The Silent Revolution of Democratic Decentralization

What is the issue?

The 15th President of India, Smt. Draupadi Murmu's remarkable journey from Rairangpur to Raisina Hill was possible due to constitutional reforms that institutionalised representative local governments.

Who is Draupadi Murmu?

- She was born in a village in Mayurbhanj district in Odisha and belongs to the Santhal tribe, one of the largest ST communities in India.
- She began her political career as a councillor in the Rairangpur Nagar Panchayat, where she was elected from a ward reserved for women from ST community.
- She was a Member of Legislative Assembly (MLA) of Odisha, representing Rairangpur for two terms between 2000 and 2009, and went on to serve as the Governor of Jharkhand between 2015 and 2021.
- She is the first person belonging to the Scheduled Tribes (ST) community and the second woman to occupy the highest constitutional post of the country.
- She is also the youngest person to be elected as the President and the first to be born in independent India.
- She defeated Yashwant Sinha in the presidential polls, winning almost 2/3rd of the votes of the electoral College.

How democratic decentralization evolved in India?

- The demand for local governments was initially dismissed by the prominent members in the Constituent Assembly including Dr. B.R. Ambedkar with his famous remark:

  "What is the village but a sink of localism, a den of ignorance, narrow mindedness and communalism. I am glad that the Draft Constitution has discarded the village and adopted the individual as its unit."

- Hence, India's centralised federal Constitution adopted in 1950 had no real space for local governments.
- In December 1992, the Parliament passed the 73rd and 74th Amendments.
- It mandated the creation of democratically elected Panchayats and Municipalities, respectively.
- The Act devolves rural and urban local governments with functions, funds, and functionaries to enable them to function as "Institutions of Self-government".
- These amendments signalled a realisation of a long-held vision of Mahatma Gandhi and his followers to make the village, the core unit of governance.

What is the significance of 73rd & 74th Amendment?

- These amendments mandated the reservation of seats in the elected councils of Panchayats and Municipalities to members belonging to the SCs and STs based on their percentage population in the jurisdiction.
- The amendments also provide reservations such as:
    - Chairpersons of the Panchayats & Municipalities at all levels reserved for SCs and STs.
    - 1/3rd of the total number of seats to be reserved for women.
    - 1/3rd of the seats reserved for SCs and STs also reserved for women.
    - 1/3rd offices of chairpersons at all levels reserved for women.
- The most distinctive feature of the reservation provisions under these amendments is that it furthers representation of those at the **intersection of more than one marginalized identity.**
- Such a quota system acknowledges the aggravated discrimination and disadvantages people face due to the intersection of multiple ascriptive identities such as gender and caste.
- The amendments, hence, provide a platform for thousands of Dalit and Adivasi women who have hitherto been underrepresented in political and social life to contest local elections, hold public office, and rise in the field of politics.

What are the structural changes brought in by these amendments?

- Even after 30 years, local governments have still not become powerful "units of self-government" due to issues in both the design and the implementation of the amendments.
- However, they have succeeded in broadening the representative character of the Indian state by increasing the total number of elected representatives and diversifying its constituents.
- In fact, States have gone beyond the mandate of the amendments and increased the reservation for women and introduced reservation for OBCs.
- As many as 20 States have increased women's reservation from 33% to 50%.
- As of September 2020, out of a total of 31,87,320 elected representatives in Panchayats across India, 14,53,973 are women.
- It is true that women are sometimes proxies for their husbands in reserved constituencies
- But, empirical studies have shown that women-led panchayats invest more in public goods, prioritise infrastructure more relevant for women, and increase women's involvement in village affairs.
- This radical expansion of the social base of Indian politics has been relatively ignored in academic and policy debates.

What are the challenges?

- The judiciary has often been quite sceptical of legislative measures for diversifying representation in local governments.
- The Supreme Court in multiple cases stayed State governments' efforts to implement OBC reservation in local government elections, demanding that it be justified by

"empirical finding" of backwardness.

- However, it has upheld amendments that prescribed educational qualifications for contesting local body elections on the ground that it is for the "better administration of the panchayats".
- In popular discourse, reservation mandates in local governments are often dismissed as measures that do not substantially benefit the marginalised groups.
- However, it is important to note that representation of marginalised groups is a normative goal that possess inherent value.

Reference

1. https://www.thehindu.com/opinion/op-ed/representation-all-the-way-up/article65706585.ece