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# Course 1

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BRULÉ AND SHEIKH



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## G-local Women Power: Local Female Representation and Property Rights in India

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Today, we live at the intersection of hyper-speed institutional change thanks to globalisation which increases the scope of opportunities for both integration and dissolution of prior structures and identities.<sup>1</sup> On one hand, rapid change enables integration of new knowledge across communities, with radically new opportunities for the advancement of individual and collective interests either in partnership with more transparent states, or with autonomy from authoritarian planners.<sup>2</sup> On the other hand, the striking inequality engendered by globalisation enables these same tools to support polarisation within and exit from the very communities that built transformative welfare states.<sup>3</sup>

In this context, I ask how we should expect equality, and its frequent shadow, backlash, to travel. I situate my work between two alternative theories of institutional change: top-down versus bottom-up. On the top-down side, Bardhan argues that the key mechanism at work is how elites arbitrate distributive conflicts.<sup>4</sup> As disparities between local elites and those with few social and economic resources grow, they stifle incentives for elites to relinquish goods or power.<sup>5</sup>

<sup>1</sup> KF Scheve and MJ Slaughter, 'How to Save Globalization' (2018) 97 *Foreign Affairs* 98–112; D Sorensen (ed), *Territories and Trajectories: Cultures in Circulation* (Durham NC, Duke University Press, 2018).

<sup>2</sup> J Scott, *Seeing like a State: How Certain Schemes to Improve the Human Condition have Failed* (New Haven CT, Yale University Press, 1998); P Evens and PRP Heller, 'The State and Development' (2018) 2018/11 *WIDER Working Paper*.

<sup>3</sup> RD Putnam, *Making Democracy Work: Civic Traditions in Modern Italy* (Princeton NJ, Princeton University Press, 1993); T Piketty, *Capital in the 21st Century* (Cambridge MA, Harvard University Press, 2014).

<sup>4</sup> P Bardhan, *Scarcity, Conflicts, and Cooperation: Essays in the Political and Institutional Economics of Development* (Cambridge MA, MIT Press, 2005).

<sup>5</sup> Bardhan argues that at high levels of socio-economic inequality, politically powerful individuals are likely to be elites locked in distributive conflicts that preclude meaningful collective action involving 'the weaker sections of society.' At lower levels of inequality, state policies to redistribute economic

On the bottom-up side, Daron Acemoglu and James A Robinson focus on power exerted by ‘the masses’.<sup>6</sup> Where citizens pose a credible threat of revolution or costly unrest that would damage the economic and social interests of the elites who control de jure political power, citizens possess adequate de facto power to successfully demand change. This occurs when inequality is neither too high nor too low. This theory is most often used to explain democratisation, but it may also help us predict globalisation’s heterogeneous micro-level impact. Both sets of theories suggest moderate inequality is conducive to transformative change in favour of social equality. At a time when globalisation makes ‘moderate’ levels of economic inequality increasingly rare within countries, this suggests that overt state attempts to improve social equality are becoming both more necessary and more likely to attract significant backlash. I seek to understand the scope of backlash to gender equality as well as the conditions under which we can transform resistance into support.

This chapter tells the story of how I arrived at one edge of the ‘global periphery’ – rural India – to enter a crucible of institutional change: one in which women’s voices were changing the state from the household up. In 2008, I went in search of a revolutionary story about women’s economic empowerment through national legal reform ‘on the ground’, from rural Andhra Pradesh in South India to the banks of the Yamuna River in North India’s Uttar Pradesh and Haryana. I asked journalists, agriculturalists, politicians and activists to explain how a daughter’s new, equal rights to inherit property worked for them. Bureaucrats, elected officials, and judges told me in adjacent breaths that laws were effectively implemented, and that nothing would change for generations. Indeed, many legal activists knew nothing of this ‘transformative’ reform. My perspective changed as I met women who organised in what is becoming a centripetal political force: all-female Self Help Groups. Some of these women are now successful as elected officials; some intentionally remain outside the state. I had naively assumed I would find that women’s greater agency was the result of legislation declaring female and male inheritance rights equal. But instead, as I followed the steps of women steeped in the practice of female collective power, I found a resounding female political voice that had arrived on the scene long before.

This work is both a precursor and epilogue to my larger research agenda that explains how quotas mandating women’s presence at the head of the local state have acted as powerful drivers in enabling women’s economic agency – a model I call ‘gatekeeper theory’.<sup>7</sup> As I *propose* extensions of this research to

power encourage political coalitions with a commitment to furthering socio-economic equality. See Bardhan (2005), n 4 above.

<sup>6</sup>Acemoglu and Robinson predict an inverted U-shaped relationship between equality and a salient form of institutional change: democratisation. They point to the de facto political power of non-elites as crucial. See D Acemoglu and JA Robinson, *Economic Origins of Dictatorship and Democracy* (Cambridge, Cambridge University Press, 2005).

<sup>7</sup>R Brulé, ‘Reform, Representation, and Resistance: The Politics of Property Rights’ Enforcement’ (2020) 82(4) *Journal of Politics*: DOI: <https://doi.org/10.1086/708645>.



others less accustomed to pondering the gendered nature of power, I do so in the spirit of Aparna Basu's characterisation of women's history in India as 'an act of reclamation'.<sup>8</sup> Acknowledging women's central role in building India's grassroots democracy gives all women a way to acknowledge and value our voices in the building of collective political agency. In this chapter, I work to paint women's influence in realising political change expansively, as an act at the crossroads of multiple disciplines.

I begin with a minimal scaffolding to situate women's agency in the decision-making process of Indian democracy. This matters because of the polarised views about whether or not electoral quotas mandating women's political presence 'work'. Optimists claim that quotas can be shortcuts to building truly representative democracies, which may otherwise take generations.<sup>9</sup> Pessimists worry that quotas constrain 'lotteries of talent',<sup>10</sup> and that representatives may be fundamentally unfit to represent the substantive interests of groups who are descriptively 'like them'. Yet representation by people with similar backgrounds remains a powerful method of enabling members of disadvantaged groups to raise their voices and engage politically in contexts where they would otherwise mistrust state authorities, and can also catalyse innovative thinking by complex groups (such as 'women') when their political interests are not fully articulated.<sup>11</sup> The traditional view of women's quotas suggests they are imposed (by men) in response to 'men's ideas' about the ideal composition of India's democratic electoral institutions, rather than required by women's demands: this view supports concerns about the danger of quotas for a group of individuals – women – who are perceived to be not only unwilling but also unfit to compete in politics.<sup>12</sup>

To accurately take into account women's agency in drafting the blueprints for their political inclusion, I start by tracing the path I took, as a political scientist with training in development economics and anthropology, to learn the radical power of women's political representation in India. I next outline my 'gatekeeper theory' of women's political representation, to predict how women's electoral power matters for women's property rights. I conclude with a section that initiates a new round of theory-building about how equality 'travels' across the broad terrain influenced by globalisation and back into our understanding of where and how power is negotiated, bringing the potency of the invisible institutions which structure daily life into stark relief.

<sup>8</sup> AM Basu 'Women's History in India: A Historiographical Survey' in K Offen, RR Pierson and J Rendall (eds), *Writing Women's History* (London, Macmillan Press Ltd, 1991) 181.

<sup>9</sup> D Dahlerup and L Freidenvall, 'Quotas as a 'Fast Track' to Equal Representation for Women' (2005) 7 *International Feminist Journal of Politics* 26–48.

<sup>10</sup> J Mansbridge 'Should Blacks Represent Blacks and Women Represent Women? A Contingent "Yes"' (1999) 61 *Journal of Politics* 628–57.

<sup>11</sup> Mansbridge (1999), n 10 above.

<sup>12</sup> W Singer, *A Constituency Suitable For Ladies: And Other Social Histories of Indian Elections* (London, Oxford University Press, 2007) 99.

## I. Speaking about Power

The question at the heart of my work is: how do formal institutions change the knotty terrain of our informal landscapes? Amidst revolutionary movements for dismantling inequality in our polities, economies, and societies, when and why does state intervention start to reshape hierarchy? At the micro-level, how do individual human beings and communities adapt to new legislation that contradicts resilient social norms?

Political science, which explicitly invites us to interrogate systems of power, is my chosen, disciplinary home. But in the investigation of systems, we political scientists often overlook the complexities of negotiating power outside the public domain of elected legislatures and campaign speeches. Thus, throughout my training I have sought alternative sources of insight about how power changes around the edges of the formal state. I find intellectual solace in scholarship from development economics, at its intersection with agricultural economics, behavioural economics, and the political economy of institutions. The brilliant, peculiar scholars who occupy this frontier are data scientists who care about precise empirical tests as well as anthropologists in disguise, gladly contemplating the qualities of a particular field, those who labour on it, and who benefits. Their work delves into the ideas and assumptions that drive individual behaviour: not only one's personal labour but how a person obtains, employs, and shares technology; what sort of insecurity modifies one's ability to profit from one's resources; which contracts are written down and which left unspoken; how intra-household power and privilege evolve in the shadow of higher-level political organisation. In addition, I find grounding in the work of legal sociologists who question the processes through which legal codes emerge, and the degree to which they reify – or destabilise – status quo power structures.

These interests have led me to build analytic skills that cross disciplines: supplementing traditional political science training with research design and data analysis techniques to maximise causal inference from economics, with skills of sustained inter-personal observation roughly called 'qualitative analysis' from anthropology, and with critical evaluation of the origin and implication of legal texts within larger systems of social, political, and economic power from law and society scholarship. Finally, feminist scholarship, while outside the explicit domain of my training, helps me understand the invisible contours of power that are still rarely acknowledged within mainstream political science. Each of these tools hones my sight.

In brief, I aim to understand the power of the state to change social norms. The work I describe here explores a radical legal reform with the power to alter fundamental social inequality in the world's largest democracy: reforms to equalise women's property inheritance rights. My initial research came from careful econometric studies grounded in economics: in particular, Sanchari Roy and the

World Bank.<sup>13</sup> Each acknowledged reform's complexities, but both were largely optimistic. Those at the World Bank made a simple argument: information held the key to improving the efficacy of new legislation. To check this logic, I returned to India – where I had recently lived for a year working with MIT's Abdul Latif Jameel Poverty Action Lab (JPAL).

At this point, my view was one of an American political scientist-in-training with copious advice from Indian, British, and American development economists, and an anthropologist and field manager's intuition that I would learn the most about fundamental puzzles by speaking to as many people as possible in situations of mutual trust. In practice, I experienced an uncomfortable dissonance between the guidance I received from political science, economics, and public policy versus the granular information others gave me in rural India.

On my journey as a relatively young, single, white woman with no biological family in India, speaking a rough, workable Hindi, I slowly built the scaffolding necessary for substantial field research. To the extent I succeeded, it was because people were kind enough to include me in their families. My first home in India was in Yamunanagar, Haryana, about two hours south east of Chandigarh, five hours north of Delhi, where I was invited into the home of one of my first respondents to, among other things, better understand conflict over property rights where the stakes were highest: at the well-irrigated, fast-urbanising national capital's periphery.

My welcome to this place transpired accidentally. Thanks to support from experienced journalists, I had been able to gather a family in the midst of a land dispute in the home town of the Editor-in-Chief of a major regional newspaper. I was at the early edges of my doctoral research and searching for a path into the private, inner landscape of individual identity and willingness to claim, share, and contest property, particularly inherited property. As a result, when the Editor-in-Chief's wife, a former schoolteacher, invited me to stay for tea and asked how long I would be in town, I told her that my timeline was open. Upon hearing this, she showed me the entirety of her home and invited me to live with them. Her husband agreed, and I enthusiastically accepted.

The language we use to describe home can only hint at the depth of human feeling that comes with being welcomed, in an absolute sense, into another family's world. What this newly married couple and their larger family gave me was an immense expanse of love, compassion for the vulnerable space of work and life I inhabited, an intellectual engagement that buoyed my confidence, and fundamental security in a town where the public presence of a single, white woman was neither welcome nor respected.

<sup>13</sup>S Roy, 'Empowering women? Inheritance Rights, Female Education and Dowry Payments in India' (2015) 114 *Journal of Development Economics* 233–51; K Deininger, A Goyal, and H Nagarajan 'Women's Inheritance Rights and Intergenerational Transmission of Resources in India' (2013) 48 *Journal of Human Resources* 114–41.

I learned a great deal from that fulfilling home and family, in which I remained about a month and a half on my first visit, and to which I returned as often as I could. Theirs was a love marriage, arranged by the bride and groom rather than their parents. They were each highly educated with independent earnings prior to marriage, broad, curious views of the world, and an inclination to reflect on their own places within it. Their marriage negotiations extended over years, and the union that eventually resulted was one that both the bride and groom valued immensely. They took time to cherish each other's presence in their lives. In addition, the husband's uncle, whose sons lived far away, also loved both bride and groom deeply, and did everything he could to support them.

This context, with many stars aligned to create a supportive family, threw their challenges into stark relief. Despite their non-traditional prior lives, when the couple married, powerful social expectations for female seclusion emerged from otherwise supportive men who acted to maintain their exclusive control over familial wealth. Under duress, the bride gave up her job in the school. This meant her excursions were limited to rare, ideally supervised, trips to the local marketplace for necessities. Her life quickly shrank to the edges of her home, such that even when she was outside, it was improper for her to say hello to former colleagues, let alone make eye contact with them. She negotiated informal tutorials for neighbouring young children within the household's inner courtyard, but her confinement within the boundaries of the household led her to experience physical pain so severe that she, an otherwise healthy woman in her early twenties, could not walk. Given her flawless English and Haryanavi, I suggested she keep me company in court as my translator. She hoped to join me, but acquiesced in the face of resistance from her husband. Later, when she happily became pregnant with their first child, a son, the physical boundaries of her world contracted further, and she was confined to her bed and limited to only the gentlest of movements to ensure the wellbeing of their future child. What I witnessed was the power of patriarchal norms around familial organisation to constrain equality – most notably in the domain of wealth accumulation – even in the face of a belief in each family member's equal worth.

Notably, there were many gaps in my vision. As one of vanishingly few 'white' females in a peripheral North Indian town, I was treated as someone to be guarded and protected, particularly from unknown men: those outside the family with whom I resided, in particular those whose land disputes I investigated with local officials and lawyers. In addition to limiting my observations of how men negotiated power amongst themselves, this may have created a Hawthorne effect of sorts: activating broader concerns about protection of women among the men with whom I interacted. If so, my view of power relations was likely skewed towards seeing men as more extreme defenders of patriarchal hierarchy than they were generally inclined to be. In addition, my residence with a relatively high status, highly-educated middle-class couple may have meant that I saw the backlash that comes alongside 'Sanskritisation' – which Srinivas theorised builds from the upwardly-mobile middle class – rather than more positive dynamics that may



ensue for families who occupy more stable positions at the top or bottom of the social hierarchy.<sup>14</sup>

My world broadened immeasurably thanks to an offer by Jamuna Paruchuri, then the Director of Advocacy for the Hyderabad-based, government-run Society for the Elimination of Rural Poverty, to provide all the help I needed. She and her senior assistant, Aruna, invited me into their work of women's collective empowerment and their families. Together, we assembled a representative sample of women with high and low levels of literacy (relative to men in a given locality), from landholding and landless families, upper and lower castes, in villages with as well as without micro-finance groups. The last criteria helped ensure that Jamuna's organisational work did not bias my sample. Already, she had overseen the development of more than half a million Self Help Groups (SHGs) providing women with micro-finance across more than 28,000 villages in the state of Andhra Pradesh.<sup>15</sup> These interviews were sometimes individual and more often within focus groups. These meetings gave me the opportunity to compare experiences of women from radically different backgrounds, across a range of villages, within six districts whose proximity to the state centre varied considerably.<sup>16</sup> What I gained in breadth often required compromises on the intensity of questioning possible.

With Jamuna and Aruna's help, I witnessed a vast community of women who changed the fabric of the local state, economy, and community by mobilising the support of their female peers. Their work started at the very edges of what was considered socially 'acceptable': often convening meetings at the doorsteps of their marital homes. They eventually supported a muscular public engagement by women as a unified political force, including with the state bureaucracy. Sometimes micro-finance itself spurred action. Other times life-changing events forced new solutions, in particular floods or factory expansions that left women and their families with neither land nor any alternative livelihood.

For example, one member of an all-women's SHG explained how female constituents' willingness to make a range of 'claims' on the state<sup>17</sup> improves with electoral quotas:

After women's entry into the public space via reservations [quotas] for female Sarpaunches [Pradhans], women's public voice was reinforced by women who joined SHGs and village Social Action Committees. As a result, the village officials

<sup>14</sup> MN Srinivas, 'A Note on Sanskritization and Westernization' (1956) 15 *The Far Eastern Quarterly* 481–96.

<sup>15</sup> R Brulé, *Women, Power, and Property: The Paradox of Indian Laws for Gender Equality* (Cambridge, Cambridge University Press, 2020).

<sup>16</sup> These were Ranga Reddy, Krishna (both proximate to state centres of power), Anantapur and Khammam (at moderate distance from such centres), and Srikakulam and Visakhapatnam (in particularly remote locales). For more details, see Brulé (2020), n 15 above.

<sup>17</sup> G Kruks-Wisner, *Claiming the State: Active Citizenship and Social Welfare in Rural India* (Cambridge, Cambridge University Press, 2018).

[became also responsible for certain [public] works in the village. So they, [Sarpaunches] invite us to their meetings, and we invite them to ours. In the past, we used to say something to the Sarpaunch but [he] didn't hear it. Today, women's voices are heard. Now Sarpaunches also counsel parents [as we demand] to stop child marriages ... In some villages, Sarpaunches make many committees to improve sanitation, schools, road construction, and janmabhoomi (teams ensuring local enforcement of pensions, health, and empowerment programs). If people do not have the right records (aadar, for jobs or ration cards), they now inquire, make committees, and take action.<sup>18</sup>

This was a revolution in how I see the politics of daily 'domestic' life and those of the state. Following over two years of field experience which ranges from the northern banks of the Yamuna River in the Himalayan foothills to the southern banks of the Krishna River in Andhra Pradesh, I realised the importance of negotiating power *within the household*. I now recognise that neither the concept of the *household* nor that of individual influence are permanently fixed. Indeed, the moment when a new household is born – marriage negotiations – presents an enormous opportunity for radical shifts in household structure, including individual roles and the way an individual employs power. These changes have the potential to reverberate across generations, not only within the walls of the household but also in terms of when women exit the household, with whom they speak, and whether they raise their voices publicly or confine their actions to the quiet sphere of familial conversations in the kitchen or field. As one group of women in Andhra Pradesh explained when I asked them whether they expect their daughters' lives will be better or worse than their own: '*How can we know, our daughters aren't yet married!*'<sup>19</sup>

For me, this overturned my notion of where political power resides. With the understanding that social power is intimately political, I realised that I too navigate power every day. I am doing so right now, as an academic 'tenure-track' mother who is equally serious about my intellectual and familial lives. As a political scientist who is committed to rigorous research design and analysis that meets the highest standards for causal identification in economics and political science, and to the field researcher's creed that research should respect and reflect the warp and weft of our daily lives. As a permanent outsider: a white, Jewish woman raised in a home in rural New York State by generations of strong, nomadic women and men, who finds deep connection among my adopted families in North and South India, Sri Lanka, and Egypt. What my field research teaches me is that my ability to simultaneously occupy these domains is central to my agency. This insight undergirds my theory of how women's representation influences individual agency.

<sup>18</sup> Personal interview with Padmawathi and colleagues in March, 2015, Krishna district, Andhra Pradesh.

<sup>19</sup> Personal interview with Focus Group Number 3, including longer discussion with Respondent Number 9 on 17 February 2011, in Ibrahimpatnam Mandal, Ranga Reddy district, Andhra Pradesh.

## II. Gatekeeper Theory

How do women access social, economic, and political power in settings where multiple, interlinked systems prevent female influence and agency? More fundamentally: how does a low-status group challenge and destabilise what prior to that point had appeared to be a highly stable, inegalitarian system? To answer this question, I develop a theory of how altering women's political representation affects their economic agency.

I study the effect of political representation on women's ability to claim rights by examining landmark reforms that equalised Hindu women's and men's ability to inherit ancestral property. These reforms, amendments to the Hindu Succession Act of 1956 ('the HSAA' or 'the reforms'), were enacted State-by-State, beginning in 1976 and culminating in a national legislative mandate in 2005.<sup>20</sup> They equalised the rights of daughters to inherit a share of joint family property, in a ruling that affected roughly 400 million women.<sup>21</sup> The reforms are significant because inherited rights to property are a major stock of social, economic, and political power, and unequal inheritance rights sustain and magnify inequality.

Prior to reform, sons were the only children entitled by birth to inherit independent shares in ancestral property.<sup>22</sup> Reform retroactively assigned daughters and sons equal inheritance rights *upon birth*, conditional on a father's death post-reform.<sup>23</sup> However, the majority of land in rural India remains jointly owned despite the passage of more than a decade since the last round of these reforms. Why? Implementing gender-equal inheritance requires a revolution among elected government officials, bureaucrats, and family members, all of whom must change deeply entrenched behaviour, backed by strong social norms about property rights, politics, and the role of females in the family. Indeed, legislators promoted reforms not to bring about real change, but rather as symbolic gestures to solidify increasingly strong bases of female voters.<sup>24</sup>

<sup>20</sup> State-level amendments occurred in Andhra Pradesh (1986), Tamil Nadu (1989), Karnataka (1994), Maharashtra (1994), and Kerala's 1976 abolishment of the Joint Hindu Family.

<sup>21</sup> B Agarwal, *A Field of One's Own: Gender and Land Rights in South Asia* (Cambridge, Cambridge University Press, 1994); F Agnes, *Law and Gender Inequality: The Politics of Women's Rights in India* (New Delhi, Oxford University Press, 2000).

<sup>22</sup> The 1956 Hindu Succession Act granted daughters a symbolic right to an indirect share of their father's ancestral land. Sons retained their right to a direct share, as coparceners, in addition to an indirect share of their father's land. Amendments substantially increased the quantum of women's inheritance. See SA Desai, *Mulla: Hindu Law, 21st Edition* (Nagpur: Lexis Nexis India, 2010); Brulé (2020), n 15 above.

<sup>23</sup> The two other, rarely-utilized, conditions for eligibility are: the absence of a will, and partition of the ancestral land prior to paternal death. See Desai, *Mulla: Hindu Law* (2010). Deininger et al. estimate that 65 per cent of Indians die without writing a will. See Deininger, Roy, and Nagarajan, 'Women's Inheritance Rights and Intergenerational Transmission of Resources in India.' Partition is rare because all inheritors must first reach consensus about property distribution.

<sup>24</sup> Brulé (2020), n 15 above.

I find that where national constitutional amendments mandate women's electoral representation, gender-equal land inheritance rights create a fertile ground for reworking distribution of resources that reverberates throughout multiple, interconnected domains. Specifically, I consider the impact of women's political representation due to reforms imposed by the Indian state. In 1993, the 73rd and 74th amendments to the Indian Constitution were adopted. These mandated a three-tiered local governance system of Panchayats, or elected councils, with regular elections and quotas, known as 'reservations', for members of systematically under-represented groups: women and members of communities combating deep social stigma (Scheduled Castes and Tribes). I study the most decentralised of the three tiers, the Gram Panchayat, or elected village council. Constitutional amendments required that no less than one-third of elected Gram Panchayat heads (Pradhans, Sarpanches, or Presidents) be female.<sup>25</sup>

Reservations represented a significant break with past practices of local governance.<sup>26</sup> They replaced traditional, appointed local councils of elders, which were male-run, with elected local governments supported by fiscal resources, regular elections, and quotas for traditionally excluded groups. The as-if-random nature of reservation implementation – which occurs sooner in some villages than others due to state-level rules – enables me to isolate the causal impact of these reforms on subsequent behaviour.<sup>27</sup>

Many of the prevailing narratives about quotas tend to minimise women's influence as organised political interest groups. Myths 'about women's disinterest and passivity in politics' are rampant.<sup>28</sup> Indeed, many in India subscribe to the notion that elected women are mere proxies for their husbands, who perform the actual work of governance; such a belief can be seen in popular terms for female heads of local government: 'sarpanchpati' and 'pradhanpati', which assume the un-elected husband (pati) is the 'real' leader.<sup>29</sup>

Yet women have been politically active since the dawn of India's contemporary political organisations. As of 1889, 'every meeting' of the most influential organisation advocating Independence, the Indian National Congress (INC), 'included some women ... [who] were educated and politically knowledgeable and ... were seeking very new public roles.'<sup>30</sup> Women were at the helm of organisations that

<sup>25</sup> In each electoral cycle, one-third of all *Gram Panchayats* are randomly selected to be eligible only for female candidates. Each federal State sets the procedures used to select and rotate quotas across GPs. For details, see Table 5.1 in Brulé (2020), n 15 above.

<sup>26</sup> L Beaman, R Chattopadhyay, E Duflo, R Pande, and P Topalova, 'Powerful Women: Female Leadership and Gender Bias' (2009) 124 *Quarterly Journal of Economics* 1497–1540; R Bhavnani, 'Do Electoral Quotas Work After They Are Withdrawn? Evidence from a Natural Experiment in India' (2009) 103 *American Political Science Review* 23–35; R Chattopadhyay and E Duflo, 'Women as Policy Makers: Evidence from a Randomized Policy Experiment in India' (2004) 72 *Econometrica* 1409–43.

<sup>27</sup> See Brulé (2020), n 15 above, for details on methodology, data, and analysis.

<sup>28</sup> N Buch, *From Oppression to Assertion: Women and Panchayats in India* (New Delhi, Routledge India, 2010) 9.

<sup>29</sup> *Ibid.*

<sup>30</sup> S Sen, 'Towards a Feminist Politics? The Indian Women's Movement in Historical Perspective' in K Kapadia (ed), *The Violence of Development: The Politics of Identity, Gender & Social Inequalities in India* (New Delhi, Zed Books, 2002) 475.

cemented political alliances for an Independent state, including the All India Women's Conference (AIWC), established in 1926, as well as the Women's Indian Association in Madras (WIA), and the National Council of Indian Women (NCIW). The strength of women's influence within these organisations cannot be understated. Indeed, amidst India's fight for independence, Gandhi's action to weaken and refocus women's political solidarity is one indication of female collective action's importance. Most notably, Gandhi worked to garner support for his protest against granting special electorates to 'members of depressed classes', known as his 'fast against untouchability' in 1932. This 'dramatically broke [the WIA's] demand for reserved seats and nominations'.<sup>31</sup>

After independence from British Colonial rule, the world changed. In Post-Emergency India, there is a particularly important but rarely discussed story. As Raka Ray explains, India's contemporary women's movement took root in mobilisation for radical protests against the state during the early 1970s.<sup>32</sup> Yet Chief Minister Indira Gandhi's declaration of Emergency rule in 1975 pushed many radical women's organisations underground.<sup>33</sup> After the Emergency's imposition, an array of women's groups emerged, including urban 'autonomous' organizations – broadly concerned with 'consciousness-raising' about gender issues and rural struggles for land rights – which brought women's demands for independent rights to the fore, most notably the Chipko and Bodhgaya movements.<sup>34</sup>

Women's political agency was central to the project of creating a state able to resist authoritarian control. As of 1977, organised political opposition emerged. Elections brought the new Janata Party (JNP) to power, thanks in part to 'autonomous' women's groups working to expand local political autonomy. The JNP instituted the Asoka Mehta Committee to 're-institute local self-government'.<sup>35</sup> The Committee recommended a new political terrain: giving *Panchayats* the power to tax citizens, run schools, and identify and solve core problems in rural villages. In the Committee's perspective, this would shift the balance of power away from the fiefdoms of local bureaucrats who 'would not easily be adjusted to working under the supervisions of elected representatives', and toward elected representatives.<sup>36</sup> These strategies were generally understood as means to break up status quo local power structures captured by local, male, landed elites in the service of new, male entrants to national government, including Rajiv Gandhi and Narasimha Rao.<sup>37</sup>

<sup>31</sup> ME John, 'Reservations and the Women's Movement in Twentieth Century India' in M Dhanda (ed), *Reservations for Women* (New Delhi, Women Unlimited, Kali for Women, 2008) 45.

<sup>32</sup> R Ray, *Fields Of Protest: Women's Movements in India* (Minnesota, University of Minnesota Press, 1999) 3–4. For a summary of the Indian women's movement, see: G Omvedt, 'Women in Governance in South Asia' (2005) 40 *Economic and Political Weekly* 4746–52.

<sup>33</sup> Ray (1999), n 32 above, 4.

<sup>34</sup> Sen (2002), n 30 above, 484.

<sup>35</sup> Singer (2007), n 12 above, 101.

<sup>36</sup> Asokha Mehta, *Report of the Committee on Panchayati Raj Institutions* (New Delhi, Government of India Ministry of Agriculture and Irrigation, Department of Rural Development, 1978), cf Singer (2007), n 12 above, 101.

<sup>37</sup> A Bohlken, *Democratization from Above: The Logic of Local Democracy in the Developing World* (Cambridge, Cambridge University Press, 2015) 85–91.

What deserves note is women's significant action at the ballot box, which shaped post-Emergency India's newly competitive democratic polity. This was clear in 1980, 'when Indira Gandhi focused serious attention on attracting women voters' to support her Congress Party.<sup>38</sup> This model of explicitly mobilising the female electorate diffused quickly. As of 1983, NT Rama Rao, heading Andhra Pradesh's newly-formed Telugu Desam Party (TDP), committed to support women via a range of policies, including implementation of women's reservations. In doing so, he garnered 'mass support from women voters' that propelled him into power, which he retained by implementing women's quotas.<sup>39</sup> Other parties took note and quickly followed suit. By 1991, the National Front (a broad coalition of parties including the TDP) advocated 30 per cent women's reservations in all government jobs, and by 1996, all party manifestos supported 30 per cent women's reservations in State legislatures and Parliament.<sup>40</sup> Women's importance for the political survival of successive Chief Ministers explains the state's decision to invest substantial political and material resources in signalling their long-term commitment to women by mandating they play a central role in elected local governments with real funds.<sup>41</sup>

Why should quotas requiring a woman rather than a man to sit at the highest local elected office make a difference in women's land inheritance? At the very least, state intervention changed the face of politics. Despite women's active participation in the movement for Indian Independence, 'it was easier to get arrested for supporting democracy (during the freedom struggle) than it was to get elected to the democratic institutions that Indian nationalists were fighting to obtain.'<sup>42</sup> These long-standing barriers to political office, combined with women's severe disadvantage in extra-household mobility, suggest that descriptive representation of women in politics may be a crucial tool for improving the quality of representative-constituent communication – and hence, representation of women's substantive interests.<sup>43</sup>

The elected position of the Pradhan is a crucial one. I call them political gatekeepers because in India, they are the most influential local politicians in a village. The Pradhan presides over the Gram Panchayat, and oversees implementation of public works, social justice projects, and land allocation. Large-scale surveys identify the Pradhan as the person most likely to be approached for assistance, regardless of the service requested.<sup>44</sup> They are key allies for individuals who want

<sup>38</sup> Singer (2007), n 12 above, 146.

<sup>39</sup> Singer (n 12 above) 103–48.

<sup>40</sup> Singer (n 12 above) 149–50.

<sup>41</sup> Singer (n 12 above) 106–7; Bohlken (2015), n 37 above, 99–103, 111; Sen (2002), n 30 above, 501–16.

<sup>42</sup> See N Chowdhury, BJ Nelson, KA Carver, NJ Johnson, and PL O'Loughlin, 'Redefining Politics: Patterns of Women's Political Engagement from a Global Perspective' in BJ Nelson and N Chowdhury (eds), *Women and Politics Worldwide* (Newhaven CT, Yale University Press, 1994), cf Buch (2020), n 28 above, 10.

<sup>43</sup> Mansbridge (1999), n 10 above, 641.

<sup>44</sup> J Bussell, *Clients and Constituents: Political Responsiveness in Patronage Democracies* (Oxford, Oxford University Press, 2019); Kruks-Wisner (2018), n 17 above.

to register crimes with the police; to acquire voting rights in a locality; or to secure formal title to land inheritance. Reservations for this position are game-changing because the Pradhan determines who controls the enforcement of all legislation in a given village.<sup>45</sup>

I argue that the simple act of mandating that women hold the highest elected position in their village government can generate a cascade of effects that run through this entire system. Traditionally, men used this political position to act as guardians of the status quo. When women occupy these seats, I find they change governance in three ways: they revolutionise how women occupy the public sphere, create new public spaces for women's benefit, and re-purpose private spaces. I will explain each briefly.

First, thanks to a mix of electoral and personal incentives,<sup>46</sup> many female Pradhans consider themselves personally responsible for increasing women's engagement with the state. According to one:

We [not] only get to know about what happens in neighboring villages ... We also keep a watch on what is happening in the world, which village is going what way, where people are happy. [As Pradhan] it is our job to make them [female constituents] understand ... Slowly, I have brought the women out. It's my duty to explain and to tell them to improve. I have made them move ahead, little by little. My authority was such, no one ever said anything to me. So I took them out slowly, made them move about, to the office, to meetings, to attend, to discuss.<sup>47</sup>

A female lawyer explained how such information campaigns improve women's ability to claim rights:

Formally, no one educates women about their [legal inheritance] rights, [except] those [female political] leaders and the [local] women's groups [they support. In contrast, when women are not the political gatekeepers] it is all about [women] being proactive and coming forward to contest their rights [alone].<sup>48</sup>

Secondly, female Pradhans open new space for women to raise claims in explicitly political fora:

Earlier, [male] Sarpanches (Pradhans) were opposed to women's organizations, and any form of women's organizing. Now, because women Pradhans are in power, they go

<sup>45</sup> PR Brass, *Theft of an Idol: Text and Context in the Representation of Collective Violence* (Princeton NJ, Princeton University Press, 1997); V Srinivasan, *Delivering Public Services Effectively: Tamil Nadu & Beyond* (New Delhi, Oxford University Press India, 2014); S Chauchard, *Why Representation Matters: The Meaning of Ethnic Quotas in Rural India* (Cambridge, Cambridge University Press, 2017); F Jensenius, *Social Justice through Inclusion: The Consequences of Electoral Quotas in India* (Oxford, Oxford University Press, 2017).

<sup>46</sup> For details on women's effectiveness mobilising voter turnout and competing as incumbents, see Brulé (2020), n 15 above.

<sup>47</sup> S Joshi 'Bitargaon' in B Datta (ed), *And Who Will Make the Chapatis? A Study of All-Women Panchayats in Maharashtra* (Calcutta, Stree Publications, 1998) 44.

<sup>48</sup> Personal interview with R.B., 7 January, 2017 at AV College, Hyderabad, Andhra Pradesh.



sit with women in their sangha (groups). [Where female Pradhans are in power] lands are now being given in women's names, and gender issues are now being taken up.<sup>49</sup>

Third and finally, female gatekeepers bridge what are typically considered public and private spaces. In particular, they make the state an appropriate avenue for women to not only demand property rights but also to gain support for conducting private (and public) negotiations of what are often high stakes conflicts over the distribution of valuable, scarce rights. This begins with their willingness to meet constituents *inside* the home, and extends to their reshaping of female identity in public and private.<sup>50</sup> For example, as gatekeepers, women have altered parental attitudes about marriage in Haryana where one mother notes that she: 'not only gave up the ghunghat (veil) but also married off her two sons without taking dowry [from brides]' due to her female Pradhan's influence.<sup>51</sup>

Unsurprisingly, the potential for such sweeping change sets in motion varied forms of resistance. What is extraordinary is that women themselves are able to navigate and redirect challenges to their new authority. My research pinpoints a key window of opportunity for women to assert their rights around property and inheritance: marriage negotiations. Women who enter this point of social reckoning and recombination with powerful female interlocutors – female heads of local government who can advocate for their equal economic rights – are able to transform prior systems of power.

To explain how representation changes enforcement of women's inheritance rights, let me paint a simple, if overly general picture of life prior to inheritance reform. Broadly speaking, pre-reform, Hindu families provided ancestral wealth to daughters as monetary dowry and to sons as property. Diverse practices existed prior to British Colonial rule, including some that provided dowry as independent wealth to women in the form of 'stridhan'. However, Colonial legal reforms made stridhan illegal and uncommon. Today, dowry is considered the 'share' of a woman's inheritance that she brings to marriage, but this becomes the property of a groom and his parents alone.<sup>52</sup> Such notions of ownership have important consequences for married women's welfare. In the worst cases, the value of a woman is reduced to the size of her dowry, with dowries deemed insufficient used to justify

<sup>49</sup> Personal interview with Jamuna Paruchuri on 21 January, 2014, in Hyderabad, Andhra Pradesh, India.

<sup>50</sup> Joshi (1998), n 47 above; J Brown, K Ananthpur and R Giovarelli, 'Women's Access and Rights to Land in Karnataka', *Research Report* (Seattle WA, Rural Development Institute, 2002) 45; Brulé, 'Reform, Representation, and Resistance' (n 7 above); Brulé, *Women, Power and Property* (n 15 above).

<sup>51</sup> JaagoRe, '5 Women Sarpanch Leaders Showing India the Way Forward' (2014) *JaagoRe*, <http://www.jaagore.com/power-of-49/5-women-sarpanch-leaders-showing-india-the-way-forward> (accessed 30 June 2018).

<sup>52</sup> S Anderson, 'Why Dowry Payments Declined with Modernization in Europe but are Rising in India' (2003) 111 *Journal of Political Economy* 269–310; S Bhalotra, R Brulé, and S Roy, 'Women's Inheritance Rights Reform and the Preference for Sons in India', *Journal of Development Economics*, 10 August 2018.



abuse of a bride as extortion to extract further money. Cycles of violence often result, which can ultimately lead to the woman's murder.<sup>53</sup>

Reform assumes that families will provide daughters with substantial property, rather than dowry. This can improve female resources *and* familial wealth: it enables the child best-suited to manage property to specialise in this work (independently of gender) and increases the quality of marriage alliances, subsequently improving agricultural production and coordination. In the best cases, inheritance reform enables families to choose a Pareto-superior distribution of resources. Yet this tradeoff is impossible if a daughter has already received dowry. Given that roughly 90 per cent of Indian marriages in contemporary India involve the exchange of dowry, I assume that most daughters who married before inheritance reform have received dowry. Thus, I identify marriage negotiations as critical junctures, when the presence of a female gatekeeper can catalyse a daughter's effective claims to gender-equal inheritance rights.

For the subset of families with unmarried daughters who are eligible to benefit from reform, I find evidence that female Pradhans create welfare-improving 'integrative bargains' by simultaneously negotiating rights over multiple, valuable goods and services: dowry, rights to ancestral property, and obligations associated with these rights.<sup>54</sup> Put differently, daughters who encounter female gatekeepers prior to marriage can move away from one-dimensional trade-offs where claiming rights is a zero-sum game that reduces familial resources, particularly those of brothers ('narrow' choice bracketing)<sup>55</sup> to multi-dimensional trade-offs where a daughter's claim to substantial inheritance can benefit the entire family ('broad' choice bracketing). As a result, backlash diminishes and female empowerment extends across generations: reshaping inheritance and reducing female infanticide.<sup>56</sup>

In sum, where effective, gender-equalising inheritance reforms should reduce inequality. Yet there is good reason to believe that the success of economic reform is contingent on prior inequality.<sup>57</sup> Indeed, I expect resistance to female gatekeepers' enforcement of gender-equalising land inheritance reforms should track inequality across India. As a preliminary check of this theory's plausibility, I compare major States in Northern India (Rajasthan and Uttar Pradesh) with those in the South (Kerala, Tamil Nadu, Andhra Pradesh and Karnataka), in the West (Maharashtra and Gujarat) and the East (West Bengal). I find that moderate levels of socio-economic inequality do appear correlated with women's ability to secure land inheritance. Women are nearly twice as likely to inherit in States with

<sup>53</sup> F Bloch and V Rao, 'Terror as a Bargaining Instrument: A Case Study of Dowry Violence in Rural India' (2002) 92 *American Economic Review* 1029–43.

<sup>54</sup> Brulé, 'Reform, Representation, and Resistance' (n 7 above); Brulé, *Women, Power, and Property* (n 15 above).

<sup>55</sup> See D Read, G Loewenstein, M Rabin, G Keren, and D Laibson, 'Choice Bracketing' in B Fischhoff (ed), *Elicitation of Preferences* (New York, Springer, 1999).

<sup>56</sup> Brulé (2020), n 15 above.

<sup>57</sup> Bardhan (2005), n 4 above; Acemoglu and Robinson (2005), n 6 above.

moderate levels of landholding per capita than they are nationally.<sup>58</sup> I also find tentative evidence of backlash against women's historical political empowerment across contemporary India: today, women are most likely to inherit land in States with below-average rates of women's historical political representation.<sup>59</sup>

### III. Conclusion: How Equality Travels

The challenge that gatekeeper theory suggests for theories of institutional change is to acknowledge the influence that socially-disadvantaged groups (here women) wield thanks to one institution: top-down political quotas and the resistance that such 'gender shocks' can inspire. Backlash is particularly likely when insecurity is both material and social.<sup>60</sup> The stakes of this endeavour are high, as globalisation accelerates the pace and prominence of economic growth, just as it simultaneously narrows the strata of national populations able to benefit from that growth and increases the number of those in precarious positions, for whom any change in social, economic, or political status can have dire consequences. There is good reason to consider institutional unravelling at many levels, ranging from behaviour within the family (patterns of increasing female infanticide and refusal to care for ageing parents) to national support for authoritarian political leaders and parties – including India's Prime Minister, Narendra Modi, the militant Rashtriya Swayamsevak Sangh (RSS) that brought him into power, and their exclusionary agenda – who delegitimise India's broadening welfare state and its capacity to radically reduce inequality.<sup>61</sup>

Taking redistribution of power seriously leads to an important insight: local political institutions can productively engage with social norms to bring about progressive, egalitarian change at critical junctures where multiple paths are possible. However, this is hard and dangerous work. To be successful, reforms must take bargaining power seriously, and work to ensure claiming valuable rights and resources can occur in the context of integrative bargains across multiple

<sup>58</sup> While only 5 per cent of women inherit nationally, 9 per cent do in Karnataka and Maharashtra, where individuals own half an acre of land on average (in 2001, 0.57 and 0.51 acres, respectively, compared to a national average of 0.38, and maximum of 0.92 in Rajasthan). In these States, rural inequality hovers around the national mean (0.24), offset by above-average attempts to redistribute agricultural land. For example, Maharashtra distributed 77 per cent of land declared 'surplus' by 1996: higher than the national mean of 66 per cent, but lower than Tamil Nadu's 83 per cent redistribution. See Brulé (2020), n 15 above, Table 8.2.

<sup>59</sup> In 2017, women represented only 3 per cent of Members of Legislative Assemblies (MLAs) elected in the two States with the highest levels of female property inheritance: 7 per cent in Karnataka and Maharashtra, versus 9 per cent nationally. Brulé (2020), n 15 above, *ibid*.

<sup>60</sup> M Shayo, 'A Model of Social Identity with an Application to Political Economy: Nation, Class, and Redistribution' (2009) 103 *American Political Science Review* 147–74.

<sup>61</sup> Evans and Heller, 'The State and Development'; A Varshney, 'Democratic Subversion', *The Indian Express*, 16 December, 2019.

dimensions. Otherwise, members of vulnerable groups are, by the very nature of their status, at a disadvantage in the single-dimensional, zero-sum bargains that typically occur around rights. Equity-enhancing reforms are most likely when those responsible for advancing rights consider how to support the art of bargaining in the service of redistributing those very rights and resources. Such bargaining becomes only more important as globalisation makes negotiation – both locally and globally – a necessary act for survival in an ever-more-dynamic economic terrain.

