

Chapter-3

The Story Indian Democracy

Facts that Matter

Democracy

- Democracy is a government of the people, by the people, and for the people.
- Democracies fall into two basic categories, direct and representative.

Direct democracy

- All citizens, without the intermediary of elected or appointed officials, can participate in making public decisions.
- Such a system is clearly only practical with relatively small numbers of people – in a community organisation or tribal council, for example, the local unit of a trade union, where members can meet in a single room to discuss issues and arrive at decisions by consensus or majority vote.

Representative democracy

- Citizens elect officials to make political decisions, formulate laws, and administer programmes for the public good.
- Every citizen has the important right to vote her/his representative. People elect their representatives to all levels from Panchayats, Municipal Boards, State Assemblies and Parliament.
- Participatory democracy is a system of democracy in which the members of a group or community participate collectively in the taking of major decisions.
- Decentralised governance/democratic decentralisation system of governance: Where power is divided among levels and each level has its own powers and authority (duties, responsibilities) e.g Panchayati Raj.

Core Values of Democracy



- Democracy is not a modern term, it has been there for a long long ago.
- Example of democratic behaviour has been shown in traditional plays and stories and in the epics, folklores.
- It is a combination of modern and traditional ideas. Modern ideas taken from the colonial rule and traditional ideas taken from folklores and epics.
- Western ideas-» Taken from books and other country's example.
- Indian National Congress-e-Most powerful party had sessions in various places. Karachi Session 1931 was crucial because the concept of Poorna Swaraj came into being.
- Also known as Karachi Resolution in which ideas were put together and later put into the constitution, fundamental rights were taken from these ideas.

156

Fundamental Rights

1. All religions are equal: Everyone has the right to choose his/her religion.
2. Everyone should be free to elect, and vote for his/her representatives. Women can also work and can exercise their rights.
3. Right to Freedoms- Justice to all.

Constituent Assembly and Drafting of Constitution

- Constituent Assembly formed to draft constitution, had members from all walks of life.
- 1945-46 Constituent Assembly was formed, people from all sections, religions, castes, language, element group, region were part of it.
- B R Ambedkar was the head of assembly.
- There were a lot of debates on various issues e.g. When Panchayati Raj was suggested BR Ambedkar was against it because there would be more divisions among castes.
- But Panchayati Raj was formed in 1992.

Constitution and social change

- The multi-religious and multicultural composition of the population with distinct streams of tribal culture is one aspect of the plurality. Many divides classify the Indian people.
- The impact that culture, religion, and caste have on the urban-rural divide, rich-poor divide and the literate-illiterate divide is varied. Deeply stratified by caste and



poverty, there are groupings and sub-groupings among the rural poor.

- The urban working class comprises a very wide range. Then, there is the well-organised domestic business class as also the professional and commercial class. The urban professional class is highly vocal.
- Competing interests operate on the Indian social scene and clamour for control of the State's resources.

Basic objectives laid down by the Constitution

- Empowerment of the poor and marginalised, poverty alleviation, ending of caste and positive steps to treat all groups equally.

Competing interest

- Competing interests do not always reflect a clear class divide.
- Take the issue of the close down of a factory because it emits toxic waste and affects the health of those around. This is a matter of life, which the Constitution protects.
- The flipside is that the closure will render people jobless. Livelihood again, is a matter of life that the Constitution protects.
- It is interesting that at the time of drawing up the Constitution, the Constituent Assembly was fully aware of this complexity and plurality but was intent on securing social justice as a guarantee.

Law and justice

- The essence of law is its force. Law is law because it carries the means to coerce or force obedience. The power of the state is behind it.
- The essence of justice is fairness. Any system of laws functions through a hierarchy of authorities.
- The basic norm from which all other rules and authorities flow is called the Constitution. It is the document that constitutes a nation's tenets.
- The Indian Constitution is India's basic norm. All other laws are made as per the procedures the Constitution prescribes. These laws are made and implemented by the authorities specified by the Constitution.
- A hierarchy of courts (which too are authorities created by the Constitution) interpret the laws when there is a dispute. The Supreme Court is the highest court and the



ultimate interpreter of the Constitution.

- The Supreme Court has enhanced the substance of Fundamental Rights in the Constitution in many important ways.

The Constitution and social justice

- The Constitution is not just a ready reference of do's and don'ts for social justice. It has the potential for the meaning of social justice to be extended.
- Social movements have also aided the Courts and authorities to interpret the contents of rights and principles in keeping with the contemporary understanding on social justice.
- Law and Courts are sites where competing views are debated. The Constitution remains a means to channelise and civilise political power towards social welfare.
- The Constitution has the capacity to help people because it is based on basic norms of social justice. For instance, the Directive Principle on village panchayats was moved as an amendment in the Constituent assembly by K. Santhanam.
- After forty odd years it became a Constitutional imperative after the 73rd Amendment in 1992.

Panchayati Raj

- Panchayati Raj translates literally to 'Governance by five individuals'.
- The idea is to ensure at the village or grass root level a functioning and vibrant democracy.
- While the idea of grassroots democracy is not an alien import to our country, in a society where there are sharp inequalities democratic participation is hindered on grounds of gender, caste and class.
- Traditionally there have been caste panchayats in villages. But they have usually represented dominant groups.
- They often held conservative views and often have, and continue to take decisions that go against both democratic norms and procedures.

Panchyati Raj Institution

- The structure of the three tier system of Panchyati Raj Institution is like a pyramid. At the base of the structure stands the unit of democracy or Gram Sabha followed by the



Panchayat Samiti or Gram Panchayat and then the Zila Parishad.

- This consists of the entire body of citizens in a village or grama. It is this general body that elects the local government and charges it with specific responsibilities.
- The Gram Sabhas ideally ought to provide an open forum for discussions and village-level development activities and play a crucial role in ensuring inclusion of the weaker sections in the decision-making processes.
- The 73rd Amendment provided a three-tier system of Panchayati Raj for all states having a population of over twenty lakhs. It became mandatory that election to these bodies be conducted every five years.
- It provided reservation of seats for the Scheduled Castes, Scheduled Tribes and thirty three percent seats for women.
- It constituted District Planning Committee to prepare drafts and develop plans for the district as a whole.

The 73rd and 74th amendments

- Ensured the reservation of one third of the total seats for women in all elected offices of local bodies in both the rural and urban areas. Out of this, 17 per cent seats are reserved for women belonging to the scheduled castes and tribes.
- This amendment is significant as for the first time it brought women into elected bodies which also bestowed on them decision making powers. One third of the seats in local bodies, gram panchayats, village panchayats, municipalities, city corporations and district boards are reserved for women.
- The 1993-94 elections, soon after the 73rd amendment brought in 800,000 women into the political processes in a single election. That was a big step indeed in enfranchising women.
- A constitutional amendment prescribed a three-tier system of local self-governance for the entire country, effective since 1992-93.

Power and responsibilities of Panchyats

- According to the Constitution, Panchayats should be given powers and authority to function as institutions of self-government. It, thus, requires all state governments to revitalise local representative institutions.
- The following powers and responsibility were delegated to the Panchayats:



- to prepare plans and schemes for economic development
- to promote schemes that will enhance social justice
- to levy, collect and appropriate taxes, duties, tolls and fees
- help in the devolution of governmental responsibilities, especially that of finances to local authorities

Social welfare responsibilities

- The maintenance of burning and burial grounds
- Recording statistics of births and deaths, establishment of child welfare and maternity centres
- Control of cattle pounds
- Propagation of family planning
- Promotion of agricultural activities.

Development activities

- The construction of roads, public buildings, wells, tanks and schools.
- They also promote small cottage industries and take care of minor irrigation works.
- Many government schemes like the Integrated Rural Development Programme (IRDP) and Integrated Child Development Scheme (ICDS) are monitored by members of the panchayat.

Income of the Panchayats

- The main income of the Panchayats is from tax levied on property, profession, animals, vehicles, cess on land revenue and rentals.
- The resources are further increased by the grants received through the Zilla Panchayat.
- It is also considered compulsory for Panchayat offices to put up boards outside their offices, listing the break up of funds received, and utilisation of the financial aid received.
- This exercise was taken up to ensure that people at the grassroot level should have the 'right to information' – opening all functioning to the public eye.
- People had the right to scrutinise allocation of money. And ask reasons for decisions that were taken for the welfare and development activities of the village.



Nyaya Panchayats

- Nyaya Panchayats have been constituted in some states.
- They possess the authority to hear some petty, civil and criminal cases.
- They can impose fines but cannot award a sentence.
- These village courts have often been successful in bringing about an agreement amongst contending parties. They have been particularly effective in punishing men who harass women for dowry and perpetrate violence against them.

Van Panchayats

- Van-panchayats were set up by women in Uttarakhand in order to stop the problem of deforestation that is a big problem in the mountainous regions.
- Members of the van-panchayats develop nurseries and nurture tree saplings for planting on the hill slopes.
- Members also police nearby forests to keep an eye on illegal felling of trees.
- The Chipko movement – where women hugged trees to prevent them from being cut had its beginnings in this area.

Panchayati Raj training for illiterate women

- The story of two villages, Sukhipur and Dhukipur are unravelled through a cloth ‘phad’ or a scroll (a traditional folk medium of story telling).
- Village Dhukipur (sad village) has a corrupt Pradhan (Bimla), who has spent the money received from the panchayat for building a school, on constructing a house for herself and her family. The rest of the village are sad and poor.
- On the other hand Sukhipur (happy village) has a content populace as the Pradhan (Najma) has invested rural reconstruction money in developing good infrastructure for her village. Here the primary health centre is functioning, it has a ‘pucca’ building and also has a good road so that buses can reach the village.
- Pictorial pictures on the ‘phad’, accompanied with folk music were useful tools to



convey the message for able governance and participation.

- This innovative method of story telling was very affective in bringing awareness to unlettered women. Most importantly the campaign conveyed the message, that it was not enough to merely vote, or to stand for election, or to win. But important to know why one is voting for a particular person, what are the traits to look for, and what does he or she stand for.
- The value for integrity is also emphasised through the story and song media of the 'phad'.

Tradition of grassroot democratic functioning in tribal areas

- Tribal areas like Kahsis, Jaintias and Garos in Meghalaya have their own traditional political institutions that have existed for hundreds of years.
- These political institutions were fairly well-developed and functioned at various tiers, such as the village level, clan level and state level. For instance, in the traditional political system of the Khasis each clan had its own council known as the 'Durbar Kur' which was presided over by the clan headman.
- Though there is a long tradition of grassroot political institutions in Meghalaya, a large chunk of tribal areas lie outside the provisions of the 73rd Amendment. This may be because the concerned policy makers did not wish to interfere with the traditional tribal institutions.
- However, as sociologist Tiplut Nongbri remarks that tribal institutions in themselves need not necessarily be democratic in its structure and functioning. The strong egalitarian ethos characterises tribal societies and thus the element of stratification is not altogether absent.
- Tribal political institutions are not only marked by open intolerance to women but the process of social change has also introduced sharp distortions in the system, making it difficult to identify which is traditional and which is not.

Inequality in democracy

- Democratisation is not easy in a society that has had a long history of inequality based on caste, community and gender.



- Given this unequal and undemocratic social structure, it is not surprising that in many cases, certain members belonging to particular groups, communities, castes of the village are not included or informed about meetings and activities of the village.
- The Gram Sabha members are often controlled by a small coterie of rich landlords usually hailing from the upper castes or landed peasantry.
- They make decisions on development activities, allocate funds, leaving the silent majority as mere onlookers.

Political parties

- A political party may be defined as an organisation oriented towards achieving legitimate control of government through an electoral process.
- Political Party is an organisation established with the aim of achieving governmental power and using that power to pursue a specific programme.
- Political parties are based on certain understanding of society and how it ought to be. In a democratic form of government political parties are key actors.
- In a democratic system the interests of different groups are also represented by political parties, who take up their case.

Pressure groups

- Different interest groups work towards influencing political parties to take up their case.
- When certain groups feel that their interests are not being taken up, they may move to form an alternative party.
- Or they form pressure groups who lobby with the government.

