immoral,

and dangerous ways, and when disputes arise they cannot be effectively settled by the *panchayat*, as the disputants argue to make wrong things right. The *panchayat* no longer derives power from the people and the disputants do not easily submit to *panchayat* authority for they seek interests that are divergent and irreconcilable.

Anbur elders and their views

I first interviewed the village headman (*talaivar*)² of Anbur, who had been in that position for the last 40 years. He said that people in his village are basically good (*nallavankal*), except for occasional minor quarrels and disputes that occur in the family, among kinsmen, and between neighbors. According to him many of these arise primarily because of drinking. Most of these disputes dissipate when people become sober and realize their mistakes. For him, overall, people conduct themselves in an orderly and respectable manner (*ganyama naDanthukuraanga*).

When I asked the *panchayat* elders about their views of respectable persons, they expressed many shared ideas. For many, respectable persons are those who are not a target of gossip, or badly (*kevalama*) talked about. In the affirmative sense, they stated that respectable persons have fear of God (*kaDavul bayam*), abide by the advice of their elders (*periyavanga solvathai keeTkurathu*), have self-control (*aDakam*), and are helpful (*oothavia*) to others. Additionally they have big hearts (*perunthanmai*), are forgiving (*maNNippu*) of others' mistakes (*tappu*), help toward improvement (*munetram*) of the community, contribute to the general welfare (*podunalam*), and abide by community controls (*oor kaTTupaaDu*). When asked if all the people have these characteristics, many said that most people are of this character (*tanmai*), with some having more or less of the various characteristics. They said that most of the time life is peaceful (*amaithiyaa irukku*) in the village.

One informant, aged 25, son of the village president and president of the Students Association in the village gave me an example of an ideal family in the village. The head of this family is about 55 and a member of the village *panchayat*. He, his brother, who is 50, and their two families live together. Both brothers get along very well. Neither he nor his brother drink liquor. The younger brother, the wives, and children abide by the authority of the elder brother and live happily. They have lands and all the family members work on

2 Anbur has both a village headman and a headman of the *panchayat*; Pudur has only a headman of the *panchayat* as its village leader.

the farm. They are thrifty and economically well-off. They are very self-controlled and helpful to others, and do not involve themselves in village gossip or quarrels.

In the view of the *panchayat* elders, their community is not perfect. Many said in any community there will always be some problem or other. They do have some quarrels and disputes, but these are not of a serious nature, nor do they occur frequently. When disputes do arise they are often peacefully settled by the *panchayat*, and people often adhere to their decisions. They said people are generally kind to each other, when problems arise among them they become temporarily angered, but they eventually forget their differences and reestablish relationships.

Pudur elders and their views

The elders and people of Pudur differed markedly from Anbur elders in their perception of their village life. The headman of the village said that the people are bad (*mosam*), do not conduct themselves respectfully (*ganyama naDaka maaTTenguraanga*), are not self-regulating (*aDakama naDaka maaTTenguraanga*), and act in a disorderly (*tharumara*) and wild (*kaaTTuthanama*) way, like cattle untied from their posts. He wished that people were like upper caste individuals, who are self-respecting and self-regulating. The elders feel that the people behave irrationally (*buthi ellama*), angrily (*kobama*) and dangerously (*abathu karama*) without thinking about the consequences (*muDivu*). They said drinking has become a way of life and that both the young and old drink and get into quarrels and fights. Some said that people have lost a sense of right (*nallathu*) and wrong (*keTTathu*) and are behaving amorphously (*kalithanama*) and headlessly (*thalai ellama*). They often mentioned that people are concerned about their own desires and care less about others. They said that if they remained quiet without causing problems to others, that would be fine, but lacking in regard for others they interfere with others' lives and come into conflict. The headman said he is not even able to control his younger son. He said the son associates with the wrong people, drinks, gets into fights, and does not listen to good advice given for his own well-being and improvement. He said the people nowadays feel that they know everything, and feel equal with their elders. He said the thinking has become: 'You do not listen to what I say, so why should I listen to what you say?' (*Nan sollurathai nii enna keTkurathu, ne solurathai nan enna keTkurathu*). People do not take advice.

The elders also shared the view that many disputes arise and said that they try to deal with them. Frequently people do not follow their decisions and keep making

the same mistakes. Their authority is taken lightly. People are revengeful and hold grudges toward their adversaries, without realizing that they are also their fellow villagers and that they should reconcile with them and behave responsibly for their own peace and the peace of others in the village. One of the elders said that the village has become a dangerous place and he is thinking of moving into nearby Anbur, where people are peaceful. The headman of the village *panchayat* finally stated: "The village has deteriorated (*oor keTTapocchi*) and the village is not in order (*oor sari ellai*)." He said he expected further deterioration and troubles.

The views of people in Anbur

In Anbur people have respect for their elders, seek their advice and abide by it. They have greater dependence on parents and elders. Parents encourage their young to go to temples, go to school, and to engage in constructive activities. There are two temples in the village, one for Kali and another for Murugan. There are also two other temples in a neighboring higher income community which they visit, and they go to the famous Natraja temple in the nearby town of Chidambaram. Parents and elders encourage the young to make improvements in their lives, for which they did not themselves have the opportunity. Respect for elders, morality, and improvement in life are considered important for children. As children are reared in these contexts there is not much of a generation gap between the young and old. The younger generation has higher educational attainments than the older generation, but this has not created arrogance on the part of the younger generation. Instead, it has promoted reasoned appreciation for the elders and the traditions of the community. In fact, the educated young are much more involved in helping others and in community-building activities than their elders.

The young men of Anbur created in 1976 an association for themselves, referred to as the Students Association. The members of this association are children, students, and unmarried young men. However, married young men and previous members of the association are also involved in its activities. The elders encourage and support the activities of the association, and praise its accomplishments. It runs a night school for tutoring children, reads documents for the illiterate, settles differences and disputes among young people, and creates and performs dramas. One of the dramas stressed the need for village unity against economic and sexual exploitation by rich landlords; another stressed the need for family harmony and respect for elders.

Sometimes with the enthusiasm they have for improving their community, the young men engage in activities without consulting *panchayat* elders. The elders

resent this. They are also somewhat envious of the activities of the young men, because they accomplish much and receive praise from the community. However, the people recognise that the elders have important roles in village administration and settlement of disputes, and that the members of the Students Association would not be good at these activities. This recognition was reinforced a few years ago. The members of the Students Association in 1985 became critical of their elders' administration and wanted a new *panchayat* to be constituted with younger married men (in their 40s). They also argued that the present elders had been in office for the last 15 to 40 years and they were getting old, and that some young men should gain experience in village administration so as ultimately to replace them. They wanted the elders to remain in an advisory capacity and help the young men run the village. The elders gave in and a new *panchayat* was created. A year later the young men returned the positions to the previous *panchayat* elders, because they had found that they could not exercise authority over the villagers due to their youth and inexperience. In a way, the members of the Students Association and the village *panchayat* are in silent competition with each other in community-building activities and in gaining recognition from the community. But out of this competition constructive activities emerge rather than dissension. When the elders complain, the young men listen and apologetically receive their criticisms, and promise to behave more responsibly in the future. When the young men make rational arguments, the elders also listen and become accommodating. The elders, apart from being envious of the young men and sometimes resentful of their activities, also encourage them and praise them, while at the same time feeling they have to be cautious with them in order to maintain their authority and respect.

The villagers identified four individuals who have been the cause of problems in the village. One is a 40 year old man, Kandan, who drinks heavily and quarrels often with his relatives, complaining that they do not care for him. In one quarrel he shouted at his relatives that they all had houses of their own, but he had only a hut on a rented lot. Kandan earns well, but spends most of his income on drinking, and does not adequately support his family. On one occasion he borrowed jewelry from some villagers, saying that he needed it for his wife to go to a wedding (a common practice in the general area). He took the jewelry and pledged it with a pawn-broker, got money, and spent that on his wife's sister's betrothal. When the villagers came to know of this, they were furious, but after a couple of months he managed to redeem the jewelry and returned it to the owners. Another time Kandan was severely beaten in a neighboring village by a Padayachi man for not paying his liquor bills for several months. Kandan's relatives became angry at the Padayachi man and were going to retaliate against him. This could have turned into a fight between the

Padayachis in the neighboring village and the Harijans in Anbur. The *panchayat* elders of Anbur intervened and made Kandan's relatives realize the kind of danger that would come upon them all if they did anything so drastic and stupid, especially when Padayachis had already burned down some Harijan villages in the district out of the spite and jealousy they have toward Harijans. People know that Kandan is intelligent and unscrupulous, but he is also in general good natured and helpful. He becomes apologetic when he is wrong, and takes the advice of the village elders. He was the founder of the Students Association and the night school for young children, and is very much concerned about the improvement of the village.

Another troublesome man, Vasu, around 32 years of age, a plumber and an electrician by profession, is a drunkard and an eccentric. Sometimes he is very humble and at other times very arrogant. With a few drinks he becomes wild and shouts at people. He has often been a challenge to the authority of the village elders. Both Kandan and Vasu have lived in Northern India for some years where they were able to escape their Harijan status to some extent, but returned to their village to be among relatives and live in a familiar area.

Another man, Subu, aged 50, tries to live above village authority and causes problems to his neighbors. His daughter married a Vellalar man (person of higher caste), and this made him feel superior to the villagers. Early in 1987 there was a quarrel between his wife and the women adjacent to their house. Subu's goat ate plants in the neighbor's garden, which led to cursing and a hand-to-hand fight among the women. The men at the time tried to separate them. Subu's wife and daughter hit the men with brooms and scratched their backs. After a few days Subu filed a case with the police, falsely accusing the neighbor man of behaving mischievously with one of his daughters. The village elders came to know of this and discussed the issue in the village forum, and excommunicated Subu. This meant that no one was permitted to communicate, visit, or interact with any member of Subu's family, including during important occasions, such as marriages and funerals. A few months later, when a party from outside the village was going to visit Subu to see his daughter for a marriage alliance, one of his relatives requested the *panchayat* elders to remove the sanctions, as their continuance would put the family in an unfavorable position in the eyes of the visiting party and hinder the girl's marriage. Later Subu apologized for his earlier misconduct, and consequently the sanctions were lifted. Members of the *panchayat* were invited to participate in the 'girl-seeing' function, which they did.

Another young man, Ramu, age 19, is well-built and sturdy. He often gets into fights with children, young men, and adults. He is short-tempered, and acts angrily and violently when he is irritated by simple misdeeds of others, or when

others do not act according to his expectations. Many children and young men are afraid of him and try to stay away from him. Even though he could be a member of the Students Association, he has remained out from it. One dispute that was brought before the *panchayat* involving him is presented later. Except for these four troublesome individuals, who are thought to be nuisances, most others are well thought of.

The views of people in Pudur

Pudur presents a mode of life that is significantly different from Anbur. Younger and older generations go their own ways in meeting their personal needs, without much regard or feeling of responsibility for either family or community life. Fathers work, earn money, and spend most of it without caring for the support of their wives and children. Children have lost respect for their fathers. Husbands quarrel with their wives, beat them, quarrel with their neighbors, and get into fights. Women consider drinking to be a serious problem in the village and the cause of family and community disharmony. Interest in religious worship and celebrations is not noticeable. There is a temple for Murugan, but people do not go there to worship. It is neglected and the roof and walls need extensive repair. People say that consequently a sense of morality is lacking in the village.

Many say that young people are growing up like animals (*mirukam mathree*). They drink, act violently, and do unconscionable things. They freely give expression to their physical needs, and sexual immorality has become a common phenomenon.³ As young children are not well supported in the family, and many older children earn money, they feel highly independent. Further, as those who go to school receive free lunches, educational support, and living

³ Even though Harijans have been noted to be somewhat freer sexually than higher castes, in the sexually restrictive society of India they view sex outside of marriage as immoral. This is influenced further by the modern orientation on the part of Harijans towards adopting the 'clean' habits of higher castes to gain their acceptance, which has led to efforts to condemn sexual immorality and to exercise greater control over their sexuality. Additionally, as higher caste men and landlords have economically exploited Harijans and sexually exploited their women, a conscious effort is made now to avoid being subjected to such exploitations and to live dignified lives. In many Harijan villages, including Anbur and Pudur, such a consciousness against sexual immorality prevails, even though Anbur people have succeeded in adjusting to this demand and Pudur has not done as well.

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allowances from government-sponsored programs for Harijans, the dependence on elders in the family is significantly less. Also, children who receive education this way feel superior to their elders, who are mostly illiterate or have only elementary education. Consequently, the bonds between younger and older generations are weak, and the advice of elders has small impact on the lives of the young. In general, the same conditions prevail in Anbur. However, because of the integrative ties maintained between generations in Anbur the younger and older generations relate well in the family and in the community and feel a partnership in family and community building activities. The superior education of the young in Anbur has led not to disrespect for the elders, but rather to a reasoned conformity to age-based hierarchy and cooperative dependence.

The headman of Pudur said many good things about Anbur. He pointed out to my informant, who is from Anbur, that the young people in Anbur are well-behaved. He praised the activities of the Students Association in Anbur. He wanted my informant to help the young people in his village create such an organization. Many of the young people in his village, he said, get attracted to things that seem personally benefitting, without evaluating the morality of what they do, against whom they do it, and the consequences of their behavior for themselves and others in the community.

Anbur: Disputes and the Panchayat

Students Association vrs Vennu

Two drunken men were talking to each other, and one of them, Kandan (referred to earlier), fell to the ground. The other man, Vennu, assisted Kandan to get up. Nearby a man was talking to a 16 year old boy of the Students Association about some other matter. The two drunken men thought that the man and the boy were laughing at them and became angry. Vennu threatened them and gravely insulted the Students Association. Upon hearing about the incident the members of the Students Association wanted to retaliate, but eventually the leaders of the Students Association peaceably called on Vennu and complained about his misbehavior. Vennu, however, was not apologetic. The association then filed a petition regarding Vennu's misconduct to the head of the village, paying a small fee. The headman read this, but was annoyed because it said that the elders should decide the matter within two days. He felt it was improper to order the *panchayat* elders to do something within a certain time, and especially improper for young people to make such demands of their elders. The young men apologized and the headman said he would consult other elders and a time would be set for the *panchayat* meeting.

When the *panchayat* met, the traditional support for age-based hierarchy was reaffirmed. All married men belong to the *panchayat* by the criterion of paying taxes to the village *panchayat*, and only they can be counted as participants. Young unmarried men cannot be regular participants. It was stated that young people should not inquire into or correct the misbehavior of married men, but should inform the *panchayat* elders, who would take appropriate actions. It was also decided that filing an official complaint by young unmarried persons against a married individual was improper, and therefore the complaint and the filing fee were returned to the complainants. Nevertheless, the *panchayat* elders observed that what Vennu and his friend, Kandan, had done was wrong. They mentioned that the Students Association had been doing good work for the betterment of the community. They also said that drinking and insulting people in public was improper behavior. They said that these men should realize their higher age status and behave responsibly. They advised the president of the Students Association that being older than most unmarried men in the association, he should be cautious and wise, and not be influenced by younger members who could become unruly without the control of their elders such as himself.

Headman vrs Vasu

Another case involved Vasu, the village drunkard, who is considered a troublemaker. The dispute was between the headman of the *panchayat* and Vasu. However, it started between Vasu's wife and a female teacher in charge of the midday meals program for young children in the village. Vasu's wife, Valli, was working under the teacher as a cook. Valli pointed out to the teacher that she was taking home for herself a big share of rice, cooking oil, and lentils. Valli asked for a higher share of these for herself than what the teacher was giving her. The teacher refused to give her more, and complained to the headman of the *panchayat*. The headman called Valli to his house and told her that she was causing an unnecessary fuss. Valli responded, "You want me to keep quiet because the teacher is giving you a good share of what she takes, and I am not getting much." The headman became angry and abusive, and told her to shut up. Then Valli went home and complained to her husband. After drinking Vasu stood outside his own home and spoke ill of the headman, who could hear this from his house. Vasu seems to have said, "You may be the headman of the *panchayat*, but what right do you have to insult my wife." Greatly affected by Vasu's insults, the headman at first wanted to file a case against him with the police and have him thrown in jail for a few days, because he had also had problems with him before and wanted to teach him a lesson. Later, however, he changed his mind and convened the *panchayat* to discuss the issue. In the *panchayat* meeting Vasu was asked why he had insulted the headman in public.

Vasu replied that he did not say anything against *appa* (meaning father or headman), but was shouting at his wife from outside the house. He said there was nothing wrong in disciplining one's wife. One of the elders said that if he had had any problem with his wife he should have shouted at her inside the house, but standing outside the house and causing a nuisance to neighbors was a disorderly thing to do. He added that if he continued to act like that the *panchayat* might have to inform the police. Then Vasu apologized for blaming the headman and promised that he would not do it again. Subsequently, the headman of the *panchayat* insisted that he write on a piece of paper that he had insulted him in public after drinking, that he was apologizing for it, and that if he did it again the *panchayat* could take any action against him, including referring the matter to the police. As punishment the *panchayat* removed him from his position of village messenger, temple maintenance man, and caretaker of village properties. Later, the headman met with local government authorities and arranged to have Vasu's wife loose her cook's position in the midday meals program, although with the help of a powerful contact Vasu was able to find her a similar job in an adjacent community.

A young man vrs a girl's father

Another dispute involved a girl of five, who threw a stone at a tamarind tree to knock down fruit. The stone fell on a house. A young man, Ramu, age 19, came out of the house and held the girl's hair and threatened to beat her. The father of the girl saw this and told him that he should not treat a small girl like that. Ramu insulted the girl's father and threatened to beat him also. When they were arguing, Ramu slapped the girl's father, and the father in turn started beating Ramu. In the meantime, Ramu's mother came out of the house and tried to stop them from fighting. In the struggle the girl's father hit the woman by mistake instead of Ramu. Then the woman became angry and started using abusive words. The people around stopped them from fighting further. Soon the headman came and insulted the girl's father, saying, "The people who are worth nothing talk big nowadays." The man replied, "You are a big man, and the headman of the *panchayat*. If you talk like this, why would not others insult me like this?" The headman then went home.

The same evening in the *panchayat* meeting Ramu, his mother, and the girl's father were called in and asked to explain their situations. They narrated what happened. The girl's father said that what his little girl had done was a mistake, a mistake all children do, but that if Ramu had complained to him he could have disciplined her. He said he had intervened because Ramu had started beating and insulting her. The headman replied that what Ramu had done was wrong, and what the girl had done was also wrong. At the same time, he told the girl's

father that upon hearing the insult from Ramu he should have informed him rather than taking the matter into his own hands and beating Ramu and his mother. He also advised the girl's father that he should realize that by directly confronting Ramu, his own respect was ruined. He warned Ramu to be careful and told him that he should give due respect to his elders. He also said that when a child does something wrong like this, one should not hurt the child, but should tell the parents. Because the *panchayat* elders agreed that both Ramu and the girl's father were wrong, the headman said one person in the morning and one in the evening should go to the temple and light the lamp, supplying their own oil. He said that they should regard this not only as a punishment, but as a good deed for the community and God. The disputants agreed to do so.

Son vrs father

One dispute involved an unmarried young man, age 19, who had moved out of the house of his eldest brother and father and was living with his middle brother. He complained against his father, age 65, for not financially helping his married middle brother to compensate the latter for letting him live in his house. He added that the father was spending his money lavishly on the eldest son and his family, and did not care about him, or his middle brother and his family. He wanted the *panchayat* to look into this matter and make his father at least pay his living expenses to his brother until he found a job. The father said that he did not refuse to support his son and in fact he had helped him now and then with some monies. Also he said he was not spending lavishly, but only paying his own living expenses as he was staying with his eldest son. He wanted his youngest son to live with him in the house of his eldest son to be well supported, as it was the practice for all unmarried children to live with their parents wherever their parents chose to live. The son said he did not want to live in his eldest brother's house because he and his brother did not get along, and his sister-in-law disliked him. The father replied that wherever one lived, there were going to be difficulties. He said he also had problems, but one had to learn to endure and have patience. After hearing this case the *panchayat* made the decision that if the young unmarried son did not want to live with his father, the father did not have the obligation to support him. However, they questioned the father about whether he was keeping some resources to help his son get married, and to buy a lot for his son to build a house, as he had done for the other sons. The father said that he would not do anything less than what he had done for the other sons, and certainly he was keeping resources to help his son settle in life. He also added that he had approached some people he knew to help find his son a job. The *panchayat* elders praised the efforts of the father, and told the son that his father would do only the appropriate things, and assured him that they

were here to facilitate fairness so that the youngest son would not have to worry.

Pudur: Disputes and the Panchayat

The first panchayat meeting

For the first *panchayat* meeting I attended in Pudur only a dozen people had shown up an hour after the scheduled time. The village elders said there were many matters to be discussed, decisions had to be made, and the people were not cooperative. One elder said: "How can the leaders make decisions without the people?" and: "We all know we are committed to democracy and self-rule, but the leaders cannot do much themselves." Another elder said if they themselves made decisions without the people, the people would complain that they were authoritarian. And if they waited for the people then the people would complain that the *panchayat* elders were not strong enough to deal with issues.

One elder mentioned that there were many matters to be handled. For instance, a temple had to be constructed for Murugan. Decisions had to be made pertaining to this and the amount of contributions that had to be collected. Another elder mentioned that many immoral and dangerous activities were going on, and some of these had come to their attention and they had to be decided. The meeting was concluded early with a statement that they could not make decisions on these matters because of the poor turn-out, and a warning that thereafter fines would be imposed on those who did not come for the *panchayat* meeting.

The second panchayat meeting

Two weeks later another *panchayat* meeting was held. The turn-out was still small - some thirty people - but better than at the previous meeting. First the temple matter was discussed and the amount of contributions for each household was set. Parts of fines imposed in earlier meetings against individuals who had engaged in immoral sexual activities were collected. Mentioned were new cases of adultery, elopement, and an older widower living with a woman who had left her husband. They said these matters would be considered in the subsequent meeting. However, that meeting did not take place due to a village fight and a homicide, described below.

The village fight

During the summer of 1988, a violent and bloody fight took place, which created widespread fear and panic throughout Pudur. A Harijan man, aged 22,

stood outside the house of a Padayachi man, aged 65, and called out to him in anger and complained that the new bamboo thorn fence the Padayachi man had erected had scratched him and others when they passed by. The Harijan man said that the fence should be moved back to the original place. The Padayachi man pulled the Harijan man inside the fence by his moustache and told him, "Paraiyan, you have so much audacity to talk to me like this" [Paraiyan is their Harijan caste name and it is often used to humiliate them]. The young man became angry, hit the Padayachi man on the chest, then went home. The headman of the village told the young man that it was bad to hit an old man, and he should apologize to the Padayachi. The young man did so and thought the matter was over. However, a few days later the Padayachi discussed this matter with the Kallar who runs the liquor shop and requested him to teach a lesson to the young man. Soon after that the Kallar and a few Pudur Harijans waylaid the young Harijan man outside the village, insulted him and beat him.

The young man went home and informed his brother and the village elders. Many villagers feared that this might turn into a serious problem, as the Kallar and his associates were violent men. That evening the young man's older brother went to talk to the Kallar man and four Harijan associates about the morning incident, and was severely beaten. Upon coming to know about this, six other men ran to the area with sticks and knives, but as they went one at a time they were all beaten and seriously injured. The police arrested a few Harijan men. A case was filed and one Harijan man who had injured many men was held in custody, and a few days later released on bail. After six months, the victims withdrew their case upon apologetic requests from their offenders.

From this dispute some of the characteristics of Pudur that have created the disorder are noticeable. The village includes highly individualistic people, who do not often take or seek the advice of the elders. The young Harijan man who was scratched by the fence could have taken his grievance to the *panchayat* elders. The elders could have intervened by convening a *panchayat* meeting to straighten out the problem. Neither of these happened. The elders refrained, because of fears for their own safety, and because they did not accept any responsibility in relation to the matter. Realizing that the *panchayat* elders would not do much, the disputants and the parties proceeded in their own ways. Additionally, as the village includes factions based on caste differences, and some Harijans cooperate with Padayachis and Kallars in pursuit of their own economic interests, the *panchayat* elders were unable to control the other caste men, let alone their own people. The Harijans who cooperated with the other caste men did not fulfill the expectations of fellow Harijans that they should be loyal to their own caste. The result was violent self-help, which Black (1984: 2-12) suggests might result from problems of access to law or to third parties for

settlement of disputes.

Sex, homicide, and suicide

The second dispute involved a lone Kallar man from a distant town who was a paying guest in the house of a Harijan man. The Kallar started having sexual relations with the Harijan's wife. The Harijan did not give much attention to this as the Kallar was paying him well with gifts and cash. But when some villagers came to know about this they started gossiping. The Kallar later moved away to stay in another household, but still maintained relations with the woman. People continued taking ill of the Harijan, his wife, sons, and relatives. Affected by feelings of shame, a son of the adulterous woman with the help of a cousin and a friend decided to take the matter into their own hands. One evening after drinking heavily they found the Kallar alone, killed him with a heavy rock, threw his body into a nearby river, and fled the area. This crime occurred in a situation in which there was no other perceived alternative to resolve the injustice and shame (cf. Nader 1979, 1980). The police upon their investigation held the parents of the young men in custody until they surrendered. The young men were then held in custody, and later released on bail. During the summer of 1989 the son committed suicide.

In Pudur sexual immorality has become a common phenomenon. At the time of my research many past incidents of young men eloping with both married and unmarried women were recounted. The *panchayat* met and imposed fines on them, which some did not pay. In one such case a young Harijan man, who had already run away with a married Harijan woman for several months, took another Harijan woman married to a Padayachi. The village elders were appalled, as this could have led to the Padayachi inciting some of his caste men to harm them and the villagers, but they were unable to deal with the case in the village forum, as the couple did not return to the village. The sexual contacts between the Kallar and the married Harijan woman cited above occurred over a period of years, but the village elders did not dare inquire into the problem. This was especially because the man was a Kallar, and they feared that the Kallars in the area might in support of him beat them up. Even when public gossip was becoming serious and the son and relatives were clearly affected, the elders' attitude was to let the disputants themselves settle their own problems. Thus the homicide, which could have been prevented, happened.

The villagers frequently injure their fellow villagers in pursuit of their own personal interests, whether they are Harijans, or other caste men. They are not organized adequately to submit themselves to the collective needs of order, and to deal with their issues peacefully through the *panchayat*. In this environment,

the *panchayat* is not well supported, nor do the *panchayat* elders provide leadership to help integrate the people. After the two major events, the village fight and murder, the *panchayat* elders, instead of putting forth efforts to reorganize the community, gave up altogether their dispute settlement functions. They have returned filed complaints to the complainants, telling them to settle their grievances in whatever way they please.

DISCUSSION

Several cultural and social structural differences between Anbur and Pudur help explain why the disputes in Anbur were resolved authoritatively and effectively, while those in Pudur led to violent manifestations. The style of life conducive to *panchayat* success in Anbur relates to the collective orientation that prevails there, which is nurtured by bonds between younger and older generations. The way of life in Pudur, on the other hand, is significantly influenced by individualistic orientations that separate people and strain the relationship between the younger and older generations. The *panchayat* could not be successful in this socially disintegrative environment.

Anbur: the people and their collective orientation

In Anbur there is a greater level of reciprocity than in Pudur. People depend on and help each other. There is empathy and identity with other people. During both happy and sad occasions villagers help each other with their labor, and financial and psychological support. The young men of the Students Association, for instance, engage in many helpful and community-building activities. Anbur villagers know that as Harijans they are the most devalued people in the caste hierarchy. This creates the communal cohesion of oppressed people. Further, all the people in the village are Harijans, unlike in Pudur. They understand now from the events in Pudur that if they allow members of other castes to live in Anbur, interpersonal problems and factions may arise, and so they are resolved to avoid this. In addition, Anbur, unlike Pudur, is geographically separate from other villages and settlements. This gives them a sense of territoriality and separate collective identity, helping toward the continuation of their altruistic traditions.

Similarities in experiences have created shared perspectives for solidarity in the community. They feel that they should improve themselves to become acceptable to higher caste Hindus. In this regard they adopt 'clean' habits and refrain from eating beef, which caste Hindus abhor. They emphasize the importance of

religious worship, moral behavior, educational achievements, and personal improvement. Apart from the desire that everyone should improve, there is also an orientation as discriminated people that they should be supportive of each other. They see personal and community improvement as interdependent. Because caste status is more important than personal status in this caste-ridden society, improvement of caste status is felt to be important for personal improvement. Those individuals who make personal strides are respected and are admired as examples of what others can become. Aside from some jealousies, they view those in their community who are 'clean', religious, hardworking, well-off, and educated as personal extensions of themselves. As there is close interaction and mutual help, differences arising from personal accomplishments do not create much animosity.

It can be said that this village is characterized by altruistic individualism, an individualism based on an orientation on the part of individuals to improve themselves within the framework of collective improvement and community-building. It is a rational individualism based on a cognitive makeup that is partly traditional and partly conscious, which in a unique combination provides an integrated reasoning for personal improvement, without diminishing social concerns. Also the whole community could be thought to exhibit altruistic democracy, in which people feel equal⁴ without failing to fulfill their responsibilities for collective improvement.⁵

Bonds between young and old

The age-based hierarchy maintained in Anbur, as pointed out earlier, is another important element in the successful perpetuation of the prevailing altruistic traditions of this village. The elders are considered to be wiser and superior, and both the younger people and the elders view this as natural. The younger are respectful to the older and depend on them for advice and guidance. The younger often praise their *panchayat* elders for their abilities to manage the village and settle disputes.⁶ However, the younger generation does not blindly conform to the authority of their elders. As most young men have higher educational attainments than their elders, they have a more reasoned

4 Khare (1984) has also noted an egalitarian ethos among the Chamars (Harijans) he studied in North India.

5 A similar spirit of collective improvement has been found in other Harijan communities in India as well (see Mahar 1960).

6 Increasing emphasis on respecting the elders and submitting to their authority, based on the upper caste model, has also been noted in other Harijan communities in India (see Cohn 1955:67).

understanding of their authority, with a feeling that their elders mean well for them and for their community, but when they differ the young men are also open about expressing their views to their elders.

Differences between the younger and older generations do occur, as pointed out in the disputes involving young persons and adults, unmarried and married, sons and fathers. However, these are resolved by open articulation, and a shared understanding and commitment to traditional norms relating to age statuses. The elders praise the young for their community-building activities. Sometimes the young people engage in community activities without first consulting the *panchayat* elders. The *panchayat* elders resent this, as they feel they are the community elders and therefore should first be consulted. When differences in these contexts arise, the elders talk to them about the inappropriateness of their actions, but they also praise and encourage their activities. As the elders also realize the good the young men are doing for the village, they politely guide them. By this manner of praising them while pointing out their faults and advising them, the youth are not alienated. Sometimes the elders feel threatened by the praiseworthy activities of the Students Association, and develop inclinations to do more themselves for their community. By this underlying sense of competition, improvements and innovations are not stifled, but are rather promoted. Modernization of traditions occurs in this dialogue and competition between the younger and older generations.

Disputes and panchayat success

The people of Anbur regard the village *panchayat* as an essential institution for village administration and settlement of disputes. There are five *panchayat* elders, all between the ages of 60 and 67. People regard their *panchayat* elders very highly and often praise them for their abilities to handle disputes wisely and fairly, and to bring the disputants to a peaceful agreement. The village *panchayat* has the empowerment of the people, which enables the elders to act authoritatively, decisively, and quickly. Unlike the situation in Pudur, they do not wait for a majority of the married men to assemble before deliberating on a case. Announcements are made about the time of the *panchayat* meeting and disputes to be handled, but whether a significant gathering of villagers is present is not a major concern. The village elders deal with disputes quickly, by involving the members of an advisory group they have created, the villagers assembled, and the disputants. Rarely are their decisions questioned, and conformity to their decisions is the rule.

Before the disputes are brought before the village forum, the *panchayat* elders get together, discuss the issue among themselves, receive the opinions of the

advisory body, and come prepared to address the issues. The people assembled during the *panchayat* meeting are also allowed to speak and ask questions. When they handle a dispute in the open village forum, the *panchayat* elders follow certain tactics. Some members support the complainant, and some support the accused, and a few remain silent. By this an atmosphere of impartiality and balance of power for the disputants is generated. By inducing the parties to tell their sides, they lead them to the central issue, and find faults on both sides. At this time, those who remained silent give out their opinions about who is right and who is wrong, and the other members also support them. Settlement of the dispute is often accompanied by the pretext that both disputants have to be blamed at some level or the other, even though one may be identified as the wrong-doer, and this makes it easier for the disputants to agree to the decision, as no one is found totally wrong. In the promotion of peaceful solutions they make the serious issues look ordinary by saying, 'Nothing extraordinary that does not happen in the world has happened,' and at the same time make the guilty feel responsible for their acts. Such pressures prepare the aggrieved to calm down and become receptive to the decisions and redress arrived at, by at some level overlooking and down-playing the actions of the wrongdoers. Often the *panchayat* decisions are based on the dominant public opinion, and the public opinion generated by the elders in the interpretation of the cases. Discussion and decisions hinge on traditional normative standards of behavior. This fits Durkheim's (1933 [1895]) idea that deviance revitalizes norms and improves social solidarity, and Comaroff and Roberts's (1977: 80) finding that disputing among the Barotse helps maintain and enhance social relationships.

Even though public opinion is an important element in the decision-making, decisions are not, however, articulated as collective positions, but as decisions of the *panchayat* elders. The style of leadership the *panchayat* elders provide is participative. In other words, their decisions emerge from the authority extended by the community for them, and in disguise represent public opinion. In this way, the trust the people have of the *panchayat* elders is not allowed to be jeopardized, but rather strengthened and augmented.

In the context of the reciprocity and age-based authority that prevails in this village, the authority of the *panchayat* elders becomes acceptable for most. When they produce a decision, the disputants often agree to it. Many reasons can be cited. First, the *panchayat* elders are considered wise and capable, and are respected. Second, they have the support of the community. Third, their decisions are based on well thought-out and widely shared community norms. Finally, as the decisions reflect peaceful solutions to interpersonal problems, which the disputants have learned to desire through socialization in the community, they are likely to be acceptable. Differences and animosities between the disputants eventually dissipate in their involvement in reciprocity, in

their need for each other's assistance in various life cycle celebrations and crises and in their desire for community solidarity and improvement. For instance, when the leaders of the Students Association and a married man had an argument, the matter was taken to the *panchayat*, which decided against the student leaders. Yet the difference did not stop the student leaders soon afterwards from helping one of the men involved against them to build a pavilion for his daughter's puberty celebration.

It should also be mentioned here that Anbur leaders have boldly confronted and dealt in various ways with problems between Anbur Harijans and outsiders of other castes, in contrast to the Pudur *panchayat* elders' failure to deal with the intercaste problems within Pudur. The Anbur village headman and elders have been beaten by other caste men for standing up for their rights and the rights of Anbur Harijans; they have mustered Anbur men to go *en masse* toward a nearby large Padayachi village to confront the Padayachi elders, and to express their readiness to fight and willingness to resolve peacefully a particular intercaste problem, with the result that it was resolved without a fight. And they have grovelled at the feet of the most powerful Kallar man in the area, begging him to stop the beating of Anbur Harijans over another particular issue. These various strategies have for the most part worked to moderate or head off intercaste problems. The Anbur *panchayat*, therefore, has become an effective institution in the settlement of disputes, the promotion of community integration, and the maintenance of fairly peaceful intercaste relations. The disputes in Anbur fit the idea of Miller and Sarat (1980-81) in the tradition of Coser (1956) that disputes instead of disturbing social cohesion have liberating and constructive consequences.

Pudur: the people and individualism

By contrast with Anbur, Pudur lacks the reciprocity necessary for cohesive community life. The community was newly founded in 1967 from smaller settlements of families scattered over a large area, upon their eviction by a powerful Kallar family which wished to develop the area into a higher-income housing project. People in this new village of Pudur from its inception continued to be agitated and unorganized without much communitarian spirit. People who were used to a small family and kin group mode of independent living were thrown together in this new community, and they lacked from the beginning abilities to come together as a community. Their separatist and individualistic type of living in this new place was further eroded by the subsequent development of a new settlement adjoining this community, again because the same Kallar family took over another area to build a big social hall to rent to the

rich for marriages and other functions, displacing people from that area and pushing them next to Pudur.

In the new settlement mostly lower-income individuals employed in the urban area of Chidambaram and their families have settled. Most of them belong to lower castes, but are still above the caste status of Harijans. As there are also caste differences among these lower castes, with some lower and some higher, the people of lower castes maintain separateness from slightly higher caste persons among them in order not to be controlled by them, and the people of these higher castes maintain separateness from lower caste individuals because of their sense of superiority and desire to maintain social distance. People of Pudur use the pathway that runs through the settlements to the Chidambaram railway station and town and also have friends in these settlements, and people from these settlements use the Pudur liquor shop. The resulting direct and indirect contacts among the people in these new settlements also contribute to an impersonal and individuated way of life. Additionally, Chidambaram railway station, through which many tourists and pilgrims to the famous Natraja temple and visitors and students to Annamalai University pass, has a socially disintegrating influence and promotes an impersonal style of life in Pudur and the adjacent settlement. Another cause of disorder in the village is the presence of a few Padayachis and Kallars, who treat Harijans as inferiors, and tend to be ruthlessly violent whenever their interests are not fulfilled. The Harijans of Pudur also fear some of their own Harijan caste men who are associated with the Padayachis and Kallars. The total effect of all these factors is greater degeneration of the community to an individuated and amorphous state.

Geographically, as the new settlement starts just eight feet away, Pudur is not a self-contained village like Anbur, with adequate space separating it from other communities. Geographically Pudur is one community, but psychologically it is not, as the ties connecting the people are extremely weak. Also, as most inhabitants are engaged in urban occupations, the common perspectives and solidarity that emerge from agricultural occupational participation is lacking. Consequently an attitude that one should do what one pleases regardless of the harm it causes to fellow villagers has become a general theme of life. Sexual immorality, quarrels, disputes, and fights, therefore, became common. In contrast to Anbur's altruistic individualism, Pudur is characterized by anomic individualism, where people ignore collective interests and pursue personal interests, even when these can harm others and cause disruptive conflict. The community presents anomic democracy, in which people feel equal but behave without adequate restraint, order, and social sensibility. Efforts to improve community life, so abundantly prevalent in Anbur, were not noted in Pudur.

In this environment norms that differentiate right and wrong are not clear. The

community lacks a normative structure that can bring people to function in an orderly fashion. As people follow their own inclinations, the view that the end justifies the means has surfaced. Wrong acts are justified as right, if they are personally benefitting.

Cleavage between young and old

In this environment conventional institutions are weak. People do not have strong bonds with their families, or commitment to religion and morality. As the social norms are weak private concerns take precedence. Parents and elders engage in immoral conduct, drink, quarrel, and are not supportive and protective of their children. Parents and elders lack abilities to set good examples and guide children consistently in helping them learn socially acceptable behavior. The young people have lost respect for their parents. Additionally, because they are not economically well supported in the family, children work and try to support themselves, or receive education through government supported programs. They often have higher educational qualifications than their elders. In these ways, children have become more independent of their parents and elders, and feel relatively equal and sometimes even superior to them. The traditional age-based hierarchy has become weak and fluid. In these ways, children have been placed at odds with their elders, and many have grown up to be self-centered, without morality and the self-regulation needed to accomplish their ends in a socially acceptable manner. Not only are the young men beyond the control of their parents, but they are also beyond *panchayat* control.

Disputes and panchayat failure

The people of Pudur recognize the importance and use of the village *panchayat*, but they often complain that the *panchayat* elders are not effective. Of the five elders who constitute the *panchayat*, one is 60 years of age, a retired school teacher. He is the head of the village, and is considered an honest man, but described by many as a weakling who is afraid of handling critical issues and disputes. Two *panchayat* elders are around 52 years of age, and are described as quiet and timid. The other two are in their 30s. People say they talk a lot about improvement of the community, but do little. One of them is said to be involved in illicit sexual relations with a married woman in the village. In contrast to Anbur, most of the Pudur *panchayat* elders are younger. The general complaints made against the *panchayat* elders are: they are not strong enough to make decisions; they attend to personal rather than community matters; they delay dealing with disputes and sometimes they do not intervene at all, thinking the

disputants will calm down and the problem dissipate eventually; they do not deal with problems posed by some people in the village because they are afraid of them and of their outside contacts.

The village elders complained about the nature of the people, for instance, how they often fail to show up for *panchayat* meetings. The elders also mentioned that whenever the *panchayat* meets to discuss disputes, people argue to make their wrong actions right, disrespect the elders, question their decisions, and often do not comply with them. In addition to this, as Pudur includes a few higher-caste individuals, particularly Padayachis and Kallars, disputes involving them and the Harijans especially could not be resolved, as the elders fear the Padayachis and Kallars and their Harijan associates as much as the other villagers do. For instance, in the cases of the homicide and the village fight, the *panchayat* could have intervened in advance to dampen the hostilities between the disputants and peacefully resolve the problem, but they remained quiet. After these two incidents, there developed a community consciousness seeking to rebuild the community, but it lasted only for a few months. It was after this that the *panchayat* elders gave up their function altogether, as mentioned above.

This failure was due to the following difficulties and impediments. First of all the *panchayat* elders were not adequately respected, as they were not so exceptionally wise, bold, and community-minded as to place them above the villagers. Second, the individuated people of Pudur did not take an interest in community activities and provide the support needed for their *panchayat* elders to be authoritative and effective. Third, as the villagers did not have the necessary integrative traditions and normative compulsions, they reverted to individual responses without seeking the help of the village *panchayat*. They also thought the *panchayat* could not do much about these problems in the way they would like done. From her investigation of American communities and mediation in traditional societies, Merry (1979, 1980, 1981, 1982) indicates that violence and self-help arise out of problems of access to mediation and law, and unsatisfactory legal solutions. In the case of Padur, there seems to be a vicious circle: the *panchayat's* ineffectiveness is partly due to lack of community support in an anomic culture and community; and individuals act violently in self-help because of the *panchayat's* ineffectiveness, thereby adding to 'normlessness' and further decreasing the *panchayat's* potential to be effective. Finally, an orientation to settle disputes peacefully without grudges, revenge, and violence is not in the minds of many, as it is in Anbur. Therefore, the *panchayat's* role of peace-making is not in the interest of some, and the *panchayat* was not utilized for peace-making in the disputes mentioned.

In conclusion, in Pudur anomic individualism has become dominant. The community has lost its normative control over its members. In this environment

the *panchayat* could not function effectively, as both the people and leaders are influenced by socially disruptive forces. The democratic style of *panchayat* leadership that emerged failed in the anomic environment, where individuals are at odds with each other, and the people at large are egalitarian without a sense of civic responsibility or a tendency to submit to the requirements of order in the village (see Durkheim 1951: 246-258 for a discussion of the anomic condition). By contrast, altruistic individualism prevails in Anbur, where individuals seek not only personal interests, but also collective interests without much conflict. As individuals and as members of the community they feel equal to each other, and yet the equality does not undermine a sense of personal social responsibility. Therefore, it can be said that Anbur individuals exhibit altruistic individualism. This is a rational, informed, and socially and personally generative individualism that Durkheim (1961) refers to as "moral individualism". The *panchayat* in this environment is effective in its community management and dispute settlement functions. Its style of participative democratic governance is well suited to this altruistic community environment.

It is because of the good understanding of the ongoing life styles in their communities that in my first contacts with them the elders of Anbur defined their community as orderly and the elders of Pudur defined their community as disorderly. The Pudur elders predicted worse occurrences of danger to come, and this subsequently came true in the form of the village fight, the homicide, and the suicide.

CONCLUSION

In the final analysis, a question arises about the fate of *panchayats*. From the evolving ways of living certain broad conclusions can be made. Indian communities are rapidly changing under the influence of democratic values. The traditional caste-based hierarchy and interdependence in communities are in disarray. Nevertheless the caste system is still important, especially in remote, multicasite communities, where conformity to caste expectations of status and occupational roles is important for the economic survival of lower-caste poor. In this context, the authority of *panchayat* elders, who are often upper-caste landowners, is significant. When disputes arise between unequals in caste and class status, *panchayat*-justice is often unequal, and oppressive to the lowly. Nevertheless, the decisions of *panchayats* are adhered to because the disputants have ongoing dependent relationships in the community. It is likely that in the future greater disruptions will occur, which village *panchayats* will not be able to handle.

Communities near to urban centers are greatly influenced by modern themes of equality and individualism. Caste, class, and factional differences create divisions and mistrust in communities, and people do not want to be regulated by elders of *panchayats*, who have higher-caste and class interests. Further, the *jajmani*-system (Wiser 1958; Beidelman 1959; Kolenda 1963), known in Tamilnadu as the *pannaiyal* system, in which the lower-caste landless laborers work for higher-caste landlords in supportive long term economic relationships, has declined and been largely replaced with daily wage labor. As the dependence on landlords for work and support has declined, so has the landlords' authority over laborers. Consequently many do not yield to *panchayat* authority. Some communities no longer have *panchayats*. Other communities have *panchayats* that meet rarely, only when serious problems involving larger sections of communities arise. Gradually more and more people are taking their disputes to the police and courts hoping to receive justice. Galanter notes the lessening hold of traditional law and the ascending importance of modern law:

...official law of the modern type does not promote the enrichment and development of indigenous legal systems: it tolerates no rivals; it dissolves away that which cannot be transformed into modern law and absorbs the reminder...
(Galanter 1968: 86)

As time passes, *panchayats* will continue to decline and people will increasingly use the official system.

Even single-caste communities, such as Harijan communities, where *panchayats* could function well, are disturbed by egalitarian and individualistic influences. Equality of status among community members promotes a sense of equality and a feeling that no one is superior to oneself, and therefore one does not have to abide by another's authority. Individuals pursuing their own interests without regard for each other's and the community's interests associate with individuals of higher caste and bring problems and danger, as happened in Pudur. In such situations *panchayats* are unable to bring authority over disputants into this environment, especially since as informal institutions they do not have power to coerce the disputants to follow their decisions. Here too an orientation to take disputes to official courts prevails.

However, there is also an aversion to the use of the police and courts. They involve expenses that many cannot afford, and the outcomes of cases are not certain as cases are said to be fixed by bribes to the police and lower court officials. Access to law is available to those who are rich, but most poor, in the absence of effective *panchayats* to settle their disputes, if not settled by close relatives and friends, either 'lump it' or in especially serious incidents resort to

self-help.

The example of Anbur reveals that communities that have traditional supports for collective life can adjust the demands of equality and individualism to an organization that promotes both collective focus and a disciplined expression of equality and individualism. Anbur people are reflective and progressive people. Anbur is a protective community where people are seeking to improve themselves for their own good and to win the approval of higher castes as 'decent' people. Every one feels one should do something to help enrich their community, and praise those who are actively involved in community-building activities. The *panchayat* functions well in this environment. An implication of events in Pudur is that communities that change without people reflecting on what is happening, and without being able selectively to reorganize their communities, will experience disruptions beyond repair.

Perhaps a few individuals trained in community organization work could help stimulate the development of protective communities within their own communities. Even though there are village social workers, they are few, they visit villages only occasionally, and they are usually outsiders to the community. They tend to be ineffective in helping to build communities or *panchayats*. As cohesiveness in Indian communities weakens under modern influences, especially in the absence of protective efforts to organize communities, even Anbur some time in the future could become like Pudur, as many other communities will. In the transformation from a traditional hierarchical, collectivistic structure of communities to a modern egalitarian and individualistic structure of communities, caste, class, factional and individualistic interests are likely to increase and come into conflict. They will give rise to many disputes that cannot be settled by *panchayats*, and could result in greater personal danger and heavy case loads in the courts.

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