CONFLICT AND COMPROMISE: THE POLITICS OF LOK ADALATS IN VARANASI DISTRICT

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Researchers use a variety of approaches in analyzing dispute processing outside of adversarial court proceedings. Some emphasize disputant decisionmaking, while others, who generally take a more critical view of these alternatives, approach dispute processing alternatives from the perspective of the state and its interests. In this article I use a third approach which focuses on the political behavior of actors involved in the organization, administration, and staffing of these alternative mechanisms. The approach is applied to a relatively new alternative to adjudication in the courts in India, the lok adalat.

INTRODUCTION

Advocates of court reform during the past twenty years have expressed substantial interest in informal dispute processing.[1] What Richard Abel (1982b:2) identified as a "movement toward informalism" has often been a principal element in suggested reforms of the judicial system in the United States. It was, and still is, seen by many as a likely solution to two seemingly vexing problems of the justice system—overburdened courts and limited access to a complex and increasingly expensive system. One court observer has suggested that a failure to establish extrajudicial forums to resolve disputes may lead to "a continued influx into the courts of an unmanageably large caseload and a continuing inability on the part of citizens to voice legal grievances effectively and

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[1] According to Richard Abel (1982b:2), "institutions are informal to the extent that they are nonbureaucratic in structure and relatively undifferentiated from the larger society, minimize the use of professionals, and eschew official law in favor of substantive and procedural norms that are vague, unwritten, commonsensical, flexible, ad hoc, and particularistic." Richard Lempert (1989:367), on the other hand, has argued that what distinguishes the rules employed in an informal institution is not that they are necessarily vague, flexible, ad hoc, and particularistic (he suggests they are often not), but rather the source of the rules employed, the publicity given them, and the expectations of whether they will be enforced.

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inexpensively" (Rosenberg 1980–81:479–80). The attractions of mediation, often portrayed as unbounded by formal procedural rules, inexpensive, participatory, and consensual in nature, transcend national boundaries. Adding to its appeal is the supposed decentralization of the law that has often accompanied the establishment of mediation alternatives. Minor civil and criminal disputes are diverted from the courts and returned to the community for settlement. The histories of the dispute and the disputants are known and considered in any resolution of the problem.

Despite the seductive logic and simplicity of this movement toward informalism, mediation has not been uniformly welcomed and its performance has not met with unqualified success, particularly when the forum involved is state sponsored. Empirical studies of particular forums have revealed a number of problems. Although some studies indicate a high rate of user satisfaction with mediation (see, e.g., Pearson 1982:431–33; McEwen and Maiman 1981:256–57; Felstiner and Williams 1982) and higher compliance levels than in adjudication (McEwen and Maiman 1984:20), state-sponsored programs often have difficulty attracting voluntary participants (i.e., "walk-ins"). Rather, they become dependent on referrals from the justice system or social service agencies (see, e.g., Pearson 1982; Harrington 1985; Merry and Silbey 1984; McEwen and Maiman 1984:45; Hayden 1986:245). This reliance on referrals suggests that pressures may be placed on the disputants in their selection of mediation or that the choice is removed from them entirely (see e.g., Abel 1982a:291–92; Tomasic 1982:226; McEwen and Maiman 1984; Harrington 1985:122–23). In fact, "subtle coercive pressures" by courtroom actors in the choice of mediation may, in certain cases, be "inevitable" (Snyder 1978:782).[2] What is more disturbing to some is the possibility of duress or subtle pressure in the process of arriving at the settlement itself (see e.g., Snyder 1978:788; Erlanger, Chambliss, and Melli 1987; Greatbatch and Dingwall 1989). In addition, just as power differentials between parties can be a factor in court (Galanter 1974), they may also influence an informal settlement process (see e.g., Merry 1982; Santos 1982; Erlanger et al. 1987; McEwen and Maiman 1984:14). In addition to raising these performance concerns, some studies have indicated that many of these forums are not reducing costs and/or lessening the burden on the courts. For example, Felstiner and Williams (1982) estimated that running the mediation program they studied cost two to three times more than any savings attribu-

[2] Not everyone considers such pressures as a fatal flaw in the process. While expressing concern over the lack of formal limitations on the discretion of those referring cases to mediation, Snyder (1978:788) notes that there are certain institutional limitations. McEwen and Maiman (1984) recognize limitations on self-selection by disputants in opting for mediation in Maine's small claims courts. But, again, they do not consider it fatal to the system.

table to cases diverted from the courts (see also Abel 1982b:5; Tomasic 1982:238–40; Pearson 1982:436–38).[3]

Undeterred by the number and diversity of poor reviews, the movement toward informalism has continued. In the effort to understand this push toward the use of informal dispute processes and disputant participation in these forums, researchers have adopted a variety of approaches. The most conventional model of dispute processing behavior is that it fundamentally reflects calculated choices made by rational actors in pursuit of instrumental goals or material interests. Based on this analysis, optimal dispute processing is achieved if disputants are educated about their options so they can make well-informed, rational decisions. To assist in this, disputes are categorized and channeled to the most appropriate forum (see, e.g., Pearson 1982:428; Goldberg, Green, and Sander 1985:545).

A variant on this model also focuses on the disputants, and their choices and motives in making certain strategic decisions. This view of disputant behavior, however, emphasizes the role of cultural norms and values, and the possibility that actions taken by a disputant may be driven by psychological or other goals, rather than the primarily material interests that drive action in the conventional model (Merry and Silbey 1984:157).[4] As in the conventional model, the focus is on the disputants, but there is no assumption of a universally applicable rational standard of behavior characterized by a series of strategically calculated decisions. Rather, the parties in making their decisions go through a complex calculus of social values, involving moral codes, cultural notions, and community evaluations (ibid., p. 176).

In contrast to these approaches which concentrate on the disputants and their behavior, the state-interest-focused analysis of disputing generally has been sharply critical of the movement toward informalism. Researchers adopting this model of dispute processing have suggested that informalism serves the interests of the state by extending its control over civil society in a somewhat insidious manner. At the same time, informalism is said to reduce threats to the state by "delegalizing" the disputes and assist in maintaining the status quo (see, e.g., Abel 1982a; Santos 1982; Cain and Kulcsar 1981–82; Harrington 1985; Hofrichter 1987). This ap-

[3] For one author's synopsis of what he sees as the multiple failings of the neighborhood justice movement, see Tomasic (1982). He lists eighteen hypotheses on which this movement is based and then exposes what he sees as their weaknesses.

[4] Concerning the possible alternative goals, Merry (1979:892) has argued that the courts may be used to harass. In a similar vein, Sarat (1976:346) has suggested that filing in small claims court may provide "psychic satisfaction," a way to "let off steam." Litigants may obtain these benefits without having to actually follow through on the court action.

proach emphasizes the state in the pursuit of its own interests, often at the expense of the disputants' freedom of choice.[5]

In attempting to explain how informal dispute resolution mechanisms function, each of these approaches has a blind spot. The first focuses too narrowly on the choices and perceptions of the disputants.[6] Not only does this minimize the effect of any possible role of the state in this process, but it also neglects the potential influence of the interests of and relationships among principal actors involved in the organization and operation of these alternative forums. This latter criticism can also be leveled at those who focus on the interests of the state, since the actors may not necessarily be pursuing state interests.[7]

Some researchers have considered the role particular actors play within the courts or within these forums in influencing decisions made by disputants. For example, Harrington (1985) studied the strategies of judges, prosecutors, and legal aid attorneys in influencing which cases should go to mediation, and Yngvesson (1988) looked at the role of court clerks. Yet indirectly, the focus has been primarily on the disputants. If the researcher's interest is only in explaining disputant behavior, then such a limited focus may be appropriate. However, if the research question involves the functioning of the forum itself—why it achieves or fails to achieve its stated goals—then the organizational politics of the forum are worth considering. Concentrating on disputant choices and the interests of the state may present only part of the picture.

Organizational politics has been defined as "those activities taken within organizations to acquire, develop, and use power and other resources to obtain one's preferred outcomes in a situation in which there is uncertainty or dissensus about choices" (Pfeffer 1981:7). If, in fact, there is disagreement among key participants over certain aspects of the process (e.g., structure of the forum, method of referral, source of disputes), then the result may be negotiating, bargaining, alliance forming, or perhaps even open hostilities among these actors. This "political activity," reflecting the objectives of the key participants and their relative power,[8] may assist in explaining the functioning of a particular forum.

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[5] All disputants do not necessarily suffer as a result. Some have argued that informal forums are merely another option for the "haves" to employ (Abel 1982a:295–301). Indicative of this is the argument that small claims courts function as collection agencies for creditors (Harrington 1985:96).

[6] Christine Harrington leveled this criticism (1985:139; also see Kidder 1980–81; Cain and Kulcsar 1981–82).

[7] While many of the actors I am referring to (e.g., judges, prosecutors, clerks, mediators) are employees of the state, they can have interests of their own that conflict with those attributed to the state. The state is not synonymous with its employees.

[8] "Power" here is used in the sense in which Robert Dahl (1957:202–3) defined it. It involves the ability of one actor, A, to get another actor, B, to do something B would not have otherwise done.

This article explores the value of an organizational politics approach in the context of a relatively new alternative forum for dispute processing in India, the *lok adalats* (people's courts; hereafter referred to as LAs). Between the state and the disputants are those actors involved in the organization and operation of these bodies. I use organizational politics to supplement the previous models and provide a more complete understanding of the functioning of alternative forums by concentrating on the relationships among and interests of the key actors involved in these LAs. Some of these individuals are in dominant situations with regard to the disputants because of their positions as court officials, the appearance they present of representing the court (Merry 1990:6; Yngvesson 1988), and/or their generally accepted higher status in local society. Such dominance enables them to exert pressure on the disputants. At the same time, decentralization allows the LAs a fair amount of autonomy, creating an opportunity for these key actors to deviate from those interests often attributed to the state.

METHODOLOGY

Data on the LAs were collected in the course of research conducted on the functioning of the district level courts[9] in Varanasi district in the northern state of Uttar Pradesh (hereafter referred to as UP). I studied the LAs, appendages to the district courts, as part of an effort to understand the district courts. While no original data were collected on, for example, who the disputants were or the subjects of their disputes, in part because the LAs were new and only four had been held in the district at the time I left in August 1987, secondary sources and interviews provided a preliminary picture. Also available were some statistics on caseloads at earlier LAs. Employing these sources, together with the observation of an LA, I was able to draw some tentative conclusions regarding the functioning of these bodies.

DISPUTE PROCESSING IN VARANASI DISTRICT

Varanasi district, located in the extreme eastern portion of UP, is a predominantly rural district, with slightly over 73 percent of the population living in rural areas (India 1981a:22–23). In this sense it is typical of India as a whole, where it is estimated that 80 percent of the population lives in rural areas. Varanasi has one major urban center, the city of Banaras, where the headquarters for the district courts is located.[10]

In rural areas, disputing often begins and ends within the vil-

[9] The district level courts represent the lowest level of India's three-tiered unitary judicial system. Above them are the High Courts and the Supreme Court.

[10] The population of Banaras is 720,755, which makes it the third largest city in the state (India 1981b:771).

lage. For most of their history Indian villages remained largely beyond the reach of any centralized legal system and relied on intra- or intervillage means for settling disputes (Sinha 1971:2; Galanter 1989:17–18) The first attempt to reach the villages came in the late eighteenth century with the establishment by the British of the first *mofussil diwani adalats* (district level civil courts in the interior). In the region that now includes Varanasi district, four "town courts" were initially established, and in 1795 the jurisdiction of these courts was extended beyond the borders of the towns (Narain 1959:147, 156).

Despite the growth of the centralized formal court system under the British and in independent India, much dispute processing continues to take place within the village.[11] Often depending on the subject matter of the dispute, settlement attempts may occur at the extended family, caste, or village level. In disputes between villages, the process is removed to the intervillage level.[12] The format may range from an extremely informal one in which both parties approach a respected person in the village to a much more formal arrangement involving some form of a more "traditional" *panchayat*.[13] The process is often conciliatory in nature, although coercion can be used, for example, in the form of social ostracism (Srinivas 1955; Hayden 1983). It is a process in which the "conciliator" ordinarily knows the disputants, the history of the dispute and the family, and the caste or village interests at play. The object generally is not to declare a winner and loser but to arrive at a compromise (Cohn 1965:105; Moore 1985:110)—to defuse

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[11] Marc Galanter (1989:17) has referred to the process of establishing a modern legal system as one of "expropriation of law," which "made the power to find, declare and apply law a monopoly of government." This represents a dramatic expansion of the role of the state, particularly in certain areas of the law such as that relating to real property. However, it does not translate into a state monopoly on dispute processing.

[12] For example, family matters would ordinarily be handled at the family or caste level, while intercaste disputes and matters of a general or village-wide concern (e.g., regarding water or property) would be handled at the village level (see, e.g., Cohn 1959–60:80; Sharma 1978:38; Moore 1985:31).

[13] While there may well no longer be any truly "traditional" panchayats left functioning which are unaffected by the formal legal system, there still are tribunals of a traditional type in many areas (Galanter 1989:38; Hayden 1983:293). Panchayats are councils historically consisting of five members, although that number is by no means sacrosanct. Village panchayats ordinarily are made up of respected men from the village, often from the dominant caste if there is one in that village (see, e.g., Moore 1985:ch. 4; Cohn 1965; Srinivas 1955). In some villages, and within certain castes, there are also caste panchayats, comprised of members of one caste, which hear only intracaste disputes (see, e.g., Cohn 1965:99–103; Hayden 1983). The existence and use of the "traditional" panchayats varies from village to village. In a village I visited in Varanasi district, caste panchayats were readily identified by those I spoke with. However, when we were discussing other panchayats, the waters became somewhat muddied. The other panchayats were described as largely unstructured and seldom convened. At least in that village, a more popular method of handling disputes seemed to be to approach some respected individual and have him act as a mediator.

the conflict rather than exacerbate it in a winner-take-all decision that those involved may not fully understand (Srinivas 1955).

The movement from dispute processing in the village to the state court system represents a shift in dispute processing philosophy from conciliatory to adversarial, as well as a change from the "local law ways" applied in the village to the "lawyers' law" employed in the courts (Cohn 1965:82). The movement to the state courts and to professional assistance in many cases implies a rejection of the option of a mediated or negotiated settlement.[14] By the time a dispute reaches this stage, one or both of the litigants may have interests in pursuing the case rather than reaching a settlement because of the multiple purposes served by the legal action. As Cohn (1965:105) suggested, based on his study of a village in Jaunpur district which borders Varanasi:

> The use of the courts for settlement of local disputes seems in most villages to be almost a minor one. In Senapur, courts were and are used as an arena in the competition for social status, and for political and economic dominance in the village. Cases are brought to court to harass one's opponents, as a punishment, as a form of land speculation and profit making, to satisfy insulted pride, and to maintain local political dominance over one's followers. The litigants do not expect a settlement that will end the dispute to eventuate from recourse to the state courts.

Similar findings have been made in other studies at the district or village level (Kidder 1973:109; Morrison 1974–75:52; Sharma 1978:3; Moore 1985:99–100). The situation I observed in Varanasi appeared to be no different. Attorneys, judges, and litigants often cited defense of *izzat* (honor), harassment, and speculation as reasons for filing with the courts.[15]

Harassment and speculation often translate into extending the case as long as necessary to crush the opposite party or have him/her submit. Delays are an inherent part of the strategy. In those matters involving one's honor, settlement may appear to be selling out and, therefore, the case must be pursued as far and as long as possible. Agreements where both parties save face can be difficult to reach in such situations, particularly after a lawsuit has been filed that may be interpreted as a further affront to the defendant's honor. Also, as Merry and Silbey (1984:154–55) imply when discussing principles and values rather than material interests as

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[14] The attorneys perceive their role as that of litigators, not negotiators. I found this to be the case in Varanasi, just as did earlier anthropological and sociological studies conducted in other areas of India (Galanter 1968–69; Morrison 1972; Kidder 1974).

[15] Merry (1979) has suggested similar reasons for resorting to courts here in the United States. They may be used as a weapon to enhance power and influence, or as a sanction to harass the other party. In *Getting Justice and Getting Even* (1990:142), she describes the use of the courts by some repeat users more in terms of a sporting event (i.e., "sparring and contest"), a metaphor occasionally used by judges and attorneys in Varanasi as well.

explanations for filing, there is little or no economic rationale to induce settlement in many cases. As I was informed by an elderly man I met outside a village, the court means expense and trouble, and the attorneys lie. If he has a problem, he prefers going to a panchayat (as he had done in the past concerning a quarrel over land). However, he would go to the court over a question of izzat. Izzat, as he suggested, is more important than money.

Where then do these LAs fit within the realm of dispute processing in Varanasi? Whose interests do they serve?

LOK ADALATS

History

State-sponsored *lok adalats* are very recent additions to the list of alternative dispute processing forums in UP and are still in a formative or trial-and-error stage. In fact, it was not until October 1987 that the first law was passed by Parliament recognizing these institutions (see the Legal Services Authorities Act, 1987). Until that time, LAs in UP were the result of a policy decision at the state level and had no constitutional or statutory basis and no uniform written rules and regulations.

The precise history of these LAs appears to be somewhat in dispute. Some claim they began in Gujarat in 1982 (*Times of India* 1987), but the *Report on National Juridicare* ("the Bhagwati Report"; Ministry of Law, Justice and Government Affairs 1977) spoke of *Lok Nyayalayas*[16] which had been set up at legal aid camps in the state of Maharashtra well before 1982. It appears that the present LAs evolved out of these earlier legal aid camps, with former Chief Justice Bhagwati of the Supreme Court providing much of the impetus (Legal Aid Unit (N.S.S.) Campus Law Centre 1985:416–17).[17]

LAs can be considered a recent expression of a trend in judicial populism which has continued in India since independence.[18] Its primary characteristic is an overriding concern with the delivery of affordable legal services to the ordinary person. For the most part, judicial populism has attracted its strongest advocates from among legal luminaries and legal scholars, but it has also attracted political support.

For perhaps the first twenty-five years of India's independence, state-sponsored *nyaya panchayats,* with their decentralized, informal, and consensual method of dispute resolution (character-

[16] *Nyayalaya* is a word of Sanskrit origin that can be translated into English as "court," much as the Urdu word adalat has been.

[17] Baxi (1976) has studied a private lok adalat that has been in existence for at least twenty-five years. This private lok adalat is totally unrelated to the state-sponsored LAs discussed here.

[18] The roots of this judicial populism can be traced to India in the days before independence and to attempts by the British to establish local panchayats that would handle petty disputes (see Tinker 1954:ch. 11).

istics all linked to "traditional" panchayats), provided an example of judicial populism transformed into a political reality.[19] The 1970s saw a series of government reports culminating in the Bhagwati Report, in some ways a manifesto for judicial populism, urging decentralized, informal, and affordable justice for the common man.[20] The Report not only noted that those administering the law had "forgotten and ignored" the "small man" (*Report on National Juridicare* 1977:33), but it also suggested that court fees were "obnoxious in principle and burdensome in practice" (ibid., p. 5). Following these reports, in 1982, Justice Bhagwati implemented a scheme for "post card justice," which enables anyone to write a letter to the Supreme Court alleging a violation of a legal right; the Court, under its writ jurisdiction, can then consider the letter as a petition. This reform, in turn, facilitated the use of the Supreme Court in the pursuit of public interest litigation (in India also referred to as social action litigation).[21] These reforms and reports are indicative of the ideological mind-set which gave rise to the next innovation of the 1980s, the LA.

Organization and Structure of LAs

Each district in UP has a legal aid advisory committee (LAAC) chaired by the district and sessions judge.[22] The committee's function is to oversee the implementation of legal aid schemes for that district. However, most of their energy and money, at least in Varanasi district, is funneled into the organization and promotion of LAs, their most highly publicized activities.[23]

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[19] *Nyaya panchayats* appear to be largely moribund today. For more on these institutions and their demise, see, e.g., Kushawaha 1977; Baxi and Galanter 1979; Meschievitz and Galanter 1982.

[20] The other reports were the Report of the Legal Aid Committee (Gujarat State 1971) and the *Report of the Expert Committee on Legal Aid* (Ministry of Law, Justice and Government Affairs 1973). The chairperson of the latter report was Supreme Court Justice V. R. Krishna Iyer.

[21] For Chief Justice Bhagwati's opinions on the scope of social action litigation and the use of letters to trigger the writ jurisdiction of the Supreme Court, see *S. P. Gupta v. Union of India,* A.I.R. 1982 S.C. 149 at 189, and *People's Union for Democratic Rights v. Union of India,* A.I.R. 1982 S.C. 1473 at 1483 (as cited in Agrawala 1985:9). One of the foremost advocates of social action litigation in India has been Upendra Baxi; see, e.g., Baxi 1979–80, and two of his books (1985:ch. 1; 1986:130–32).

[22] The district and sessions judge is the top judicial official in the district. He is responsible to the High Court of the state, which in UP sits in Allahabad. Other committee members in Varanasi include the district magistrate/collector, senior superintendent of police, superintendent of jails, district information officer, presidents of the two bar associations at the court, additional senior attorneys, district government counsels (civil, criminal, and revenue), dean of Banaras Hindu University Law School, a female representative, and a representative of the Scheduled Castes and Scheduled Tribes. In all, there are twenty-seven members on the LAAC, including many of those generally considered among the most influential local legal and administrative figures.

[23] In addition to organizing LAs, the local LAAC also runs a legal aid office at the *kacheri* (court compound). However, it has low priority when compared to the LAs and is not publicized at all. In Varanasi, one part-time clerk

The LAs are held several times a year on Sundays in towns throughout the district, shifting the LA for easy access. Their subject matter jurisdiction is potentially unlimited (Legal Services Authorities Act, 1987, § 19(3)), and they normally handle only those disputes arising within the *tahsil* (a subdivision of a district) in which the town is located. (There are four tahsils in Varanasi district.) According to the preamble of the Legal Services Authorities Act, they were intended to facilitate access to the justice system on the basis of equal opportunity, while as the district and sessions judge in Varanasi and others have noted, reducing the burden on the courts (see, e.g., *Pioneer* [Lucknow], 24 Aug. 1987; Saxena 1986).

LAs can hear disputes that have previously been filed with the courts as well as those that have not yet reached that stage. Word of an upcoming LA is spread through publicity paid for by the LAAC, which in Varanasi is supposed to include sending announcements to villages within the tahsil affected. Also, presiding officers may advise those who have already filed with the court that an LA is pending. The disputants can then decide to apply to have the matter mediated at a LA (Legal Services Authorities Act, § 20[2]) or, if they have indicated their intention to compromise, the presiding officer can order the matter transferred to an LA (ibid., § 20[1]). However, according to a former president of a local bar association, in Varanasi the consent of both parties is required before a case can be transferred to an LA. This is also the practice in neighboring Allahabad district (Kumar 1990:51). Once at the LA the parties are supposed to present their arguments themselves to a group of *panchas* (those assigned to hear the dispute). No attorneys should be present,[24] and no fees are charged. The process is not adjudicatory, but conciliatory, and the procedures followed are quite informal. The objective is to reach a mutually acceptable settlement of the dispute with the assistance of the panchas. The decision whether to accept a settlement is supposed to be entirely

works in the office. The Secretary of the LAAC (who at the time of my research held the position of additional district and sessions judge) estimated that there are four or five applications for legal aid received each month. However, another nonjudge member of the committee said he could not remember any indigent litigant being assigned an attorney and having his case handled through the legal aid office. Despite repeated efforts, I could not obtain the list of attorneys who supposedly volunteered to do pro bono work for the committee or any evidence that any attorneys were ever assigned to cases. This was not the case in Deoria (a district to the north of Varanasi), where I did meet with an attorney who handled such cases. A committee member there, who is an attorney, estimated that in three years the committee had accepted about thirty-five cases.

[24] An LAAC member noted that having no attorneys present tended to remove the "mischief" from the process. At least this is the case in Varanasi. Studies of LAs in other areas have emphasized attorney participation (Kassebaum 1989; Legal Aid Unit (N.S.S.) Campus Law Centre 1985). In the neighboring district of Allahabad, apparently no attorneys are involved in the LAs (Kumar 1990).

voluntary (Legal Services Authorities Act, 1987, § 20[5]; also see Gupteswar 1988; Kumar 1990:51).

The panchas are selected by the LAAC and are generally chosen from among senior advocates, local law professors, state representatives, retired judges, and other local elites. The number of panchas hearing a dispute may vary. At the LA I attended, they were divided into groups of five to hear the civil disputes. (As explained below, in criminal and revenue matters there were no panchas.) If the dispute is one that has already been filed in court, the presiding officer who has been assigned the case in court is present. However, as the practice has developed in Varanasi, he ordinarily does not take an active part in the settlement process itself. Rather, if an agreement is reached, he is there to sign a decree containing the elements of the compromise.[25]

The description presented above is a highly idealized version of an LA and one that those responsible for them foster. The image of two disputants voluntarily choosing to take their dispute to respected and neutral third parties, to discuss it, and, with their assistance, arrive at an agreement does not generally comport with reality. In fact, criticism of LAs was widespread. Attorneys in Varanasi described them as "political," a "farce," a "hoax," a "fish market," "bogus," and a "sham." Such a response might be expected, since they stand to lose business if LAs are successful in draining from the district courts many of the petty cases filed there. However, complaints were also heard from some judges who one would expect to be far more cautious in their criticism, if only in order not to anger the district and sessions judge.[26] (Even one district and sessions judge I interviewed in a nearby district admitted that the LAs were not functioning properly.)

The LA at Banaras (8 March 1987)

Preparations for the LA I observed began about a month before it was actually held.[27] Arrangements for a location had to be made, publicity distributed, invitations printed and sent, programs printed, disputes to be "resolved" identified, and, at least in this instance, a "mini" LA held two weeks prior to the major one to settle a number of motor vehicle claims.

The LA was held on the grounds of an intermediate college about a quarter-mile from the *kacheri* and, according to the invitation, was scheduled to begin at 10:00 A.M. As is customary, it was scheduled for a Sunday when the kacheri was closed. This meant

[25] I gained much of this information on the workings of the LA and the LAAC in interviews with the LAAC secretary.

[26] An additional district and sessions judge referred to LAs as useless and expensive. He suggested that they handled primarily "confession cases" and that he could decide a thousand of those on a Sunday at far less cost.

[27] The LAAC secretary told me that for an earlier LA in the district preparations began three months in advance.

all of the presiding officers were expected to attend the opening ceremonies on their one day off during the week. (They also have one Saturday off each month.) The *munsifs* (i.e., the lowest level judges in the district) had to remain after the ceremonies because the matters to be "settled" were generally within their jurisdiction. The rest of the presiding officers, except for those on the LAAC, could leave after the opening ceremonies.

A large banner at the entrance to the grounds announced the LA. Inside the gate was a large hall with a stage at the front and decked with pennants. Entrance into the hall seemed to be by invitation only.[28] For forty-five minutes nothing happened; then at 10:45 A.M. the ceremonies began. Four people were seated at a table on the stage, among them the district and sessions judge, the district magistrate/collector and the guest of honor, a former justice of the High Court at Allahabad. There were seven or eight short speeches and then the guest of honor presented checks to a number of motor vehicle claimants in cases involving the death of a relative in an automobile accident. These were all claims that had been settled several weeks earlier at the "mini" LA, but it had been arranged to give the checks out at this main LA. Each claimant, on hearing her name (all were female), approached the stage together with her attorney, received the check, and had her photo taken with the district and sessions judge and the guest of honor. Five checks were given out, although the district and sessions judge had told me that nine of these cases had been resolved. Following this, short speeches by the district and sessions judge and the guest of honor closed out the opening ceremonies. It was then about noon.

Outside were a number of tables (perhaps twenty to twenty-five) with signs over them in Hindi indicating whether they were handling criminal, civil, railway, or some other class of disputes. The majority (thirteen) were set up to process petty criminal matters, and only these were particularly busy. At each of the criminal and civil tables was a munsif and his clerk from the court. Long lines formed in front of the criminal tables, and the munsifs there immediately began processing cases, which consisted of taking a guilty plea, collecting a fine, and having the clerk record it. At a few of the civil tables there were discussions among litigants, their advocates (even though none are supposed to be present), and the munsif. But little seemed to be accomplished, and these cases soon shifted inside the hall where the opening ceremonies had been held.

Inside, the chairs had been rearranged and three committees of five panchas each began hearing disputes at about 1:00 P.M. These committees heard civil disputes only and worked more in accordance with the ideal conciliatory concept of LAs outlined

[28] My invitation came from the secretary of the committee.

above. The disputants represented themselves while the panchas listened, questioned them, and suggested solutions. Prior to lunch I noticed two disputes, both relating to real property, which were settled by this process. In one, an agreement was reached only after much arm twisting by one of the panchas, a very eminent local criminal attorney who was also an LAAC member. It took about thirty minutes to work out the agreement, which then almost fell through when a third party intervened in the process. The pancha who was largely responsible for the compromise became irate and, shouting at the man, accused him of being a "*dalal*" (tout).[29] He then ordered the man to leave the hall, and the man left. The agreement was then finalized and put into writing by an attorney who was present. It was signed by the disputants, the two panchas who were primarily responsible for it, and the munsif in whose court the case had been scheduled.

At 1:30 P.M. work stopped. Everyone broke for lunch, a special lunch having been arranged for the invited guests.[30]

The Reality of LAs

The LA described above was considered a major success by many of those involved with its planning and execution. However, it had little in common with the vision of LAs as voluntary and conciliatory bodies, welcoming the challenge of settling all manner of petty disputes. This disjuncture between the ideal and the actual can be seen in the sources and categories of disputes coming to the LA and the numbers of those "settled."

None of the several major sources of cases for LAs in Varanasi district fit the ideal version. Coercion (subtle or otherwise) in the selection process appears to be common. The district and sessions judge can send word to the munsifs (because they handle most of the petty matters) to try to transfer to the LA criminal cases for which they believe there will be guilty pleas.[31] A senior attorney from a nearby district also charged that defendants are occasionally induced to plead guilty at LAs, rather than in court, by the promise of a lower fine. This may have been the case at the 8

[29] Touts are not uncommon in Varanasi. Ordinarily these individuals, who have some knowledge of the law and how the courts work, usually live in the village with the litigant and serve in an advisory and referral capacity. The tout generally accompanies the litigant to court, and in turn the litigant pays his expenses. In addition, he receives a set fee, a percentage of the fee paid to the attorney, or if the attorney needs the business badly, a fee from both the attorney and the client.

[30] I left at this point. The LA was scheduled to resume at 2:00 P.M. and end at 4:00 P.M.

[31] According to the LAAC secretary, transferred cases are overwhelmingly minor violations of motor vehicle laws or such regulatory acts as the Shop and Commercial Establishment Act and the Weight and Measurement Act. He provided the following estimates of guilty pleas for violations of these three acts from an earlier LA in the district: Motor Vehicle Act—2,000; Commercial Establishment Act—300–400; Weight and Measurement Act—200.

March LA. A journalist covering the event for a local newspaper reported lower fines than statutorily permitted being imposed by munsifs. Her article in the next day's paper noted that for violations of the Excise Act the minimum fine is Rs 500, yet at the LA in question fines of Rs 40 and 50 were being imposed (*Patrika* 1987). Several senior attorneys also suggested that the police are typically notified in advance of an upcoming LA and told to *challan* (in this sense, to ticket someone) as many rickshaws, scooters,[32] etc., as possible and send them to the LA.[33]

I experienced this last method first hand. On my way to attend the LA, the scooter I was riding in was stopped at a police checkpoint, a practice I had not noticed before, and ticketed for carrying too many passengers (five). On returning to the scooter, the driver confirmed that he had been told to appear at the LA being held that day at the intermediate college. The police apparently acted properly in that there is a law restricting the number of people who can ride in a scooter at one time. However, the law was not customarily enforced, although in Banaras virtually all drivers carry five passengers in scooters. In fact, on more than one occasion, the scooters I rode in with four other passengers included a policeman.

In addition to petty criminal cases, *ex parte* revenue cases are often handled at LAs in the district.[34] An additional district and sessions judge mentioned that generally these involve no more than a change of names in the records after a transfer of agricultural land has taken place.

Among the types of cases cited as most common to LAs in Varanasi, none involve walk-ins. (I did not learn about any walk-ins at the LA I attended.) In addition, these major sources of cases did not include any civil matters. In fact, relatively few civil disputes were resolved at any of the LAs held in Varanasi district up to the time I left in April 1987 (see Table 1). Usually, a few motor vehicle claims were settled and there might be several marital disputes or other civil actions resolved. However, even among these, the criticism was leveled (most often by attorneys, but by a few judges as well) that the settlements reached often had been previously arrived at and only the actual signing of them by the parties

[32] The district magistrate/collector (the head executive officer in the district) and the senior superintendent of police, both LAAC members, have the authority to arrange such checkpoints.

[33] A "scooter" is a small three-wheeled motorized vehicle that is a common and cheap form of public transportation in many Indian cities. In Banaras, the practice is to seat three people in the back and three in the front (one being the driver), even though the rear seat can hold no more than two people comfortably and the front is designed to seat only the driver.

[34] Revenue matters are those pertaining to agricultural land and they are handled by the revenue courts, which are part of the executive branch. Therefore, they come under the authority of the district magistrate/collector, not the district and sessions judge.

Table 1. Lok Adalats Held in Varanasi District and the Types and Numbers of Cases Resolved

Date & Location (Tahsil)	No. of Individual LAs	No. of Cases Resolved	Types of Cases		
			Criminal	Revenue	Civil
12/1/85: Sarnath (Varanasi)	15	4,279	2,300	1,971	8
6/1/86: Amara (Chakiya)	5	68	N.A.	N.A.	N.A.
8/31/86: Aurai (Gyanpur)	32	5,571	4,914	652	5
3/8/87: Banaras (Varanasi)	27	2,372	1,770	594	8

and the passing of the decrees by the presiding officers took place at the LA. This practice, somewhat surprisingly, apparently was condoned by Parliament in section 20(1) of the Legal Services Authorities Act, 1987.[35]

Many of the allegations made above are corroborated by personal observation and the remarkable numbers of cases "resolved" at LAs. Table 1 shows the breakdown of cases for the four LAs held in Varanasi district through March 1987. Although the numbers at the first and third tend to be higher than figures I have seen for other districts in eastern UP (the fourth being closer to the norm), the breakdown by types of cases is quite typical. The figures for the second are low because the LA at Amara was an experimental one covering only the jurisdiction of one *nyaya panchayat* (a group of villages within a tahsil) and designed to create a series of "grievance-free" villages. (By the end of that LA, seventeen of twenty-one villages were declared grievance free.)[36]

The large number of cases indicates that little or no actual conciliation takes place in the vast majority of cases. In one day, at the 8 March LA, 2,372 cases were "resolved" by 27 individual LAs. (Not only is the entire event referred to as an LA, but each group that "resolves" disputes is also referred to as an individual LA.) It seems clear that the vast majority of cases were selected for this LA, not because they required mediation or conciliation, but rather because they could be handled administratively without the need for mediation. Judging by the figures available for the De-

[35] Section 20(1) reads as follows: "Where, in any suit or other proceeding which is capable of being taken cognizance of by a Lok Adalat under the provisions of this Act and pending before any court or tribunal, if the parties thereof make a joint application to the court or tribunal indicating their intention to compromise the matter or to arrive at a settlement, the presiding officer of the court or tribunal, as the case may be, instead of proceeding to effect a compromise between the parties or to arrive at a settlement himself, and notwithstanding anything contained in any other law for the time being in force, pass an order that the suit or proceeding shall stand transferred to the Lok Adalat for arriving at a compromise or settlement."

[36] The figures for the first three LAs were taken from the official program distributed at the 8 March LA. The figures for that last LA were obtained from a newspaper account the following day (*Patrika* 1987).

cember and August LAs, they operated the same way. The other significant factor which stands out in the figures cited above is the very few civil cases resolved in these LAs. Out of 12,222 cases "settled" at the three LAs for which breakdowns by category of case were available, only 21 were listed as civil.[37]

It seems, therefore, that the LAs in Varanasi serve two very different roles. First, they act in an administrative fashion, processing, for example, large numbers of guilty pleas and *ex parte* revenue matters. Second, they provide mediation services for a small group of civil matters.

Organizational Politics of LAs

The dual roles of LAs in Varanasi district cannot be explained simply by disputant behavior and/or as an expression of state interests. Rather, consistent with an organizational politics approach. the interests of the key actors in the process and their ability to pursue those interests produce this pattern. LAs are little more than appendages to the district courts, so their politics represent an extension of the political maneuvering that takes place within those courts. From the broader perspective of district court politics, these LAs appear as one more bargaining chip in an ongoing and sometimes conflictual relationship between the primary organizer of the LAs, the district and sessions judge, and the attorneys.

As the primary organizer of these forums, the district and sessions judge has a vested interest in their success. Although the district LAAC is charged with organizing LAs, the responsibility for their success, as well as any benefits which might accrue, fall primarily on the district and sessions judge in his role as chair of the Committee. His future career prospects can be affected by how well the LAs are perceived to perform. Both the High Court and state administration are crucial to his career through their control of possible future appointments to the High Court and state offices, as well as transfers to more or less desirable districts.[38]

Because there are virtually no walk-ins at these LAs, the position of the attorneys is significant. While police send some cases to the LA, the remaining cases come through the courts and attorneys are often involved. While participation at the LAs in Varanasi district is supposedly voluntary, with an inexperienced and perhaps illiterate litigant relying on an attorney's advice, as well as coaxing from a judge, it is easy to understand how Snyder's (1978)

[37] This is obviously an understatement since the motor vehicle claims settled at the mini LA appear to have been omitted.

[38] Judges in UP ordinarily serve three-year terms in a district and are then transferred. They can also be transferred for disciplinary reasons in midterm. Any transfer can present housing and schooling problems. In my conversations with them, most of the judges said they preferred to work in districts close to their home district where many had family and land and where they spoke the local dialect (e.g., Bhojpuri in Varanasi).

"subtle coercive pressures" can come into play (also see Harrington 1985:122–23).[39]

Most of the attorneys I spoke with expressed reservations about the LAs and some were openly hostile.[40] Yet their cooperation,[41] or at least acquiescence, was crucial in generating cases for the LAs. The explanation for this is not that attorneys lack the ability to oppose the judiciary. On the contrary, they are quite powerful actors.

The attorneys in Varanasi did not hesitate to act to protect their interests in other situations, and instances of open hostility were not uncommon. Using what one judge in Varanasi aptly referred to as the tactics of "trade unionism," the attorneys have employed *bandhs* (general strikes), effectively shutting down the courthouse, as well as boycotts of certain courtrooms.[42] They also have sent letters of complaint to the High Court requesting that some disciplinary action be taken against a particular presiding officer. Although there are formal procedures by which judges can respond to such actions, the available tools have proved largely useless against the lawyers. Even the district and sessions judge, with the additional authority attached to his role as the chief judicial officer in the district, is not immune from attorney reprisals.[43]

The attorneys have a variety of reasons to resist mediation at the LAs. The obvious one is the potential loss of business. Particularly for those with small practices, the loss of several cases can be disastrous.[44] Also, if the case does not settle at the LA, the loss of

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[39] For more knowledgeable court regulars, such as Robert Kidder's (1974) "court-birds," the pressures may be easier to withstand.

[40] The comments by a former president of one of the bar associations are typical. He characterized the LAs as *"tamashas"* (shows) and said that most of the cases were "sham" cases arranged by the police. He referred to the process as a mockery of justice.

[41] In the United States as well, some researchers have suggested that attorney cooperation can be a key to the ultimate success or failure of certain informal forums (see, e.g., Pearson 1982:428; Goldberg et al. 1986:291–92; Murray 1987:781).

[42] The logistics of organizing such actions are relatively simple since all the practicing attorneys spend their days at the kacheri, where the bar associations' offices are also located.

[43] Such a situation arose as I was about to leave Varanasi. The attorneys were boycotting the district and sessions judge's courtroom and, according to a senior attorney, had sent letters to the High Court alleging he was corrupt and demanding his transfer. The crisis supposedly arose out of the district and sessions judge's initial refusal to allow an opposition politician on the courthouse grounds to unveil a portrait in one of the bar association offices.

[44] As of July 1986, 3,220 attorneys were licensed to practice in Varanasi (figures supplied by the Bar Council of Uttar Pradesh). A former president of one of the bar associations estimated that 80 percent of the attorneys then practicing handled only minor administrative matters, when they could get them. Although that estimate may be somewhat high, it became evident to me after a short time at the kacheri that a substantial number of the attorneys earn barely a livable wage. Every day, for nearly the entire day, they can be seen passing the time, talking with friends and drinking tea at their designated spots on the compound. Each attorney has a particular location on the grounds

control over it for a period of time can be damaging when the case returns to court. Without the attorney present during mediation, a client may offer information at an LA that can hurt his/her chances in court. If the case does settle, an attorney may suffer a loss of face due to the success of other attorneys acting as panchas in resolving the dispute. Yet most attorneys interviewed agreed that up to the present the LAs had had little negative effect on their business. While they almost universally condemned LAs,[45] they characterized them more as an embarrassment to the legal system than as a danger to their livelihoods.

Why, then, do attorneys cooperate with the district and sessions judge in referring cases to the LAs? When asked this question regarding the nine motor vehicle claims settled at the "mini-LA," a member of the Varanasi LAAC who participated as a pancha at that LA said simply that the judge "let it be known" that he wanted them resolved. The pancha explained the sources of the district and sessions judge's influence: he hears most of the important bail applications; he makes or is involved in making appointments to a number of committees (including the LAAC) and particular postings (e.g., court commissioners);[46] and he exercises administrative control over the court compound and, therefore, has some say in the bar associations' offices, which are located within the compound. He also makes the initial assignments of cases to particular courtrooms and hears applications for transfer of cases. This control over such valued resources gave the judge sufficient bargaining power to assure that attorneys would not use their influence to obstruct the transfer of a limited number of cases to an LA. This was so, despite the almost universal disenchantment the attorneys in Varanasi expressed toward them.[47]

The LAs put the district and sessions judge in a difficult position. As the primary organizer, he is charged with the task of carrying out his responsibilities as defined by the High Court and state administration (i.e., conducting LAs) without unduly inter-

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where he can be found when not in court. For more on the breakdown of earnings among Indian attorneys, see Krishnan 1981.

[45] The only attorney interviewed who was entirely in favor of LAs was an LAAC member who had served as a pancha at the 8 March LA.

[46] Commissioners serve as officers of the court and assist in the trying of cases. A presiding officer can order them to perform a variety of duties, for example, examining a witness who cannot appear in court or conducting an investigation to determine the market value of a piece of property. Those appointed are often young advocates who need the extra income to allow them to continue practicing.

[47] In a study of LAs in the southern states of Karnataka and Tamilnadu, Kassebaum (1989:27) did not find such universal condemnation by the attorneys. Participation by attorneys was authorized in his LAs, and those who did participate thought they "made a useful contribution to settlement of cases which were 'ripe' for settlement." At the same time, he did suggest that there was some resistance from some lawyers (ibid., p. 25).

fering with the interests of the attorneys. The conflict inherent in these demands largely explains the dual functions of the LAs.

In its "administrative" capacity, the LA satisfies the perceived need for large numbers. Newspaper reports continuously comment on remarkable numbers of disputes disposed of at these gatherings. Headlines such as "Lok Adalat Decides 1000 Cases" (*Pioneer* 1987a); "2,227 Cases Decided at Lok Adalat" (ibid., 1987b); "3,000 Cases Decided at Lok Adalat" (ibid., 1987c), seem to set standards against which other LAs are to be measured and other district and sessions judges to be tested. Whether, in fact, the High Court and/or state administration see these numbers as significant is unclear, but some district and sessions judges report that they are.

On the other hand, the administrative activities of the LAs with their overwhelming numbers can, at times, obscure what is ostensibly the primary purpose of LAs as expressed in the Legal Services Authorities Act, 1987—to promote justice through the "compromise" or "settlement" of disputes (preamble, ch. 6). LAs are publicized and, in the abstract, designed as conciliatory bodies. The use of the term *panchas* implies a conciliatory function and a link (tenuous though it may be) to more traditional methods of dispute processing in the village. Indicative of the significance attached to this role of LAs was the attention given to the resolution of the nine motor vehicle claims at the March 8 LA.[48] As noted above, the district and sessions judge exercised his influence with the attorneys to insure that those nine cases were settled through the LA. This included the scheduling of the special "mini-LA" several weeks in advance of the official one.

The conciliatory function, while negligible in terms of numbers, remains the primary basis for claiming legitimacy for the

[48] LAs have appeared to meet with their greatest success in the area of motor vehicle claims. In the LA I attended, great emphasis was placed on those nine settled claims. The district and sessions judge made it a point to stress those cases. In Bombay several hundred motor vehicle claims were reported resolved at one LA (Menon 1985) and in Delhi 116 (Legal Aid Unit (N.S.S.) Campus Law Centre 1985). Kassebaum (1989) also emphasized the settlement of motor vehicle cases in his study of LAs in Karnataka. There are several reasons why these may be more conducive to settlement at LAs than other types of disputes. The parties are generally strangers. Thus there are no possible pressures to process the dispute within the community. In addition, there is no alternative in these cases but to resort to the state if the parties themselves cannot settle. Also, one of the disputants is often a government-owned insurance company, and the chairman of the General Insurance Corporation of India has instructed the corporation's field units throughout the country to make use of LAs whenever available (Menon 1985:449–50). While all these examples of LAs resolving motor vehicle claims received favorable reviews, some concerns are raised that require further research. In particular, the possibility of coercion remains, both in the selection of a forum and in the settlement itself. Related to this is the issue of the disparity of power between the parties ordinarily involved. This is the question of "haves vs. have nots" (Galanter 1974) shifted into dispute processing outside the adversarial court process. The "deprofessionalization" of some LAs, where attorneys are not present, may simply exacerbate the disparity between parties unevenly matched in experience and resources.

LAs as alternative dispute processing bodies. This function links them to the notion of judicial populism. While the administrative function may or may not result in time and cost savings,[49] it has little to do with dispute processing.

CONCLUSION

This analysis of the LAs demonstrates how major models employed in understanding dispute processing may not fully explain the functioning of alternative forums. In between the disputants and the state are often the organizers, administrators and/or staff of these bodies. These middlemen may be sufficiently dominant to substantially limit disputant choices at the selection and settlement stages. At the same time, interests or goals attributed to the state must be filtered through these middlemen. Although nominally many of them are state actors, their interests are not necessarily consistent with those attributed to the state. Moreover, different actors may not all have identical interests or be pursuing the same goal or goals. Conflict may be present.[50]

The argument is not that the organizational politics of any dispute processing forum work to the exclusion of choices made by disputants and interests of the state. Rather, the latter provide the parameters within which these middlemen can maneuver. The extent of their freedom of movement is partially a function of their relative power with regard to most disputants and the extent of decentralization.

The influence of such middlemen on informal dispute processing has not been entirely overlooked. Some researchers have considered their significance, but they have not analyzed their roles as part of an ongoing political process linked to others within the organization. For example, in her study of dispute processing at a district criminal court in Massachusetts, Yngvesson (1988) refers to the court clerk as the dominant actor, while also pointing out constraints placed on his freedom of action by particular disputants. However, the question of the clerk's power in making relevant decisions is never analyzed from the perspective of his fellow actors within the criminal justice system (e.g., the judge, the attorneys). How do these other actors influence what occurs?

Harrington (1985) also looks to actors within the criminal jus-

[49] The additional district and sessions judge mentioned in note 26, who had been openly critical of LAs, suggested that the cost of paying him and a few other judges, along with the necessary staff, would be substantially less than the cost of staging a LA.

[50] Eisenstein, Fleming, and Nardulli (1988:24–25) have stressed the possibility of conflict within what they refer to as the court "community." The LAs in Varanasi are organized and administered by players from the district court, so that conflict within that court may very well carry over to these new bodies. The potential for such conflict has often been cited in organizational literature. See, e.g., Crozier's (1964) study of an industrial monopoly in France (see also Pfeffer 1981:6–9, 27–28; Perrow 1986:131–34).

tice system (i.e., police, judges and prosecutors) in her study of a Kansas City neighborhood justice center. She acknowledges the significance of this linkage with the formal criminal justice system in concluding that their "coercion and authority . . . are essential elements to the institutional existence of neighborhood justice centers" (ibid., p. 170). But are we expected to see the key actors as pulling together to produce this informal system of selection, much as explanations of plea bargaining have portrayed that process (see, e.g., Blumberg 1967; Eisenstein and Jacob 1977; Nardulli 1978)? Or is the selection of cases instead the outcome of a more conflictual political process?

The functioning of the LAs in Varanasi district appears to be the result of just such a conflictual political process. But that process itself is shaped by other forces. Cultural and societal norms limit what can be expected of an LA. The historical reliance in many situations on dispute processing within the village or at the intervillage level, a generally unfavorable impression of the state courts among many villagers as well as city dwellers,[51] and the frequent use of the courts for reasons other than resolving disputes all act as constraints on what LAs can be expected to achieve. The political context within which the LAs and courts exists also exerts pressures and, consequently, guide the directions in which these bodies can move. It is this political milieu which dictates that certain ends be met, although the means of achieving them are left vague. The rhetoric, if not the reality, of judicial populism is to be fostered. Operating within these constraints, the district and sessions judge and the Attorneys have crafted a compromise they both can accept.

GLOSSARY

lok adalats: people's courts
lok nyayalayas: people's courts
kacheri: court compound
munsif: lowest level of judge in the state of Uttar Pradesh
nyaya panchayats: state-sponsored forums set up for informal dispute resolution
pancha (pl. *panchas*): one assigned to hear a dispute
panchayats: councils, at a caste, village, or intervillage level, convened for the settlement of disputes
tahsil: subdivision of a district

[51] This is significant because of the close linkage between LAs and the state courts. Not only are they organized by the district and sessions judge, but they rely heavily on the courts for referrals, many of the panchas are attorneys and former judges, the proceedings are treated as judicial proceedings, and the judges who referred the cases are present to sign decrees once a settlement is reached and recorded.

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