Journal of Asian and African Studies

http://jas.sagepub.com

Democratic Practice and Social Inequality in India

Jean Drèze and Amartya Sen

Journal of Asian and African Studies 2002; 37; 6
DOI: 10.1177/002190960203700202

The online version of this article can be found at:
http://jas.sagepub.com/cgi/content/abstract/37/2/6

Published by:

http://www.sagepublications.com

Additional services and information for *Journal of Asian and African Studies* can be found at:

Email Alerts: http://jas.sagepub.com/cgi/alerts

Subscriptions: http://jas.sagepub.com/subscriptions

Reprints: http://www.sagepub.com/journalsReprints.nav

Permissions: http://www.sagepub.co.uk/journalsPermissions.nav

Citations http://jas.sagepub.com/cgi/content/refs/37/2/6

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

DEMOCRATIC PRACTICE AND SOCIAL INEQUALITY IN INDIA*

Jean Drèze** and Amartya Sen***

ABSTRACT

This paper examines the role of democratic practice in contemporary India, going beyond the elementary concern with democratic institutions per se. The foundations of democratic practice are identified as facility (functional democratic institutions), involvement (informed public engagement with these institutions), and equity (a fair distribution of power). The achievements and limitations of Indian democracy are assessed in this light, with special attention to the adverse effects of social inequality on democratic practice. It is argued that while the quality of democracy is often compromised by social inequality and inadequate political participation, democratic practice itself is a powerful tool of elimination of these handicaps.

1. Ideals, Institutions, and Practice

In assessing the past achievements and future potential of Indian democracy, it is useful to distinguish between democratic *ideals*, democratic *institutions*, and democratic *practice*. Democratic ideals represent various aspects of the broad idea of "government of the people, by the people and for the people." They include political characteristics that can be seen to be intrinsically important in terms of the objective of democratic social living, such as freedom of expression, participation of the people in deciding on the factors governing their lives, public accountability of leaders, and an equitable distribution of power. Democratic institutions go beyond these basic intents, and include such instrumental arrangements as constitutional rights, effective courts, responsive electoral systems, functioning parliaments and assemblies, open and free media, and participatory institutions of local governance.

While democratic institutions provide opportunities for achieving democratic ideals, how these opportunities are realized is a matter of democratic practice. The latter depends *inter alia* on the extent of political participation, the awareness of the public, the vigour of the opposition, the nature of political parties and popular organizations, and various determinants of the distribution of power. Both democratic institutions and democratic practice are important in achieving democracy in the fuller sense, but the presence of the former does not guarantee the latter.

*This paper is based on Drèze and Sen (forthcoming), Chapter 10.

** Centre for Development Economics, Delhi School of Economics, Delhi 110 007, India.
*** Master, Trinity College, Cambridge CB2 1TQ, U.K.

© de Sitter Publications JAAS 37(2):6-37

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

In terms of democratic institutions, India has done reasonably well, and this may look particularly impressive in the international perspective, given the failure of many countries to secure even the most elementary constituents of a democratic institutional structure. Earlier democratic institutions in India–often stretching back in history–were decisively consolidated within the constitutional framework soon after independence in 1947. It is often forgotten how radical the Indian constitution was in those days, especially in light of the limited reach of democracy elsewhere in the world. It is not just that most other developing countries were still under the yoke of colonialism and authoritarianism at that time. Even economically advanced countries still lacked the political freedoms guaranteed by the Indian constitution in many cases. In 1947, when India achieved independence, women were still deprived of universal and equal voting rights in many "developed" countries (Belgium, Canada, Switzerland, and the United States, among others).[1] In Switzerland, women were twenty-four years away from the right to vote. In the United States, African Americans too were effectively deprived of equal voting rights (through systematic denial of the opportunity to register and vote), and state-sponsored racial discrimination (e.g., the prohibition of interracial marriages as well as racial segregation in public places) was widespread; it took a protracted civil rights movement, lasting until the late 1960s, to overcome these suppressions of basic democratic freedoms. In other countries of Western Europe and North America, elected parliaments often coexisted uncomfortably with lingering monarchies and also conceded temporal powers to church authorities. These "irregularities" (in terms of democratic norms) continue to this day in many cases, in contrast to India where the constitution made a clean sweep of feudalism and laid solid foundations for a modern secular democracy.

India was also among the first countries to include legislation aimed at affirmative action to combat the lasting influence of past social inequalities. The "reservations" and other priorities for scheduled castes (formerly, the "untouchables") and scheduled tribes expanded the horizon of legal support for social equity, no matter how we judge the exact achievements and failures of this early departure. Affirmative action would not become a serious possibility in the United States for many years after the Indian constitution (which had many affirmative provisions) came into effect in 1950.

What is more, India's democratic institutions have–on the whole–stood the test of time and popular support. In the early stages of Indian independence, there was widespread scepticism about the ability of democratic institutions to survive, let alone flourish, in a poverty-stricken and inequality-ridden country. There was also much pessimism about the potential for democracy in the "third world" as a whole. In both respects, the outlook is much brighter today. India's democratic institutions have proved quite robust (even surviving major challenges such as the imposition of "emergency" in 1975 to 1977, which was reversed by a popular electoral vote), and enjoy wide legitimacy among most sections of the population.[2] The healthy survival of Indian democracy has also given a major

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

boost to the spread of democracy elsewhere in the world.

Furthermore, the institutional basis of democracy in India has retained some dynamism, particularly reflected in the fact that emendations and extensions have been instituted with some regularity. Since the constitution came into effect in 1950, various constitutional amendments have further enlarged the scope of democratic freedoms. For instance, the 73rd and 74th constitutional amendments (the "*panchayati raj*" amendments), which came into effect in 1993, have consolidated the foundations for local democracy.

Much, of course, remains to be done, and there is scope for further institutional democratization in the future. The right to information, for instance, remains severely restricted, and greater accessibility of official records is a needed step for fuller public accountability. Similarly, provisions for a better political representation of women are needed to address today's blatant male domination of many democratic institutions, from parliament to *panchayat* (village council).[3] There is also much scope for more equitable electoral rules, better safeguards against human rights violations, more decentralized governance, and so on.

The *main* limitations of Indian democracy do not, however, relate so much to democratic institutions as to democratic practice. The performance of democratic institutions is contingent on a wide range of social conditions, from educational levels and political traditions to the nature of social inequalities and popular organizations. Democratic practice in India has often been deeply compromised by a variety of social limitations inherited from the past. To illustrate, consider one of the most basic democratic freedoms–the right to vote. India has an impressive electoral system (monitored by an independent Election Commission), which has proved its credibility and resilience on numerous occasions since independence. Voter turnouts in India are also quite respectable by international standards, especially among underprivileged groups. However, the right to vote is not a momentous freedom when voters are so poorly informed that they are unable to distinguish between different political parties, as is still the case in some areas today.4 Similarly, while Indian elections are formally "free and fair" in most cases, their effective fairness has been compromised by nepotism, the criminalization of politics, and pervasive inequalities in electoral opportunities as a result of disparities in economic wealth and social privileges.

Another example concerns the legal system. An impartial and efficient judiciary is indispensable for genuine democracy. India's legal system has sound institutional foundations, which incorporate basic democratic principles such as impartiality, secularism, and equality before the law. In practice, however, its functioning is, in many ways, at variance with democratic ideals. For one thing, the legal system is virtually paralyzed by a backlog of millions of "pending cases"–about 30 million according to one estimate (Debroy 2000).[5] Legal proceedings can take years (if not decades) to be completed, and are often far from intelligible for the average citizen. For this and other reasons, legal protection tends to remain beyond the effective reach of most, especially the poor. In fact, the

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

legal system can also be used as an instrument of harassment (rather than as an efficient means of dispensing justice). Those at the receiving end of the system can end up suffering terrible injustice. For instance, undertrial prisoners (there are some 250,000 of them in India at this time, according to the Home Ministry) often languish in prison for years without any legal recourse.

Similar points can be made about many other components of the democratic institutional structure.[6] The Indian press has much to offer in terms of quality and pluralism, but with less than 10 percent of all households subscribing to a daily newspaper, its contribution to political awareness and public debate remains much below potential. In some states, the legislatures are packed with criminals.[7] Village panchayats are often controlled by the local elite. There are many other failures of democratic practice.

On the positive side, it can indeed be said that there is enormous scope for improving the quality of democracy in India through better democratic practice (and also, to some extent, through expanding democratic institutions). Indeed, democratic practice constantly evolves, as new constituencies are mobilized, new issues come under public scrutiny, and new organizational skills are developed. To illustrate, until recently corruption was not much of a political issue in India. It was accepted as a familiar feature of public life, about which little could be done. In the 1990s, however, corruption became a matter of widespread concern and discussion after a wave of high-profile scams were exposed. Innovative campaigns for public accountability and the right to information sprung up in various parts of the country (Rajasthan, Maharashtra, Kerala, Madhya Pradesh, Orissa, among others), and have gradually developed into a major social movement. This has not, of course, led to an automatic eradication of corruption (far from it), but the issue is at least on the political agenda and there is much scope for securing practical results through harnessing this process. These campaigns, with their innovative focus and techniques (from public hearing to social audit), also signal a transformation of political culture, with much potential in other contexts as well. These developments would have seemed quite unlikely even ten years ago. The nineties have witnessed many other political developments of a similar nature, from pioneering experiments with decentralized planning in Kerala to the growing participation of women in local politics across the country.

As the recent developments show, in various ways, the reach of democratic practice can be radically enhanced in India. But the first step is to see the need for democratic practice as a distinct issue from the existence of democratic institutions. The sense of satisfaction at securing democratic institutions–justified within its context–must not be an excuse for failing to pursue vigorously the strengthening of democratic practice. The great accomplishments in the former do not obviate the need for vigilant pursuit of the latter. There is much scope for making institutionally democratic India more effectively democratic.

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

2. Inequality and Empowerment

It is useful to distinguish between different causes of the limitation of democratic practice. Given the democratic institutions, the practice of democracy may be limited for at least three distinct reasons. First, democratic institutions may become dysfunctional due to, say, corruption or inefficiency. Examples include electoral fraud and the paralysis of the legal system through case overload. Second, there may be inadequate use of functional democratic institutions on the part of concerned persons or groups, often due to limited understanding or skill, and sometimes even lack of motivation. Low electoral participation, and the powerlessness of the public in the face of complex legal proceedings, are some illustrations, among many others.

We have already commented briefly on these two deficiencies. We have also touched on the third reason for the failure of democratic practice, viz. the reach and power of antecedent social inequalities, but we must discuss it more. Democratic practice may indeed be thoroughly undermined by social inequalities, even when democratic institutions are all in place. For instance, even if elections are technically free and fair, their effective fairness may be compromised by the role of money and influence in the electoral process. This also applies to the legal system, which is often far from impartial between different classes (even in the absence of any corruption), if only because richer people can afford better lawyers.

At the risk of some over-simplification, the foundations of democratic practice may, thus, be described as *facility* (functional democratic institutions), *involvement* (informed public engagement with these institutions), and *equity* (a fair distribution of power). The central relevance of equity arises from the fact that a fair distribution of power is a basic–indeed fundamental–requirement of democracy. A government "by the people" must ultimately include all the people in a symmetric way, and this is essential also to enable the government to become "of the people and for the people." This is not, of course, a question of the "yes or no" type. In most societies, it is the case that a person's ability to use electoral rights, to obtain legal protection, to express oneself in public, and to take advantage of democratic institutions in general tends to vary with class, education, gender, and related characteristics. In striving for democratic ideals, reducing the asymmetries of power associated with these social inequalities is one of the central challenges of democratic practice in every institutionally democratic country in the world. That challenge is particularly exacting in India, given its historical economic and social inequalities.

It is, however, important to see the reach of inequality in adequately broad terms. The relevant inequalities can be of very different types. In economic analysis, the lion's share of attention tends to go to the inequality of individual income levels. This is indeed an important part of economic inequality. However, economic inequality is a more inclusive–far larger–concept than mere income in-

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

equality, and inequality in the fuller sense goes even beyond economic inequality, no matter how broadly the latter may be defined. There are many economic determinants, other than income, of well-being, freedom, and power, and there are social factors–distinct from purely economic ones-that influence inequality between persons and groups.[8]

There has been much discussion in recent years on the discrepancy between measures of income inequality and a broader understanding of the multidimensional nature of economic and social inequality.[9] The contrast can be illustrated through inter-regional comparisons of social inequality in India. For example, the Gini coefficient of the distribution of per-capita expenditures indicates that there is *more* inequality in Kerala than in, say, Bihar or Uttar Pradesh. In fact, Kerala turns out to be one of the most unequal states in this respect, while Bihar is one of the least unequal.[10] The figures may well be correct as far as they go (even though many conceptual and practical difficulties arise in the computation of these coefficients). But if we were to rely on them for an overall assessment of social disparities in different states, we would be deeply misled. The broader picture of social and economic inequality must also note, *inter alia*, the fact that Kerala has (1) comparatively low levels of basic gender inequality (reflected, for instance, in a high female-male ratio), (2) relatively equitable educational opportunities (indeed near-universal literacy, especially among the young), (3) extensive social security arrangements (e.g., broad-based entitlements to homestead land, old-age pensions and the public distribution system), (4) limited incidence of caste oppression (e.g., few violent crimes against scheduled castes), and (5) low rural-urban disparities.[11] In all these respects, Kerala does radically better than Bihar and Uttar Pradesh, which are ridden with inequalities between women and men, between child labourers and school-going children, between low castes and high castes, and so on. And yet these states do better than Kerala in terms of indicators of income inequality seen as a factor on its own. As this example illustrates, there is much need for a broad understanding of economic and social inequality.

These distinctions are particularly important in understanding the nature of inequality and also the problems of democratic practice in India. Indeed, indicators of income inequality, seen on their own, can be a very deceptive basis for grasping the far-reaching consequences of inequality on Indian lives and democratic practice. They can also hide the diverse ways in which more equity can be pursued through state policy and public action.

Consider, for instance, the pattern of inequality in Indian society during the last forty years or so. Judging from standard indices of income distribution, there has been little change. The Gini coefficient of per-capita expenditure, for instance, has remained fairly close to .30 in rural areas and .35 in urban areas throughout that period.[12] This is, however, deceptive as a guide to inequality for two distinct reasons.

First, it overlooks the new developments of inequality that have added to the burden of the older, pre-existing ones. For example, the hold of the newly

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

prosperous and socially influential middle classes escapes notice in the constancy of the Gini coefficient of income distribution. Through dominance over the media, political pressure groups and even instruments of knowledge, this flourishing, vocal and (in absolute numbers) fairly large class enjoys new powers that very few groups could have had in the past, in using the levers of democratic politics. The world has been changing, even if the Gini has not.

Second, the remarkable stickiness of the measures of income inequality over a long period suggests a kind of inescapable immutability of inequality which hides the possibility of change and progress through public policy and social action. Indeed, the stationarity of income inequality is often invoked to argue that attempts to achieve greater equality are likely to be futile, and that economic growth (increasing the size of the pie, rather than altering the shares) is the only effective way of raising living standards. But neither the pessimism about altering inequality, nor the faith in economic growth as the only effective means of improving the lot of the deprived, is entailed by the empirical picture of income distribution.

Indeed, even in terms of India's actual experience, the constancy of income inequality indicators during the post-independence period has gone hand in hand with some fairly major changes–often with much positive achievement–in other kinds of economic and social disparities. For instance, upper-caste dominance in the rural economy and society has been decisively challenged with the abolition of zamindari, the introduction of adult franchise, economic progress among the cultivating castes, and various political movements. Correspondingly, there has been a major rise in the economic and political power of the so-called "backward castes" (and, to a lesser extent, of scheduled castes).[13] Similarly, the slow but steady march towards universal elementary education has eroded one of the crucial bases of social stratification in India, namely the exclusion of disadvantaged classes and castes from the schooling system. Even in terms of gender relations (perhaps one of the more resilient domains of social inequality in India), there have been some major developments in recent years, involving for instance the emergence of a female advantage in life expectancy (overturning a long history of superior male longevity), a radical diminution of oppressive practices such as child marriage, and growing participation of women in local politics.[14] Other ongoing changes, such as the steady decline of fertility, the accelerated increase in female literacy, and new constitutional provisions for the political representation of women, are likely to facilitate further progress towards more equal gender relations.

No less eminent a sociologist as M.N. Srinivas has even suggested that we are "living in a revolution" (Srinivas 1992). Even if we do not accept such optimism about the recent changes (there are fields of stationarity as well as transformation), the last fifty years have certainly been a time of significant change in India's social structure. There is nothing in the record of India's last half a century that would vindicate the thesis of the futility of changing the hold of antecedent

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

economic and social inequalities in India.[15] The rejection of social fatalism and the cynicism that it generates can be extremely important for motivating attempts to work against pre-existing inequalities and for the enhancement of democratic practice.

One crucial implication of this broader perspective on economic and social inequality is that it points to many different ways of countering inequalities in Indian society. The reduction of income inequality is a difficult challenge in India as elsewhere, partly due to incentive problems (e.g., the possible need for a link between productivity and reward), and partly because of the resistance of privileged classes. But there is no corresponding reason to tolerate widespread gender discrimination, the continued oppression of disadvantaged castes, the persistent divide between the literates and the non-literates, and other destructive economic and social inequalities. Indeed, the dilemmas that arise in reducing economic inequality (in particular, possible conflicts between efficiency and equity) often have little force in addressing these inequalities. In fact, in many circumstances, distributional concerns are *highly congruent* with other social objectives, including economic efficiency.[16] Reduced gender discrimination, for instance, expands the scope of women's agency, which is an important factor of social change and economic success.[17] The congruence between distributional concerns and other social objectives is also striking in the context of basic education. Indeed, the universalization of elementary education in India would not only reduce educational disparities (and other social inequalities associated with these disparities), but also contribute to a wide range of other economic and social objectives, given the diverse personal and social roles of education.[18]

Achieving greater equity in Indian society depends crucially on political action and the practice of democracy. Indeed, a reduction of inequality both contributes to democratic practice and is strengthened by successful practice of democratic freedoms. There is, in fact, a "virtuous circle" here, the nature of which has to be more adequately reflected in policy analysis and social action in India. There have been, as was noted earlier, significant gains in that respect during the last fifty years, and while reductions of inequality have strengthened the reach of democratic practice, they have often been achieved through determined use of the democratic opportunities that were already available. Indeed, the achievements discussed earlier were often the result, at least in part, of democratic political action.

In some cases, these achievements have been facilitated by economic change. For instance, the rise of the "backward castes" has something to do with their growing economic prosperity, linked *inter alia* with the "green revolution" (and, before that, the abolition of zamindari).[19] But even here, political action has played an important role, for instance, through farmers' movements as well as direct political participation.

In other cases, political action has succeeded in empowering disadvantaged social groups even in the absence of any significant economic improvement

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

(sometimes even in the face of growing impoverishment). Not so long ago, for instance, tribal communities were routinely displaced by dams and other large projects without any compensation. The situation has radically changed over time, as displaced tribal communities learnt to organize against forced displacement (even though they have not invariably succeeded in changing public policy). Today, this movement is among the most politically active and best organized in India, and is also a source of much inspiration elsewhere in the world.[20] Whatever position one may take on the projects in question, the force of this movement cannot leave any impartial observer without a major recognition of the power and vigour of organized popular resistance.

3. Decentralization and Local Democracy

The interconnections between democratic practice and social equity have a strong bearing on recent initiatives to promote local democracy in India. These initiatives have taken place in the framework of the 73rd and 74th constitutional amendments (the "*panchayati raj*" amendments), which require all the state governments to introduce certain legislative measures geared to the revitalization of local representative institutions. These measures include mandatory elections at regular intervals, reservation of seats in village panchayats for women and members of scheduled castes or tribes, and substantial devolution of government responsibilities to local authorities. The panchayati raj amendments, which took effect in 1993, have led to a range of interesting initiatives in different parts of the country, undertaken not only by state governments but also by political parties, NGOs, grassroots organizations, women's groups, and other activist formations. There is a great deal to learn from recent developments associated with these initiatives.

Achieving greater democracy at the local level must be a crucial component of the broader task of transforming the practice and quality of democracy in India. Indeed, local democracy represents one means of participation in the larger democratic system, which is relatively accessible to the disadvantaged, and can be potentially a stepping-stone towards other forms of democratic participation. Local democracy is also essential as a basis of public accountability, particularly in the context of the need for effective and equitable management of local public services. These services–from schools and health centres to fair price shops and drinking-water facilities–are often crucial for the quality of life. Their effective functioning, however, depends a great deal on the responsiveness of the concerned authorities to popular demands. To illustrate, it is difficult to see how the endemic problem of teacher absenteeism in rural India can be successfully tackled without involving the proximate and informed agency of village communities in general and parental groups in particular. As things stand, there is no mechanism to ensure any kind of accountability of village teachers to the local community or to the parents in large parts of India, and this is an important factor in the persistence of endemic dereliction of duty.[21]

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

The importance of local democracy is not confined, of course, to these and other instrumental roles of participatory politics. Participation can also be seen to have intrinsic value for the quality of life. Indeed, being able to do something through political action–for oneself and for others–is one of the elementary freedoms that people have reason to value. The popular appeal of many social movements in India confirms that this basic capability is highly valued even among people who lead very deprived lives in material terms.

Local democracy is sometimes treated as synonymous with "decentralization," but the two are in fact quite distinct. In particular, decentralization is not necessarily conducive to local democracy. In fact, in situations of sharp local inequalities, decentralization sometimes heightens the concentration of power, and discourages rather than fosters participation among the underprivileged. To illustrate, in some tribal areas where upper-caste landlords and traders dominate village affairs, the devolution of power associated with the panchayati raj amendments has consolidated their hold and reinforced existing biases in the local power structure.[22]

Similarly, top-down decentralization sometimes undermines local democracy by destabilizing traditional institutions of governance and fostering corruption. An interesting example comes from a recent case study of two villages of Uttarakhand, the hill region of Uttar Pradesh (now Uttaranchal, a separate state), discussed by Niraja Jayal (1999b). The study villages earlier had fairly democratic traditional institutions of local governance, based among other things on consensus decision-making and egalitarian contributions to village funds. Then came state-sponsored panchayat elections and "decentralized" development programmes, one effect of which was the integration of these villages into a wider system of prevailing corruption, in which these programmes are embedded. This process undermined local democracy and also created sharp social divisions in the villages studied.

Recognition of these dangers should not be seen as an overall indictment of decentralization. There is undoubtedly much need for decentralized governance in India, especially in relation to the management of local public services, where responsiveness to local conditions is paramount. But we must also recognize that the effects of decentralization are highly context-dependent and circumstance-specific, and that its success depends on decentralization being integrated with other aspects of local democracy. A similar observation applies to the panchayati raj amendments. These amendments, like other democratic institutions, have provided a great opportunity to expand the scope of democracy in Indian society, but their practical results have varied a great deal depending on the extent to which institutional reform has been combined with other types of public action.

Recent studies of the developments associated with the panchayati raj amendments in different parts of the country throw much light and these and related issues.[23] It is, first and foremost, very encouraging to find plentiful evidence of active engagement with the new possibilities of local democracy on the part of

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

the Indian public. By all accounts, panchayat elections elicit keen public interest. Voter turnout rates have been high in most states (even higher than in parliamentary or assembly elections), including among underprivileged groups. This is a sea of change from the days when members of the lower castes were prevented from voting, or when women were not expected to cast an independent vote. Beyond electoral participation, public interest and involvement in local governance has risen markedly during the last few years, even in areas where apathy used to be widespread.

However, the experience so far confirms that the results of state initiatives to promote local democracy are highly contingent on the social context. Indeed, the reforms associated with the panchayati raj amendments have followed very different courses in different states. At one extreme, Bihar has barely reached the stage of organizing panchayat elections. Kerala, on the other hand, has gone far beyond the constitutional requirements and initiated a visionary campaign of "decentralized planning" through panchayati raj institutions.[24] Even among states that have followed a similar course in terms of legislative reform, the practical results have varied a great deal depending on the extent of social preparedness in terms of educational levels, political mobilization, and social equity. The issue of social preparedness has emerged quite clearly in states like Madhya Pradesh, where (unlike Bihar) the state has been constructively active in legislative reforms, yet the practical results have been held back by the antecedent social inequalities, educational backwardness and other barriers inherited from the past.[25]

The panchayati raj experience highlights the importance of social equity for local democracy, and also the interactive relationship between the two. This can be seen particularly clearly in connection with the issue of political representation of women and disadvantaged castes at the panchayat level. The 73rd amendment stipulates that one-third of all panchayat seats are "reserved" for women, with a similar (overlapping) provision for scheduled castes and tribes.[26] In north India, where caste and gender inequalities are particularly resilient, the local elites have tended to adapt to this requirement by putting up "proxy" candidates from the required group, and continuing to wield power through them.[27] In south and western India, the overall picture is quite different in this respect, with greater success in terms of independent political representation of women and scheduled castes. It must, however, be noted that even in north India, there is considerable evidence that the prevailing patterns of social discrimination and political marginalization are far from immutable. Local politics, and the different forms of political mobilization and social activism associated with panchayati raj (for example, training programmes for female candidates and political assertion of the scheduled castes), have provided new avenues through which traditional inequalities can be challenged. The fact that these challenges have often been met with violent repression (including even cases of rape of assertive female sarpanchs) is both a telling reminder of the survival of extreme inequality and oppression in

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

Indian society, and an indication that the politics of panchayati raj are perceived as a serious threat by dominant groups. Over time, the forces of repression seem to be losing some ground, with good prospects of further advance in the direction of both greater social equity and more vibrant local democracy in the near future.[28]

These developments illustrate a crucial feature of local democracy–indeed of democracy in general–namely that it involves a certain amount of "learning by doing."[29] Other aspects of this process include the influence of role models (for example, of a successful female sarpanch), the spread of various skills involved in local governance (e.g., the ability to hold orderly meetings or to deal with the bureaucracy), the evolution of a culture of political participation, the creation of new forms of social mobilization, and even changes in public perceptions of the need for as well as scope for foundational change. Given the dynamism of learning by doing, it is important to resist the pessimism arising from observing particular limitations in the current practice of local democracy. The constructive possibilities over time have to be recognized.

In the light of these learning possibilities, the first wave of social change associated with the panchayati raj amendments warrants cautious optimism about the potential for local democracy in India. There are, of course, also matters of concern. These include the frequent derailing of local democracy by social inequality, the limited participation of the public in local governance on a day-to-day basis, the dormant condition of *gram sabhas* (village assemblies) in many states, the lack of significant devolution of powers in many fields, and–last but not least–the widespread embezzlement of public resources associated with local development programmes under panchayat auspices. Nevertheless, there are clear signs of a sustained expansion of democratic space at the local level, and also of local politics being an important arena of positive social change. The limitations are best addressed through democratic practice itself, and as far as the potential for the latter is concerned, there is much ground for hope.

4. Transparency and Corruption

One of the major challenges that democratic practice has to face in India is to eradicate corruption in different fields of civic administration and public life. Among its many terrible consequences, rampant corruption erodes and undermines democratic institutions. Indeed, democratic institutions cannot perform their role adequately if the actions of political leaders, civil servants, police officers, judges and others can be mobilized in defence of private and special interests through illegal inducements. The effect of corruption on ethical codes and social norms also tends to be antithetical to democratic values. And yet democracy itself can be seen as a possible means to fight corruption that can be–and must be–used more effectively. Democratic ideals include the need for transparency and accountability, which are ultimately the principal methods of restraining and

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

dislodging corrupt practices. There is, thus, a two-way relationship between the practice of democracy and the eradication of corruption. The former can help the latter, but the latter, in its turn, can be of great value in extending the force and effectiveness of the former.

In India, the adverse effects of corruption on democracy have come into sharp focus in recent years in connection with issues of local governance and village politics. While there have been promising steps towards local democracy in the nineties (as discussed in the preceding section), one of the major barriers against further progress has been the prevalence of widespread corruption, particularly related to development programmes and electoral processes. To illustrate, consider the issue of panchayat elections. In most states the main responsibility of a sarpanch (village head) is to oversee various development programmes, such as the Jawahar Rozgar Yojana (local public works) and the Indira Awas Yojana (a subsidized housing scheme). Attached to these schemes, in many cases, is an organized system of loot of public resources, which requires the *sarpanch* to "redistribute" some of the development funds to various officials, varying from the "*gram sevak*" (village-level worker) to the Junior Engineer, Block Development Officer, and others at different steps of the ladder. Often the shares are pre-specified.[30] The sarpanch himself or herself, of course, tends to be one of the principal beneficiaries. The post of village head can be, under these circumstances, highly lucrative. This is one reason why large sums of money are spent in panchayat election campaigns. Where these patterns apply, local electoral politics are thus integrally linked with various development rackets, and can even generate what might be called "competitive corruption."

This nexus undermines local democracy in several ways. First, it raises the up-front cost of election campaigns, making it more difficult for poor candidates to participate. Second, this situation can make it very difficult for an honest person motivated by social concerns to contest panchayat elections. Indeed, unlike candidates geared to corruption, an aspiring candidate who wants to forgo the opportunity of replenishing his or her coffers after a successful election is financially at a disadvantage in the electoral competition. In addition, honest candidates often face the prospect of official harassment for refusing to cooperate with the system of corruption.[31] Third, the task of plundering public resources, distributing commissions and avoiding scrutiny distracts the panchayats from their primary purpose of working for the public good in the area under their jurisdiction. A sarpanch, for example, often has far more to gain from awarding Indira Awas Yojana subsidies to the highest bidders than from responding to the social need for an electricity connection for the village, or from organizing a school enrolment drive.

The "systemic" nature of the corruption arrangements associated with local development is one reason why they are difficult to eradicate: even if one individual culprit is disciplined and punished, another tends to step into his or her shoes. Another barrier to their eradication relates to the fact that the embezzlers

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

(e.g., the sarpanch and private contractor who collude to build a school at half the official cost and pocket the difference) tend to gain at the expense of the public at large. It has been argued, not without reason, that in such situations (known in the economic literature by the somewhat puzzling name of "corruption with theft") corruption may be particularly hard to eradicate.[32] Indeed, since the losing group consists of a diffuse and typically unorganized collectivity, the losers may find it difficult to take joint action with adequate effectiveness. Vigilance may, of course, be entrusted to a public agency (on the basis of crosschecks, inspections, audits, and so on), but that supervising agency may often have little incentive to dig deep, which can be bothersome and even dangerous, given the power of the private gainers, compared with the often-inert mass of public losers.

But this is exactly where the remedial use of democracy can be important. The losers may be inactive and hard to mobilize, but once mobilized, the weight of numbers as well as the force of public opinion and open criticism can be quite effective. The practical possibility of such mobilization has been demonstrated in many actual cases. A good illustration comes from the work of such organizations as Mazdoor Kisan Shakti Sangathan (MKSS) in Rajasthan.[33] The movement began in 1987 by organizing underpaid labourers working on drought relief programmes (who can be seen as victims of "corruption without theft," and were to that extent comparatively easy to mobilize). Following this early success, MKSS started mobilizing village communities against the private appropriation of local development funds (corruption with theft), using means such as public hearings and social audits. The organization has considerable popular support and has achieved some striking successes, involving for instance the restitution of embezzled funds. Over time, it has inspired many similar initiatives elsewhere, from a campaign to expose corruption in the public distribution system in Surguja (Madhya Pradesh) to recent protests against police harassment of rickshaw-pullers and hawkers in Indian cities. A nation-wide "campaign for the people's right to information," which includes lobbying for adequate legislative reform in this field, has also emerged from these initiatives.

The significance of these movements goes well beyond specific victories such as the restitution of embezzled funds in a particular village, or the introduction of new legislation in a specific state. The demonstration effects can have a much wider reach. Even in areas where no such organizations existed earlier, public initiatives to expose corruption have begun to spread in recent years, with significant results. It has been noted, for instance, that drought relief programmes in Rajasthan in 2000 to 2001 have been remarkably "corruption-free" (at least in comparison with the situation that prevailed in earlier droughts), largely due to greater public vigilance as well as to the improved accessibility of official records-both of which are closely related to the "right to information" movement (Drèze 2001). This is a major achievement, especially in the light of widespread scepticism about the possibility of eradicating corruption in India, and there is a major lesson here about the possibility of achieving wider changes in social norms

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

through local action. In all this, there is reason for hope, since there is some prospect that public vigilance may become an integral part of the political culture in many Indian villages.[34]

5. Accountability and Countervailing Power

The importance of public vigilance at the village level in curbing corruption, discussed in the last section, is just one example of the general role of vigilance, which can operate at different levels (not just related to local governance), and can be aimed at many different objectives (not just the prevention of corruption). Indeed, even in curbing corruption, vigilance is needed at other levels as well, including non-local politics (involving the operation of organized parties), broader cooperative activities (involving grassroots initiatives), appropriate state policies (involving incentives, monitoring, sanctions, etc.), and so on. Vigilance is crucial to accountability, which in its turn is central to efficiency and equity of public policies in different spheres.

The improvement of living conditions in developing countries depends a great deal on constructive public policies in various fields (basic education, health care, social security, nutritional support, environmental protection, gender equality, among others).[35] And yet there are well-recognized inadequacies from which state actions tend systematically to suffer, as has been noted widely across the world. One problem is, often enough, the presence of persistent inefficiency, reflected in such phenomena as bureaucratic delay, breakdown of public services, lack of timeliness and certainty of delivery, and unusually high costs of operation. Inefficiency, in turn, has much to do with the lack of accountability in the public sector.

If, for example, a public health centre is closed on a work day, the patients may not have any simple means of taking remedial action. Of course, instruments of protest and censure do exist, at least in principle, such as sending a complaint to the local newspaper, or organizing a demonstration, or voting for a rival political party to the one in office, or perhaps even seeking redress from the courts. These means can be widely used, as they indeed are in some parts of India, for example in states such as Kerala (with high levels of education and a long tradition of public activism). But traditions are not easy to establish when they are not already there, and they certainly require a good deal of initiative and acumen.

The need for accountability has tended to be substantially ignored in Indian institutional reforms. Indeed, the debates on the pros and cons of "liberalization" have tended to add, to some extent, to the neglect of this problem. There is, in fact, an odd meeting ground here between the advocates and opponents of liberalization. The *advocates* of liberalization have tended to concentrate on privatization, and correspondingly, they have taken little interest in the possibility of improving the performance of the public sector. The *opponents* of liberalization, on the other side, have tended to downplay the inefficiencies of the public sector,

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

in their effort to resist privatization. In the process, the crucial issues of accountability and public sector reform have tended to be highly neglected.

There is perhaps something curious in the fact that accountability levels are so low in India, despite the country's strong democratic tradition. Indeed, democracy is intrinsically concerned with the accountability of political leaders and government officials to the general public. In principle, the contestability of public office in a democracy provides a potential basis for accountability in the public sector. If, for example, plague breaks out somewhere in India, the health officials involved may have to face severe censure and even the Health Minister may have to resign, and these punitive possibilities give those in charge a strong incentive to prevent disasters of this kind. But accountability is much easier to guarantee in cases of this kind (such as an outbreak of plague), in which a sensational failure receives widespread attention, and where large sections of the population (including privileged classes) have a combined stake in seeking effective action. In many other situations, however, the accountability mechanisms are likely to be much weaker, and this is especially so when the failures harm only small groups of less vocal people and those affected happen to be politically marginalized or powerless.

Further, in some cases, other institutions that are themselves part of the democratic system may actually contribute to sheltering the government officers and employees from public scrutiny and censure. For instance, some trade unions in the public sector have tended to block pressures for public scrutiny and sometimes have even helped to dismantle whatever little mechanisms of accountability were in place earlier. This process is one of the chief causes of low accountability in the schooling system, which has played a major part in depriving millions of children of basic education.[36] In other spheres of the public sector, too, low standards are often blamed on the fact that government employees have permanent jobs and earn salaries unrelated to performance, and have been comfortably sheltered from any pressure to work, no matter how dissatisfied the public might be.

The solution of this problem cannot, obviously, lie in the dismantling–or even undermining–of trade unions, since they have their legitimate functions as well. Indeed, trade unions constitute a necessary part of a decent society, as the dreadful work conditions of non-unionized workers in India bring out. Rather, the remedy must lie in developing and reinforcing the countervailing institutions that can give greater "voice" to those who have a stake in the efficient provision of public services.

The importance of countervailing power has been particularly emphasized by John Kenneth Galbraith (1952) in a classic work in institutional economics. The effectiveness of institutions has to be assessed in terms of the power they have over each other to moderate their respective influences. Asymmetric power in one domain can be checked by a different configuration of forces in another domain. For example, applying this institutional logic to the regressive

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

influence of teachers' unions on the management of schools, it can be argued that the effective way of altering this handicap may have to lie in the development of other–countervailing–institutions, such as parental organizations and gram sabhas, which have a natural interest in enhancing the efficiency of schools.

Similar countervailing institutions can be built up in other fields, involving, for instance, the users of particular public services (such as health centres or ration shops) and even the public at large (based for instance on a general need for protection from police harassment or abuses of power). It is important to note that this need not be done on a case-by-case basis, as if (say) every individual school or health centre needed its own "watchdog" in order to function effectively. In fact, as mentioned earlier with reference to the eradication of corruption, local demonstrations of vigilance can have wider effects, *inter alia* by influencing social norms and the political culture. This link between local action and social norms is one important basis for confidence in the possibility of radical change through democratic practice.

6. Human Rights and Democracy

The effective practice of democracy also involves the acknowledgement and use of the rights of citizens. The rhetoric of rights is omnipresent in the contemporary world. The concept is persistently invoked in many different contexts: political rights in demanding basic participatory freedoms, personal rights to privacy and liberty in defending elementary autonomies in private life, civil rights in protesting against authoritarianism, gay and lesbian rights to safeguard freedoms to pursue minority lifestyles, and so on. While many of these rights have legal recognition, others–even some extremely important ones–are not matters of legal rights at all. If a government is accused of violating some "human right" such as the right of free speech, that accusation cannot really be answered simply by pointing out that there is no legal entitlement to free speech in that country. What may be at issue in such cases is not whether the established legal rights have been violated, but (1) whether the scope of these established legal rights should be extended to encompass the demands in question, and (2) whether the claim of people to have those freedoms (such as free speech) should be accepted even in the absence of legal entitlements.

Human rights are rights that relate not to citizenship, but to what is taken to be the entitlement of any human being, no matter of which country he or she is a citizen and no matter what the legal system of that country does or does not guarantee. In fact, it may not even be appropriate to define human rights simply as rights that ideally should be legally recognized. A human right can be invoked in many contexts even when its *legal* enforcement–as opposed to giving it general support–would be inappropriate and unhelpful. For example, the human right of a wife to participate fully, as an equal, in serious family decisions (no matter how chauvinist her husband is) may be widely acknowledged as a human right

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

even by many people who would nevertheless not want this requirement to be legalized and enforced by the police. Similarly, the "right to respect" is another example where legalization and attempted enforcement would be problematic, even bewilderingly so. Human rights have their own domain, and while their legalizable components can be sensibly used for fresh legislation (or judicial reinterpretation), these rights may also be seen, in other cases, as general demands on individuals and institutions.

Reasoning based on human rights has been used quite effectively in many countries, and this applies to India as well. Such reasoning can be particularly effective in dealing with violations of political liberties and autonomies, even when the legal rights are somewhat ambiguous. It can also be used to demand public action in support of such rudimentary necessities as elementary school education, basic health care, and so on. Indeed, the trend towards acknowledging the right to elementary education as a "fundamental right" in India has closely followed the human-rights-based defence of that putative right (as something that children *should* have).

It must, however, be acknowledged that there is still quite a distance to go in the general acceptance in India of a broad band of human rights, including personal liberties and basic civil rights. India is not ordinarily thought of as a major perpetrator of human rights violations, and its international rating in that respect is by no means dismal. Yet major human rights violations do take place in various forms, deeply compromising the integrity of Indian democracy. This applies first and foremost in areas of violent conflict such as Kashmir, the North-East, and parts of Bihar and Andhra Pradesh, where human rights have been extensively abused by military and para-military forces as well as by insurgent groups. In addition, human rights violations of a more "routine" nature do take place on a substantial scale in other areas as well. Torture in police custody, for instance, is "pervasive and a daily routine in every one of India's 25 states," according to Amnesty International (Amnesty International 1992:1).[37] Aside from these instances of brutality on the part of state authorities, there are also other human rights violations to consider, ranging from the practice of bonded labour to the victimization of AIDS patients.

The protection of human rights is a prime example of a cause on which democratic practice has a major bearing. This is because formal legal protection and the related constitutional rights are largely in place, and they can be put more into practice, along with broadening their domain through wider recognition of basic human rights. While there is also much scope for better legal safeguards (especially in relation to human rights violations by the Armed Forces, which are sheltered by extensive provisions of immunity),[38] much can be done even within the existing legal framework.

Unfortunately, the protection of human rights in India has been a much neglected field of public activism. Indeed, it is sobering to find that, until recently, comprehensive reports on human rights violations in India were compiled

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

mainly by foreign or international agencies (from Amnesty International to the U.S. Embassy). Domestic efforts tended to be confined to relatively unambitious "fact-finding reports" on specific cases of human rights violations. The mainstream press, for its part, has paid very little attention to these matters. This is a field where there is enormous scope for more active and ambitious campaigning and organizing, drawing on India's strong tradition of investigative reporting. There have indeed been important initiatives in that direction in recent years.

There are at least three plausible reasons why violations of basic civil liberties have tended to remain out of focus for a long time. First, the tolerance of human rights violations is often assumed to be an essential (if "regrettable") condition of effective "counter-insurgency" operations in border areas (mainly in Kashmir, Punjab, and the North-East). Criticism of these operations, no matter how brutal or illegal, tends to be branded as "anti-national." This, combined with lack of public awareness of the facts in many cases (itself related to failures of transparency and accountability), has led to a remarkable tolerance for the infringement of human rights not only in those areas but also–through emulation–in other parts of the country.

Second, the Indian military seems to have a large domain of license in violating the rights of citizens on grounds of security. As discussed elsewhere, militarism has tended to have many adverse effects on democracy around the world, and while this problem is perhaps less serious in India than in many other countries, there are reasons for concern about the anti-democratic influences of military expansion in the region, particularly since the nuclear tests of May 1998.[39] The adverse effects of militarism on democracy in India relate in particular to (1) displacement of developmental concerns by security concerns, (2) concealment of military activities behind a veil of secrecy, (3) the use of propaganda to rally the public behind prevailing security policies and programmes, (4) the powerful lobbying activities of military commanders, arms dealers, strategic think-tanks, scientific organizations involved in defence-oriented research, and other parts (or close correlates) of the military establishment, and (5) the consolidation of authoritarian tendencies in the society at large, particularly (but not only) during periods of active conflict. Each of these adverse influences of militarism has tended to undermine the guaranteeing of civil and human rights in the democratic polity of India.

Third, human rights violations have a strong class dimension. A well-educated, middle-class person in India does not have much to fear by way of physical harassment from the police or para-military forces. By contrast, underprivileged sections of the population often live in terror of arbitrary repression. The class differentials also make it more difficult to bring human rights issues within the scope of mainstream politics. These perceptions are in need of drastic change, since the Indian public at large has a stake in the integrity of democracy, which can be deeply threatened by widespread human rights violations.

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

7. Democracy and Participation

As discussed earlier, India took a radical step towards the realization of democratic ideals in 1950, when the constitution came into effect. Aside from laying the foundations of India's democratic institutions, the constitution addressed the need to promote a wide range of social opportunities. In particular, it defined the "fundamental rights" of all citizens, which include equality before the law, freedom of speech and association, the right to personal liberty, and protection against exploitation. In fact, the "directive principles of state policy," which supplement hard legislation, go much further than the strict legal provisions. For instance, they urge the state "to secure a social order for the promotion of welfare of the people" as well as to uphold a range of more specific entitlements, from "the right to an adequate means of livelihood" and "free legal aid" to "free and compulsory education for all children" and "the right to work."

However, Dr. Ambedkar, the chairman of the Constituent Assembly's Drafting Committee and essentially the "author" of the Indian constitution, concluded his work with a profound warning:

> On the 26th January 1950, we are going to enter into a life of contradictions. In politics we will have equality and in social and economic life we will have inequality (Government of Maharashtra 1994:1216).

This basic tension lives with us to this day, and recognizing the tensions involved is, in fact, quite central in understanding the nature of contemporary India.

The contrast at which Dr. Ambedkar pointed could be expected to have one of two possible consequences. The first possibility was that the inequalities of social and economic opportunities could undermine democracy altogether, and thus leave India with no political equality either. The second possibility was the continuation of the sharp dichotomy, with the survival of democracy, but also of the manifest economic and social inequalities, in an uneasy equilibrium. Dr. Ambedkar's immediate preoccupation was with the first possibility, and he feared that the "contradiction" that he had identified would undermine democracy itself: "We must remove this contradiction at the earliest possible moment or else those who suffer from inequality will blow up the structure of political democracy which this Assembly has so laboriously built up" (Government of Maharashtra 1994:1216). Fifty years after Dr. Ambedkar's warning, Indian democracy is alive and–on the whole-well. It is the second scenario that we see in India today, with a surviving democracy which is deeply compromised by the tension highlighted by Dr. Ambedkar.

As was discussed earlier, not only does there remain remarkable economic and social inequalities, but also as a consequence there are major asymmetries in the opportunities that different sections of the population have to participate in democratic institutions. Corresponding to this uneven distribution of power and influence are systematic biases in public priorities and policy. Elitist biases can be found, for instance, in the orientation of the news media (dominated by middle

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

class concerns), parliamentary debates (now heavily geared to business-oriented legislative reforms), the legal system (far from impartial between different classes), foreign policy (strongly influenced by the superpower aspirations of the Indian elite), and so on.

The low priority attached to basic needs fits into this general pattern. While "lack of political will" is often invoked in this context, it is important to go beyond this black box and to relate policy priorities to the political practice of India's democracy. To illustrate, India has world-class institutions of higher education (especially in fields such as management and engineering) side by side with ramshackle primary schools in disadvantaged areas. This contrasting pattern has much to do with the disproportionate influence of privileged classes on public policy. Similarly, the fact that the government spends about three times as much on "defence" as on health care is not unrelated to the lobbying powers of the military establishment, especially in comparison with those of underprivileged hospital patients.

The limitations of India's democracy sometimes provoke calls for a more authoritarian system of governance, insulated from pressure-group politics. Development, so goes the argument, requires order and discipline. The fact that trains (supposedly) ran on time during the Emergency in 1975 to 1977, is seen by some as definitive proof of this proposition. On a less superficial note, authoritarianism is often said to have contributed to rapid development in various countries of east Asia as well as China.

These examples, however, are highly selective. An impartial comparison of development in democratic and authoritarian countries should not be restricted to the more successful countries in the latter group, which also includes Afghanistan, Congo, pre-Aristide Haiti, and North Korea, to cite a few cases where the blessings of authoritarianism have been less transparent. Even in the more successful countries in the authoritarian group, such as China, the suppression of political freedoms has often exacted a heavy price.[40] Taking the world picture as a whole, there is no evidence of a positive association between authoritarianism and development, even if development is narrowly interpreted in terms of economic growth.[41] Furthermore, a broader understanding of development, incorporating the expansion of freedom and social opportunities, points to the wide-ranging complementarities between development and democracy.[42]

As far as India is concerned, the basic problem of political marginalization of the underprivileged can hardly be solved by marginalizing them *even more* by further concentration of political power. The challenge, rather, is to expand the scope of democracy and address the tension identified by Ambedkar through political action and democratic practice.

In some respects, the challenge of expanding democracy has grown taller in the 1990s. The economic reforms, focused as they are on the promotion of private enterprise and foreign investment, have consolidated the elitist mindset in economic policy and the political influence of the corporate sector. The nuclear

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

tests of May 1998 and the Kargil conflict in 1999 have strengthened the influence of the security establishment, with its considerable demands on public resources and political energies. There has also been an ominous expansion of communal and authoritarian tendencies, marked for instance by the demolition of the Babri Masjid in December 1992 and the recent wave of violent attacks on Christian "missionaries."

The picture is not, however, uniformly bleak. The eighties and nineties have also seen some decisive expansion of the practice of democracy. The decentralized planning experiment in Kerala, the participatory successes of the Bargadar movement and other advancements of land reform in West Bengal, the anti-arrack campaign in Andhra Pradesh, the schooling revolution in Himachal Pradesh, the right to information movement in Rajasthan, and the gradual expansion of the reach of local democracy in many parts of India, are some striking illustrations–among others–of the possibility of defeating the elitist biases of public policy and expanding the horizons of democracy in India.[43] There are no particular reasons for smugness in recording and appreciating these achievements, but they also indicate that things can change and that the practice of democracy is not necessarily doomed in India.

It has sometimes been claimed that democracy being a majoritarian system cannot really provide an effective voice to the underdogs of society when they happen to be a minority (as, for example, is the case with those in extreme poverty).[44] It is easy to see why this scepticism about the reach of democracy would appear to be plausible. How, it is asked, can the power of the majority protect the interests of a minority (perhaps even a relatively small minority)? This is a good line of challenge, but it is ultimately too mechanical a line of reasoning and significantly negligent of the participatory basis of the practice of democracy. For one thing, democracy is not the same thing as majority rule, since democratic rights include the protection of freedom of speech and other forms of participation as well as the safeguarding of minority rights. But going beyond that, it is worth noting that the process of public discussion and participatory interaction can make citizens take an interest in the lives of each other.

Indeed, even the fact that democracies tend to be very effective in preventing famines cannot be explained by any mechanical application of majority rule, since the proportion of people who are threatened by a famine is never very large (in fact, typically far less than ten percent of the population and most often less than five percent).[45] Similarly, it is hard to explain how cases of rape or torture, when publicized, can become politically explosive issues, even when the number of victims–actual or potential–is relatively small. As has been said, democracy is "government by discussion" and the political salience of selective misery depends not only on the specific number of sufferers, but also on the effectiveness of public discussions that politicize the sufferings involved.

It is for these reasons that further progress of democratic practice in India must be seen to be crucially dependent on enriching the participatory processes.

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

We have identified some successes as well as some failures in the participatory basis of Indian democracy. Much will depend on the possibility of enhancing public participation much more widely in India. In the multi-institutional format of the process of development (incorporating markets as well as the government, the media, popular organizations, and other enabling institutions), public participation has a crucial role to play in the expansion of the reach and effectiveness of each of these institutions as well as in the integration of their joint functions. India's record in all this is one of limited success, but a critical examination of this record also indicates how the limitations can be overcome and the successes enhanced and secured. In this paper, we have tried to clarify how the further advancement of development and democracy in India can most effectively proceed. There are reasons here for hopeful engagement.

NOTES

1 See the comparative international data on "women's political participation" presented in Human Development Report (2001:226-9).

2 On the latter point, see particularly Yadav and Singh (1997), Pushpendra (1999) and Yadav (2000).

3 How this is best brought about is a subject of active debate at this time in India. For example, see Kishwar (1996) and Omvedt (2000); also Menon (2000) and earlier contributions cited there.

4 See, for example, Bhatia (2000). The author describes the predicament of under privileged women during the 1995 Assembly elections in central Bihar as follows: "Most of the women I interviewed had never voted before, nor did they understand the meaning or significance of chunav (elections), vote or parties. While some of them were able to recognize some party symbols, they were often unable to relate the symbol to the party, and none of them could relate it to a particular candidate or programme" (p.120).

5 Debroy (2000) adds: "On an average, it takes twenty years for a dispute to be resolved, unless real estate or land is involved, in which case it takes longer. The Thorat case in Pune took 761 years to be settled, it was started in 1205 and ended in 1966. If present rates of disposal continue and there are absolutely no new cases, it will take 324 years for us to clear the present backlog. The conviction rate is only around 6 percent" (p.201).

6 For diverse assessments of the nature, achievements, and limitations of Indian democracy, see Jayal (1999a), Blomkvist (2000a, 2000b), Frankel et al. (2000), Heller (2000a), Varshney (2000), and the earlier literature cited in these studies.

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

7 In Uttar Pradesh, for instance, 22 Cabinet Ministers are known to have "criminal antecedents" (Chari 2000).

8 These distinctions have been discussed further in Sen (1992). Also important in some contexts is the question of how different types of inequality relate to each other, for example, how gender or class inequalities interact with the caste hierarchy. For instance, in understanding the historical roots of social oppression in north India, it is important to note the particularly powerful way in which caste and class inequalities have tended to reinforce each other in that region; on this see Drèze and Gazdar (1996).

9 See, for example, Sen (1992, 1997, 2000a), and the literature cited there.

10 See Datt (1997, 1999b). Note that the available Gini coefficients are sector-specific (i.e., rural or urban); rural-urban disparities, for their part, are comparatively low in Kerala.

11 Relevant indicators are presented in Drèze and Sen (forthcoming, see Statistical Appendix).

12 See Datt (1999a, 1999b).

13 See Drèze (1997) and Jayaraman and Lanjouw (1999), and the literature cited there.

14 There have also been some adverse trends, such as the spread of the practice of dowry, which tends to cause daughters to be seen as an economic burden, and also, in the 1990s, the spread of sex-selective abortion. Here as with other aspects of social inequality, the possibility of negative as well as positive change has to be borne in mind.

15 On "futility" arguments as an aspect of the "rhetoric of reaction," see Hirschman (1991).

16 Even in the case of income inequality, there is an important area of congruence between equity and efficiency concerns. For instance, while income redistribution may well raise incentive problems in many cases, asset redistribution (e.g., land reform) is often conducive not only to equity but also to efficiency. On these issues, see Bardhan, Bowles and Gintis (2000), and the literature cited there; also Sen (1992).

17 For further discussion, see Drèze and Sen (forthcoming, Ch. 7).

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

18 See Drèze and Sen (1995:13-16, 96-7); also Probe Team (1999, Ch. 1).

19 In some cases, economic empowerment has also contributed to the emancipation of the "scheduled castes"; see, for example, Sudha Pai's (2001) analysis of the economic antecedents of "Dalit assertion" in Uttar Pradesh.

20 For example, see Drèze, Samson and Singh (1997), Roy (1999), and the literature cited there.

21 For a detailed case study of this process, focusing on Uttar Pradesh, see Drèze and Gazdar (1996); also Probe Team (1999).

22 See, for example, Shah et al. (1998:289-93). The recent Panchayati Raj (Extension to Scheduled Areas) Act, which combines further devolution of power with provisions for the empowerment of tribal communities, was introduced partly to address this problem.

23 A wealth of field-based studies are available; see Lieten (1996a, 1996b), Mathew and Nayak (1996), Mayaram and Pal (1996), Bhatia and Drèze (1998), Crook and Manor (1998), Pai (1998, 2001), Raj and Mathias (1998), Institute of Social Sciences (1999), Powis (1999), Vyasulu and Vyasulu (1999), Ghatak and Ghatak (2000), Menon (2000), Mullen (fortcoming), among many others; also the monthly Panchayati Raj Update published by the Institute of Social Sciences, New Delhi, and the periodical Grassroots.

24 See Isaac and Harilal (1997), Powis (1999), Heller (2000b). West Bengal has also been active, for a long time, in making constructive use of local democracy to raise the political profile of the underprivileged, and to carry out economic and social reforms, including land redistribution. For different perspectives on West Bengal's experience, see Kohli (1987), Lieten (1996a), Sengupta and Gazdar (1996), Ghatak and Ghatak (2000), Mullen (forthcoming), among others.

25 For insightful case studies of the subversion of local democracy by dominant classes and castes in Madhya Pradesh, see Mathew and Nayak (1996).

26 As mentioned earlier, separate legislation was introduced later for the "scheduled areas," with further provisions for the representation and empowerment of disadvantaged groups (especially the "scheduled tribes").

27 For a striking case study of this process, see Mander (2001:137-48). For other examples, see Lieten (1996b), Mathew and Nayak (1996), Drèze and Sharma (1998), Pai (1998), among others. Cases of "proxy" members have also been reported in south India, especially in the early years of panchayati raj (see

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

Vyasulu and Vyasulu 1999, and Menon 2000), but they are not the dominant pattern, as seems to be the case in much of north India.

28 The use of "proxy candidates," for one, seems to be declining with each panchayat election, and today there are even cases of members of "reserved" categories contesting non-reserved seats (see Menon 2000).

29 On this point, see particularly Mullen (forthcoming); also Mayaram and Pal (1996), especially with reference to the participation of women in panchayat institutions.

30 See Jayal (1999b), who reports that in Uttar Pradesh "the percentages due to various officials and elected representatives are fixed…the commission amounts are openly announced in the panchayat meetings, and rarely provoke any protest" (p.25).

31 The study cited in the preceding footnote also mentions how a female sarpanch was victimized "f or her refusal to allow district authorities to give her a cheque from which the commissions [had] already been deducted" (Jayal 1999b:26).

32 See Shleifer and Vishny (1993), where corruption with theft is contrasted with other situations ("corruption without theft") where one person gains at the expense of some other private individual, as when a railway employee overcharges a passenger for a ticket. In such cases, the loser (e.g., the fleeced passenger) has an incentive to blow the whistle, and sometimes this feature can be used to discourage corruption. In the case of "corruption with theft," which involves a private appropriation of public resources, the losers form a more diffuse group, and may, to that extent, find it harder to take effective action.

33 There have been earlier initiatives of similar inspiration elsewhere (notably the anti-corruption movement initiated by Anna Hazare in Maharashtra), as well as many new offshoots of these pioneering movements in recent years. On the work of MKSS (which involves a great deal more than corruption-related campaigns), see Dey and Roy (2000).

34 Kerala has gone further than most other states in developing what Patrick Heller aptly calls a "culture of whistle-blowing" (Heller 1999:128). In this connection, it is interesting to note that Kerala was ranked as the least corrupt Indian state in a recent opinion poll based on interviews with 1,743 residents of 16 major state capitals (India Today, November 24, 1997). This finding is far from definitive, given the subjective nature of the responses and the ad hoc nature of the sample. Nevertheless, it does point to an interesting pattern that deserves further investigation.

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

35 The "positive roles" of the state in economic development are examined in Drèze and Sen (1989); see also Drèze and Sen (1995 forthcoming), with specific reference to India.

36 For further discussion, see Probe Team (1999); also Drèze and Sen (forthcoming, Ch. 5), and the literature cited there.

37 In a survey of Indian Police Service officers conducted by the National Police Academy in March 1997, 17 percent of the respondents were found to support the view that detainees should be "subjected to torture and third degree methods to get to the truth" (Human Rights Features 1999).

38 Under Section 197 of the Code of Criminal Procedure, "no Court shall take cognizance of any offence alleged to have been committed by any member of the Armed Forces of the Union while acting or purporting to act in the discharge of his official duty, except with the previous sanction of the Central Government."

39 See Drèze and Sen (forthcoming, Ch. 8); also Drèze (2000) and Sen (2000b).

40 For further discussion, see Drèze and Sen (forthcoming, Ch. 4). Prominent examples of the adverse social consequences of authoritarianism in China include (1) the monumental famine of 1958-61, (2) the excesses of the "cultural revolution," (3) the negative effects of China's draconian "one-child policy" on gender equity and women's freedoms, (4) the sharp slowdown of mortality decline in the post-reform period, linked to the drastic reduction of public health services in disadvantaged areas, and (5) the frequent violation of basic human rights.

41 See, among other comparative studies, Przeworski (1995) and Barro (1996).

42 On these and related issues, see Sen (1999).

43 For further discussion of these diverse experiences, see Drèze and Sen (forthcoming).

44 See, for example, Nandy (2000).

45 See Drèze and Sen (1989).

REFERENCES

Amnesty International.
1992. *India: Torture, Rape and Deaths in Custody*. New York: Amnesty International.

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

BARDHAN, P., S. Bowles, and H. GINTIS.
2000. "Wealth Inequality, Credit Constraints, and Economic Performance. " In *Handbook of Income Distribution*, edited by A.B. Atkinson and F. Bourguignon. Amsterdam: North-Holland.

BARRO, Robert J.
1996. *Getting it Right: Markets and Choices in a Free Society*. Cambridge, MA: MIT Press.

BHATIA, Bela.
2000. "The Naxalite Movement in Central Bihar." PhD dissertation, University of Cambridge.

BHATIA, Bela and Jean DRÈZE.
1998. "For Democracy and Development," *Frontline*, March 6.

BLOMKVIST, Hans.
2000a. "Democracy, Social Capital, and Civil Society in India," mimeo, Uppsala University; forthcoming in *Civil and Uncivil Society*, edited by C. Elliott. Delhi: Oxford University Press.

BLOMKVIST, Hans.
2000b. "Traditional Communities, Caste, and Democracy: The Indian Mystery," mimeo, Uppsala University; forthcoming in *Social Capital and Politics in Everyday Life*, edited by P. Dekker and E. Uslaner. London: Routledge.

CHARI, P.R.
2000. "Security and Governance," *The Hindu*, November 21.

CROOK, R.C. and J. MANOR.
1998. *Democracy and Decentralisation in South Asia and West Africa: Participation, Accountablity and Performance*. Cambridge: Cambridge University Press.

DATT, Gaurav.
1997. "Poverty in India and Indian States: An Update." International Food Policy Research Institute, Washington, DC. Mimeo.
1999a. "Has Poverty Declined since Economic Reforms?" *Economic and Political Weekly*, December 11-17.
1999b. "Poverty in India: Trends and Decompositions," mimeo, World Bank, Washington, DC.

DEBROY, Bibek.
2000. *In the Dock: Absurdities of Indian Law*. Delhi: Konark.

DEY, Nikhil and Aruna ROY.
2000. "The Right to Information: Facilitating People's Participation and State Accountability." Paper presented at a conference on Directions of Political Change in India, University of Oxford.

DRÈZE, Jean.
1997. "Palanpur 1957-93: Occupational Change, Land Ownership and Social Inequality." In *The Village in Asia Revisited*, edited by J. Breman, P. Kloos, and A. Saith. New Delhi: Oxford University Press.

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

DRÈZE, Jean.
2000. "Militarism, Development and Democracy," *Economic and Political Weekly*, April 1.
2001. "Upholding the Right to Food," *The Hindu*, June 27.
DRÈZE, Jean, and Haris GAZDAR.
1996. "Uttar Pradesh: The Burden of Inertia." Pp. 33-128 in *Indian Development: Selected Regional Perspectives*, edited by J. Drèze and A. Sen. Oxford and New Delhi: Oxford University Press.
DRÈZE, Jean and Amartya SEN.
1989. *Hunger and Public Action*. Oxford: Clarendon Press.
DRÈZE, Jean and Amartya SEN.
1995. *India: Economic Development and Social Opportunity*, 1st. ed. Oxford and New Delhi: Oxford University Press.
DRÈZE, Jean and Amartya SEN.
Forthcoming. *India: Development and Participation*. New Delhi and Oxford: Oxford University Press.
FRANKEL, F., Z. Hasan, and R. BHARGAVA, eds.
2000. *Transforming India: Social and Political Dynamics of Democracy*. Oxford: Oxford University Press.
GALBRAITH, John Kenneth.
1952. *American Capitalism: The Concept of Countervailing Power*. Boston: Houghton Mifflin.
GHATAK, Maitreya and Maitreesh GHATAK.
2000. "Grassroots Democracy: A Study of the Panchayat System in West Bengal." Paper presented at a conference on Experiments in Empowered Deliberative Democracy, January, Madison, Wisconsin.
Government of Maharashtra.
1994. "Dr. Babasaheb Ambedkar: Writings and Speeches." Vol. 13: Dr. Ambedkar: The Principal Architect of the Constitution of India. Bombay: Education Department.
HELLER, Patrick.
1999. *The Labor of Development: Workers and the Transformation of Capitalism in Kerala, India*. Ithaca, NY: Cornell University Press.
HELLER, Patrick.
2000a. "Degrees of Democracy: Some Comparative Lessons from India." *World Politics* 52(4):484-519.
HELLER, Patrick.
2000b. "Moving the State: The Politics of Democratic Decentralization in Kerala, South Africa and Porto Alegre." Paper presented at an International Conference on Democratic Decentralisation, May 23-27, Thiruvananthapuram.
HIRSHMAN, Albert.
1991. *The Rhetoric of Reaction: Perversity, Futility, Jeopardy*. Cambridge, MA: Belknap Press.

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

Human Rights Features.
1999. "Impunity and World Torture Day." Press release, South Asia Human Rights Documentation Centre, New Delhi.
Institute of Social Sciences.
1999. *Panchayati Raj Update*, vol. VI. New Delhi: Institute of Social Sciences.
ISAAC, T. and K.N. HARILAL.
1997. "Planning for Empowerment: People's Campaign for Decentralised Planning in Kerala." *Economic and Political Weekly*, 4 January.
JAYAL, Niraja Gopal.
1999a. *Democracy and the State: Welfare, Secularism and Development in Contemporary India*. New Delhi: Vedams Books.
1999b. "Democracy and Social Capital in the Central Himalaya: A Tale of Two Villages." Paper presented at a conference on Democracy and Social Capital in Segmented Societies, June, Uppsala University.
JAYARAMAN, R. and P. LANJOUW.
1999. "The Evolution of Poverty and Inequality in Indian Villages." *World Bank Research Observer* 14(1):1-30.
KISHWAR, Madhu.
1996. "Women's Marginal Role in Politics." *Manushi* 97.
KOHLI, Atul.
1987. *The State and Poverty in India: The Politics of Reform*. Cambridge: Cambridge University Press.
LIETEN, G.K.
1996a. *Development, Devolution and Democracy: Village Discourse in West Bengal*. New Delhi: Sage.
LIETEN, G.K.
1996b. "Panchayats in Western Uttar Pradesh: 'Namesake' Members." *Economic and Political Weekly*, September 28.
MANDER, Harsh.
2001. *Unheard Voices*. New Delhi: Penguin.
MATHEW, George and Ramesh NAYAK.
1996. "Panchayats at Work: What is Means for the Oppressed." *Economic and Political Weekly*, July 16.
MENON, Nivedita.
2000. "Elusive 'Woman': Feminism and Women's Reservation Bill." *Economic and Political Weekly*, October 28.
MENON, Parvati.
2000. "The Woman's Place." *Frontline*, March 18.
MOHANTY, Bidyut.
1995. "Panchayati Raj, 73rd Constitutional Amendment and Women." *Economic and Political Weekly*, December 30.
MULLEN, Rani.
Forthcoming. "Does Local Governance Matter? The Relationship between

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

Village Government and Social Welfare in Selected Indian States." Ph.D dissertation, Princeton University.
NANDY, Ashis.
2000. "Why Development and Prosperity will not Remove Poverty." *Humanscape* 13(11).
NAYAR, Kuldip.
2000. "Double Standards." *The Hindu*, November 18.
OMVEDT, Gail.
2000. "Women and PR." *The Hindu*, September 11.
PAI, Sudha.
1998. "Pradhanis in New Panchayats: Field Notes from Meerut District." *Economic and Political Weekly*, May 2.
2001. "Social Capital, Panchayats and Grass Roots Democracy: Politics of Dalit Assertion in Uttar Pradesh." *Economic and Political Weekly*, February 24.
POWIS, Benjamin.
1999. "Bottom-up Approaches to Decentralisation: The People's Planning Campaign in Kerala." Ms dissertation, Institute of Development Studies, University of Sussex.
PRZEWORSKI, Adam, ed.
1995. *Sustainable Democracy*. Cambridge: Cambridge University Press.
PUSHPENDRA.
1999. "Dalit Assertion through Electoral Politics." *Economic and Political Weekly*, September 4.
RAJ, Sebasti L. and E. MATHIAS.
1998. *People's Power and Panchayati Raj: Theory and Practice*. New Delhi: Indian Social Institute.
ROY, Arundhati.
1999. *The Cost of Living*. London: Flamingo.
SEN, Amartya.
1992. *Inequality Reexamined*. Oxford: Clarendon Press.
1997. "From Income Inequality to Economic Inequality." *Southern Economic Journal* 64(2):384-401.
1999. *Development as Freedom*. Oxford: Oxford University Press.
2000a. "Social Justice and the Distribution of Income." In *Handbook of Income Distribution*, edited by A.B. Atkinson and F. Bourguignon. Amsterdam: Elsevier.
2000b. "India and the Bomb." *The New Republic*, September 25.
SENGUPTA, Sunil and Haris GAZDAR.
1996. "West Bengal: The Challenge of Rural Poverty." In *Indian Development: Selected Regional Perspectives*, edited by J.P. Drèze and A.K. Sen. New Delhi: Oxford University Press.
SHAH, M., D. Banerji, P.S. Vijayshankar, and P. Ambasta.
1998. *India's Drylands: Tribal Societies and Development through Environmental Regeneration*. New Delhi: Oxford University Press.

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009

SHLEIFER, A. and R. VISHNY.
1993. "Corruption." *Quarterly Journal of Economics* 108:599-617.
SRINIVAS, M.N.
1992. *On Living in a Revolution and Other Essays*. New Delhi: Oxford University Press.
VARSHNEY, Ashutosh.
2000. "Is India Becoming More Democratic?" *Journal of Asian Studies* 59(1):3-25.
VYASULU, P. and V. VYASULU.
1999. "Women in Panchayati Raj: Grass Roots Democracy in Malgudi." *Economic and Political Weeekly*, December 25.
YADAV, Yogendra.
2000. "Understanding the Second Democratic Upsurge." In *Transforming India: Social and Political Dynamics of Democracy*, edited by F. Frankel, Z. Hasan, and R. Bhargava. Oxford: Oxford University Press.
YADAV, Y. and V.B. Singh.
1997. "The Maturing of a Democracy," *India Today*, August 31.

Downloaded from http://jas.sagepub.com at Staats-Und Universitaets Bibliothek Bremen on November 16, 2009