

CHAPTER - 7

Democratic Decentralisation
and Panchayati Raj : Gandhian
influences -

A major Gandhian principle
which produced the most pro-
tracted discussion before being

incorporated within the Constitution was Panchayati Raj.

Gandhi said "in a free India we will have
(1) Panchayat Raj". In his opinion, there was no law which could
stop a panchayat from functioning wherever the people wanted it.
He regarded the village as the unit in the true democracy of
India; and as such he opined that "...even if one village wants
Panchayat Raj.... no one can stop it...." (2) It was Gandhi's firm
conviction that India lives in her seven lakhs of villages. To
him, that was real India for which he lived (3) His picture of
independence was that it must begin at the bottom. Thus, every
village has to be self-sustained and capable of managing its
affairs even to the extent of defending itself against the whole
world. In this structure, composed of innumerable villages,
"there will be ever-widening, never-ascending circles. Life will
not be a pyramid with the apex sustained by the bottom. But it
will be a oceanic circle whose centre will be the individual" (4)

Gandhi's well-known principle was that "violence
logically leads to centralisation, the essence of non-violence is
decentralisation" (5) . In his view, complex centralized system in-
volves chances of exploitation, sacrifices non-violent values. The
non-violent life, i.e. the life of service, he held, must, of
necessity, be simple, self supporting and close to the soil. This

implies a rural culture of decentralized satyagrahi communities and a new conscious life, simple and free and rich in opportunities ⁽⁶⁾. Therefore, the need for decentralization arises from the fact that centralization means concentration of power in the hands of a few people with the likelihood of its abuse. Centralization adds to the complexity of life which is a distraction in all creative moral endeavour. It damages initiative, resourcefulness, courage, and creativeness, and diminishes opportunities of self-government and of resisting injustice. So, said Gandhi, the more ⁽⁷⁾ of centralization, the less of democracy .

It was his conviction that centralization cannot be sustained and defended without adequate force, and as such, he suggested that if India was to evolve along non-violent lines, it will have to decentralize many things ⁽⁸⁾. Hence, he had always been advocating decentralization of economic and political power in the form of more or less self-sufficient and self-governing village communities. He regarded such communities as the models of non-violent organisation. He, of course, did not mean that the ancient Indian village republics should be revived exactly in the old form, that was neither possible nor desirable. Necessary changes would have to be introduced in view of modern changed ⁽⁹⁾ circumstances and needs . He desired that these self-sufficient and self-governing villages should be the basic units of public administration in free India. These primary political units should elect, by adult suffrage, a panchayat, ordinarily of five persons, for the period of three years. The formation of the

panchayats should be wide and comprehensive, covering almost all the aspects of social, economic and political life of village community, so that villages can enjoy large measure of local autonomy. To co-ordinate, guide, advise and to supervise the socio-economic and political activities of lower panchayats, and to perform functions of local nature, there shall be Taluka, District, Provincial and All India Panchayats connected with one another by the Presidents of the respective lower panchayats. The President of All-India Panchayat should be the head of the state ⁽¹⁰⁾. Thus, Gandhi envisaged complete political and administrative decentralization at the village level with an indirectly elected government at the top.

Till 1936, Gandhi had not made up his mind about the character of such a structure of Indian polity. At the Faizpur Congress in 1936, Gandhi said that India must have a polity suited to her genius, but he added, "what that can be is more than I can tell" In 1946 Gandhi presented a clearly articulated image of a non-violent decentralized society structured in "concentric circles". And it was during 1946-47 that Gandhi, in the last phase of his life, fitted his "concentric circles" with the structural content of peoples' democracy and sovereignty at the grass roots, which he described as Panchayati Raj -- a kind of co-operative common-wealth of reformed and reconstructed village communities ⁽¹¹⁾.

These ideas did not make much impression on the framers of the Constitution. The fact was that the politically

conscious class in India had always admired the British parliamentary system. To most Indian politicians, whether of the right or the left, the Gandhian model seemed neither practical politics nor practical economics. The Experts Committee formed by the Congress Working Committee in July 1946 recommended a federal and parliamentary form of government. A number of the Committees of the Constituent Assembly deliberated on various aspects of the Constitution, but did not seem to have given thought to the Gandhian approach. The Draft Committee, borrowed freely from American and British Constitutions, and from the Government of India Act of 1935, did not even mention the word Panchayat.

During the freedom movement, it was often conceived that the panchayats would serve as substitutes for bureaucratic authoritarianism. Gandhi, explaining the Swadeshi movement, advocated that "village panchayats should be a living force.... (i) to restrict us to the use and service of our immediate surroundings (ii) for a correspondence between the representatives and the represented..... (iii) for self-government suited to the requirements."⁽¹²⁾

Therefore, during the freedom struggle, it was taken for granted that Gram Raj would be the foundation of Swaraj. In other words, the concept of political and economic decentralization was axiomatic to the fighters for freedom. But when the Constitution came actually to be constructed, that concept was remembered only as an after-thought.⁽¹³⁾

In December 1947, when the new Constitution of India was being drafted, Principal S. N. Agarwal had drawn the attention of Gandhi to the fact that there was till then no mention of village panchayats in the future administrative set up as visualised in the Draft Constitution. Commenting on this point, Gandhi observed in the Harijan (December 21, 1947): "It is certainly an omission calling for immediate attention if our independence is to reflect the people's voice. The greater the power of the panchayats, the better for the people"⁽¹⁴⁾

Several members of the Constituent Assembly took note of these observations of Gandhi, and pressed for the provision of village Panchayats in the new Constitution.

During the general discussions, the Draft Constitution was largely criticised on the grounds that no part of it represents the ancient Hindu model of a state, and that instead of incorporating western theories, the new constitution should have been built upon village panchayats. There were others who took a more extreme view. They did not want any Central or Provincial Governments. They just wanted India to contain so many village governments.

There is little doubt that decentralization was not the dominant theme of the national elite's thinking when our Constitution was being drafted, although the leading and articulate members of the Constituent Assembly were not oblivious of the strong Gandhian predilection for a decentralized democracy

based on village communities. The debates in the Constituent Assembly on this issue provide an instructive insight into the dilemmas and problems of constitution-making and the mechanics of compromise which were adopted.

The attitude of the Drafting Committee and especially of Dr. Ambedkar as regards village panchayats was that they could not be the basis of new democracy. The issue came to a head in the course of the second reading of the Draft Constitution in the Constituent Assembly in November, 1948. Dr. Ambedkar, the Chairman of the Drafting Committee, while attempting to answer these charges, said that the love of the intellectual Indians for the village community was blind and baseless. It was not backed by reason. It was largely due to the fulsome praise bestowed upon the village republics by Metcalfe, who described them as "little republics having nearly everything that they wanted within themselves and almost independent of any foreign relations." The existence of these village communities, each one forming a separate little state in itself, had, according to Metcalfe, contributed more than any other cause to the preservation of the people of India, through all the revolutions and changes, which they had suffered, and was in a high degree conducive to their happiness and to the enjoyment of a great portion of the freedom and independence. But Dr. Ambedkar pointed out that the principal aim of the village communities was somehow to ensure their existence, and as such they had played a very little

part in the affairs and the destiny of their country. He therefore concluded that "village republics have been the ruination of India". In his opinion a village was nothing but a "sink of localism, a den of ignorance, narrow mindedness and communalism". He expressed his pleasure that the Draft Constitution had discarded the village as its unit (15) .

Now, if we try to weigh the import of Dr. Ambedkar's remark, we find that he had opposed the introduction of panchayati raj on the ground that rural society being so conservative and so dominated by traditionally privileged class, village democracy could not but be exceedingly conservative and illiberal. It was feared accordingly that the traditionally dominant class would use the political institutions of panchayati raj to perpetuate their privileged position.

Dr. Ambedkar was a lifelong fighter for the cause of the untouchables, the depressed classes. Their upliftment was his only dream. Naturally, he used to judge each and every issue from that standpoint i.e., to what extent that would benefit or harm the interests of his community.

Dr. Ambedkar's opposition to village republics or panchayats was rooted largely in his belief that a national panchayat system would ensure continued oppression of the Harijans. His argument was that decentralization may also produce violence in the Gandhian sense, by enabling local majorities or dominant castes to oppress other groups with the power gained through

decentralization. He believed that panchayat government would surely entrench caste at the village level, keeping power in the hands of the traditional upper caste or some economically ascendant minority. Besides, panchayats, if India had a Gandhian constitution, would perforce become involved in party politics. Rival political parties will be used by the factions for their local ends.

Dr. Ambedkar's apprehensions were not without foundation. In the Hindu society, the caste system was the dominant social institution, and even though it is undergoing many changes, it is still the most pervasive influence in Hindu life and behaviour. At any level, especially at the rural and local levels, those most directly affecting the vast majority of the people of India, caste is obviously a most important factor in Indian politics, and will probably remain so for the foreseeable future. (16) Caste considerations are given great weight in the selection of candidates and in the appeals to voters during election campaigns.

Political parties were also formed on the basis of caste. The injustices meted out by Hindu society to the untouchables led them to organize themselves politically. In the 1920's Dr. Ambedkar organized an Independent Labour Party consisting mainly of the untouchables from Bombay. The name of this party was changed to Scheduled Castes Federation after the untouchables came to be known as "scheduled castes" under the Government of

India Act, 1935. Dr. Ambedkar remained the leader of this Federation till his death in 1957. The movement of the depressed classes led by Ambedkar represented, in politics, a protest against the institution of caste.

Much of the story of Indian politics, particularly at state levels and below, could be told in terms of caste. The power and activity of caste had increased in proportion as political power passed increasingly to the people from the rulers. (17)

In the words of Dr. Ambedkar, the Hindu social system which places communities one above the other is a factor which is bound to have its effect on the result of voting. By the Hindu social system the communities are placed in an ascending scale of reverence and a descending scale of contempt. No caste Hindu will cast a vote in favour of an untouchable candidate, for to him he is too contemptible a person to go to the legislature. On the other hand, there will be found many voters among the untouchables who would willingly cast their votes for a Hindu candidate in preference to an untouchable candidate. That is because he is taught to rever the former more than himself or his untouchable kinsmen. Besides, there are other means which are often resorted to for catching the votes of the poor, illiterate, unconscious, unorganized body of voters which the untouchables are. A combination of all these circumstances is bound to work in the direction of augmenting the representation of the Hindus. (18)

Ambedkar observed: "(1) The voting is always

communal. (2) The majority community carries the seat by sheer communal majority. (3) The minority community is forced to vote the candidate of the majority community. (4) Minority voters are insufficient. (5) A voter of the majority community never condescends to vote the candidate of the minority community. (6) A voter of the minority community takes pride in giving votes to the candidates of the majority community. (19) Therefore, given the socio-economic and cultural level of our people, if power is decentralized, there is every possibility of its being misused unscrupulously by the upper-caste village leadership.

Dr. Ambedkar considered that unless power did not concentrate in the hands of the socially suppressed section of the Indian society, it was not possible to completely wipe out all social, legal and cultural disabilities, from which that section suffered. He said, "we must have a government in which men in power will not be afraid to amend the social and economic code of life which the dictates of justice and expediency so urgently call for." (20) Ambedkar's contribution to Indian political thinking was to focus the relevance of social democracy to political democracy. And political democracy in India can not operate without education, enlightenment and elevation of depressed classes.

Ambedkar was not sure whether Swaraj would bring in any perceptible improvement in the life of his community. He was, on the other hand, afraid, that Swaraj might mean total capture of power and position by the Hindus which would aggravate the

sufferings of the untouchables. In his opinion, Swaraj, instead of putting an end to untouchability, might extend its life. The untouchables would get no privileges but the perpetuation of slavery. (21) His stress was on the true freedom of the people. Without that, nationalism becomes a means of internal slavery, forced labour and organised tyranny for the poor and servile classes. According to Dr. Ambedkar, Indian nationalism has developed a new doctrine which he called the divine right of the majority to rule the minorities according to wishes of the majority. He remarked, "Any claim for the sharing of power by the minority is called communalism, while monopolising the whole power (22) by the majority is called nationalism."

His apprehension was that the Congress Party would always put up candidates who belonged to castes which were in the majority in the constituencies. Minority communities might be tyrannised and oppressed. They were sure to be discriminated against and denied equality before law and equal opportunity in public life. (23)

To Ambedkar, Gandhism was a paradox. It sought to maintain intact a social structure which permitted the domination of one class by another on a hereditary basis which meant a perpetual domination of one class by another. (24) He remarked that Gandhism meant return to the village and making the village self-sufficient and as such, it made Gandhism, a mere matter of regionalism. In his opinion it was not a revolutionary but a reactionary creed. Gandhism was the philosophy of the well-to-do

(25)

and the leisured class.

Ambedkar's psychology can further be assessed from his concluding speech in the Constituent Assembly on 25th November, 1949. He said, "..... we must make our political democracy a social democracy as well. Political democracy can not last unless there lies at the base of it social democracy we must begin by acknowledging the fact that there is complete absence of equality in Indian society we have in India a society based on the principle of graded inequality which means elevation for some and degradation for others....." (26) He further said that monopoly of political power by a few had not merely deprived many of their chance of betterment, it has sapped them of the significance of life. These down-trodden classes were tired of being governed. Therefore, he cautioned, the sooner room is made for the realization of their aspiration, the better (27) for the continuance of the democratic structure of the country.

Therefore, it was natural that Ambedkar always looked to the central government to act as a powerful curb on the local majority to save the minorities from the tyranny of the majority. He wanted to have a strong centre to cope with eventualities-social, economic and political. In fact, attempt to provide for the protection of local minorities through central government power was an aim of the non-Gandhian leaders of the Assembly.

Dr. Ambedkar's remarks on India's village republics

provoked strong reactions and retorts in the debate, but the controversy which started with a bang ended in a whimper. Dr. Ambedkar's categorical rejection of the panchayats as the basis of the Constitution helped to crystalize the issue and brought it into focus.

A stimulating debate ensued. Speaker after speaker was at pains to voice his disagreement with, and resentment over Dr. Ambedkar's disparaging observations.

Shri H. V. Kamath said "....with all deference to Dr. Ambedkar, I differ from him in this regard. His attitude was typical of urban highbrow; and if that is going to be our attitude towards the village folk, I can only say, 'God save us'...." According to Shri Kamath, Mahatma Gandhi taught us, in almost the last mantra that he gave in the best days of his life, to strive for Panchayati Raj. If Dr. Ambedkar could not see his way to accept this, he did not see what remedy or Panacea he had got for uplifting our villages. It was with considerable pain that he heard Dr. Ambedkar refer to our villages in that fashion, with dislike if not with contempt.

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According to Shri T. Prakasam, Dr. Ambedkar had not been able to put himself in the position of those who had been fighting for the freedom of this country for thirty long years. In one stroke, he condemned the village panchayats system. It was not a matter which should have been treated by Dr. Ambedkar in that

(29)
manner .

He made an appeal to the House, not to disobey the teaching of Gandhi and the scheme he had given for the construction of the future government of India. He advocated such type of village panchayats which was up-to-date, and gave real power to rule and to get money and expend it, in the hands of the villagers.

Professor N.G. Ranga was most unhappy that Dr. Ambedkar should have said what he had said about the village panchayats and remarked: 'All the democratic tradition of our country has been lost on him.'

Professor Ranga liked decentralization, and in this context he reminded the House that Gandhi had pleaded over a period of thirty years for decentralization, and that Congressmen were also committed to decentralization. In his view, without the foundation-stone of village panchayats in our country, it would not be possible for the masses to play their rightful part in democracy.
(30)

Shri Mahavir Tyagi stated "..... unless I raise my voice against the remarks which Dr. Ambedkar has made against villages, I cannot face my village people. Dr. Ambedkar does not know what amount of sacrifice the villagers have undergone in the struggle for freedom...
(31)

He reminded the House of the contribution made and

the part played by the villages in the freedom struggle and demanded that villages should be given their due share in the governance of the country. If they were not given their due share, they were bound to react to this.

Shri Damodar Swarup Seth expressed his displeasure in the absence of local self-government in the constitution. He said "this Constitution as a whole, instead of being evolved from our life, and reared from the bottom upwards, is being imported from outside and built above downwards". According to Shri Seth, the constitution of a free country should be based on local self-government. Where the voice of the units is not heard, and their due participation is denied, there the Constitution cannot last long. In this connection he remembered the ideas of Gandhi and pointed out the dangers of centralization and pleaded for an Indian Republic, composed of small autonomous republics ⁽³²⁾.

Shri Arun Chandra Guha requested the House to incorporate some provisions so that the village panchayats might be allowed to play an effective part in the future administration of India. He said that "we have been taught to think of the village panchayats as the future basis of administrative machinery. The Gandhian and the Congress outlook has been that the future Constitution of India would be a pyramidal structure and its basis would be the village panchayats". He further opined that if the whole structure could be built on the village panchayats on the willing co-operation of the people, then the centre would automatically become strong. ⁽³³⁾

Shri R. K. Sidhwa considered that the very idea of democracy was negatived by ignoring the local authorities and villages. He said that local authorities were the pivots of the social and economic life of the country, and if there was no place for local authorities in this Constitution, the Constitution was not worth considering ⁽³⁴⁾ .

According to Pandit Thakur Das Bhargava, the real soul of India was not represented by this Constitution and the autonomy of the villages was not fully delineated here ⁽³⁵⁾ . He wanted the fulfilment of Gandhi's wishes and suggested that the industries should be decentralized as much as the administration should be decentralised, and that the disparity between the mode of living of the rural people and the urban people must be abolished. ⁽³⁶⁾

Prof. Shibban Lal Saksena suggested the inclusion of village panchayats and local self-government within the emerging Constitution ⁽³⁷⁾ . In his opinion, if all the light and the knowledge that India and the world had gathered could be brought about to the village panchayats, then they would have become the most potent forces for holding the country together and for its progress towards the ideal of Ram Rajya. He wanted more responsibility to be given to the villages. In this connection, Prof. Saksena quoted Gandhi's speech in the 1931 Round Table Conference in London where, speaking about the method of election to the Federal Legislature, ⁽³⁸⁾ Gandhi recommended that the villages should be the electoral units.

Shri Sarangdhar Das remembered the advice of Gandhi to

the intelligentsia to go back to the villages ⁽³⁹⁾ and requested that this matter be reconsidered so that the villagers might get their due and expected that the villages would come into their own ⁽⁴⁰⁾ in the near future .

Chaudhari Ranbir Singh referred, in this connection, to the scheme of decentralization as envisaged by Gandhi, and wanted that in building the country the villagers should have been given their due share, and they should have their influence in every sphere ⁽⁴¹⁾ .

Shri V.I. Muniswami Pillai expressed his dissatisfaction in the absence of any provision in the Draft to consider the village as a unit. He said that it was the highest duty of any constitution making body to see that the village was set right. In his opinion, it would be unwise to deny the wish of Gandhi that the village must be made a self-governing unit. Shri Pillai expected that the Assembly would reconsider what had been presented to the House and see that proper amendment had been made so that the village or a group of villages could come under the category of self-governing institutions ⁽⁴²⁾ .

Shri Gokulbhai Daulatram Bhatt lodged his protest against discarding the village from the Draft, and said that "... where there is no such provision, it can never be the Constitution of India..." ⁽⁴³⁾

Shrimati Renuka Ray felt that, freed from the shackles of ignorance and superstition, the panchayat of the

Gandhian village would certainly be the backbone of the structure of this country's Constitution. (44)

According to Shri H. V. Kamath, it was Gandhi, not Metcalfe, who taught us to love the villages and to strive for Panchayati Raj. In his (Kamath) opinion, only by means of decentralization and establishment of village republics, lasting peace all over the world could be secured. "The utility of a state has to be judged from its effect on the common man's welfare." Shri Kamath remembered that Gandhi had tried to strike a happy balance between the conflicting claims of the state and the individual and arrived at the conception of the Panchayati Raj (45). Shri Kamath insisted on inserting a new article to the effect that "the state shall endeavour to promote the healthy development of Gram Panchayats with a view to ultimately constituting them as basic units of administration" (46).

Begum Aizaz Rasul and Dr. Monomohan Das were two notable exceptions.

Begum Aizaz Rasul said, "A lot of criticism has been made about Dr. Ambedkar's remark regarding village polity. Sir, I entirely agree with him. Modern tendency is towards the right of the citizen as against any corporate body and village panchayats can be very autocratic." (47)

Dr. Monomohan Das sounded a note of caution to the 'enthusiastic protagonists of the village panchayat system.' He

said:

'Unless and until our village people are educated, unless and until they become politically conscious, unless they become conscious of their rights and privileges, this village panchayat system will do more harm than good.' (48)

Shri Alladi Krishnaswami Ayyar tried to mitigate the tension by saying:

'With the large powers vested in the provincial or state legislatures in regard to local self government and other matters, there is nothing to prevent the provincial legislatures from constituting the villages as administrative units for the discharge of various functions vested in the State Governments.' (49)

It was, however, Prof. N.G.Ranga and Shri N. Ananthasayanam Ayyanger who, while speaking about village panchayats, suggested that in the Chapter on Directives provision be made for the establishment of village panchayats.

Prof. Ranga wanted to make it perfectly clear in one of the Directives that it was the duty of the state to establish village panchayats in every village or for every group of villages in order to help the villagers to gain training in self-government and also to attain village autonomy in social, economic and political matters. (50)

Shri M. Ananthasayanam Ayyanger suggested the inclusion of the objective of panchayati raj as a directive principle

of state policy. He said:

'As we are situated to-day, is it at all possible immediately to base our constitution on village republics? I agree this ought to be our objective. But where are these republics? They have to be brought into existence Therefore, I would advise that in the directives, a clause must be added, which would insist upon the various governments that may come into existence in future to establish village panchayats, give them political autonomy and also economic independence in their own way to manage their own affairs' .

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Shri K. Santhanam struck the middle path and said:

'I am sorry that Dr. Ambedkar went out of his way to speak about village panchayats and say that they did not provide the proper background for a modern constitution. To some extent I agree, but at the same time I don't agree with his condemnation of the village panchayats and his statement that they were responsible for all the national disasters. I think that inspite of revolution and changes, they have preserved Indian life and but for them India will be a chaos. I wish that some statutory provision had been inserted regarding village autonomy within proper limits. Of course there are difficulties, because there are villages which are very small, and there are big villages, and many of them have to be grouped for establishing panchayats, but I do not think that at some stage or other, when all

the provinces have set up panchayats, their existence may have to be recognised in the Constitution, for in the long run local autonomy for each village must constitute the basic framework for the future freedom of this country'.⁽⁵²⁾

On 22nd. November, 1948, K. Santhanam moved an amendment⁽⁵³⁾ for the adoption of a new article as a directive principle, and this was accepted by Dr. Ambedkar⁽⁵⁴⁾. After a brief debate the amendment was adopted. Dr. Ambedkar refrained from replying to the debate and to the criticisms levelled against him. Somewhat uneventfully, after a transient breeze, the confrontation ended in a concession which is now embodied in Article 40 of the Constitution.

Shri T. Prakasam expressed his pleasure at the acceptance of this provision. He remembered Gandhi's ideas on this issue and reminded the House that Dr. Rajendra Prasad had expressed his view in favour of making the village republic as the basis of the whole constitution and had taken initiative to the extent of requesting Sir B. N. Rau, the Constitutional Adviser, to redraft the Constitution accordingly. The latter had politely rejected the suggestion on the ground that it was too late to make any attempt to change the basis of the Constitution which had gone so far.⁽⁵⁵⁾

Seth Govind Das recollected Gandhi's revolutionary tasks for the villages and the importance he had attached to the village life, and requested the members to recall Gandhi's speech

to the delegates of the Asiatic Conference in Delhi; where he had said, pointing to the city of Delhi:- "this is not India, go to villages, that is India, there in lives the soul of India" .⁽⁵⁶⁾

Dr. V. Subramaniam described the village panchayat amendment as the only living cell in the Constitution and congratulate Mr. Santhanam for his amendment .⁽⁵⁷⁾

Shri L. Krishnaswami Bharati quoted extensively from Gandhi's views on village swaraj, panchayati raj and decentralisation. He quoted Gandhi as saying: "my idea of village swaraj is that it is a complete republic, independent of its neighbours for its vital wants, and yet interdependent for many others in which dependence is a necessity" .⁽⁵⁸⁾

Shri Bharati expressed his thanks at the acceptance of the fundamental tenet of Gandhi and requested the House to make it more explicit. Since, according to Gandhi, "India dies if the villages die, India can live only if the villages live." .⁽⁵⁹⁾

From the foregoing analysis, it becomes clear that during the deliberations of the Constituent Assembly the members had almost forgotten what we call Panchayati Raj. When it was brought to the notice of Gandhi, he was surprised, and made certain comments. Then, at one stage, there was an idea of re-drafting the Constitution on the basis of Panchayati Raj but the members thought it was going to be a stupendous task, and they also thought that the

exigencies of the political situation then prevailing in the country deserved an early implementation of the Constitution as it was. It was because of this conflict between the two points of view that Panchayati Raj was included not as Panchayati Raj but as an obligation under the Directive Principles of the Constitution. It did not mention Panchayati Raj as such, nor did it mention the various levels at which Panchayati Raj has to exist. The Gandhian idea of 'villages as self-governing units' could not take a complete shape.

Article 40 which figures in the chapter on the non-justiciable Directive Principles of State Policy provides:

'The State shall take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government.' Since this provision has been accommodated in Part IV of the Constitution, merely as one of the many non-justiciable directives, it has been placed under the mercy and sweet will of the future legislators and the administrators, and hence has lost much of its significance. However, it was realized and agreed that this much only was possible under those circumstances.

This provision of the Constitution seeks prospectively to accommodate the village panchayats in the structure of the Indian State, but the philosophy of decentralization does not inform or pervade the Constitution as a whole and is not woven into its fabric. Article 40 is essentially devolutionary and con-

ceives the village panchayats as recipients of power granted to them by the State Government and not as fountain-heads of popular authority. (60)

In the debate that followed Dr. Ambedkar's comments on the role of village communities, there was an emotive outpouring of outraged and eloquent sentiment but there was little coherent intellectual challenge to the premises of Dr. Ambedkar's statement. Moreover, the proponents of the idea did not take pains to conceptualize it in depth or to work out a model. The leading members of the Drafting Committee and the highest echelons of political leadership in the Constituent Assembly appear to have been indifferent to the idea of village panchayats as a base for the constitutional apparatus.

The Indian power-elite did not share the Gandhian belief in the saliency and urgency of restructuring the Indian polity from the village upwards. That India would have a centralized parliamentary constitution was nearly certain from the start. The Objectives Resolution said that the new constitution would be dedicated to the goal of social revolution, but it did not specify how these aims were to be achieved. Neither panchayat nor indirect government were mentioned in the resolution. And in the debate on the resolution, there was no criticism of the omission of panchayat government. The debate in the Constituent Assembly on the Draft Constitution confirmed the popularity of panchayats but the speeches did not constitute a rejection of

parliamentary government in favour of a Gandhian constitution.

However, the incorporation of Article 40 in the Constitution has proved to have been less a gesture to romantic sentiment than a bow to realistic insight. And the aim of the article has long been generally accepted: if India is to progress, it must do so through reawakened village life. Panchayat development under the Constitution has had three main aims: to foster the involvement of individuals throughout the nation in the processes of democratic government, to gain the villager's participation in national development from the village-level upwards and to lessen the burden of state administration through decentralization. (61)

Ambedkar's criticism has been largely justified in the light of the performance of village panchayats wherever they have been established in the country. The supporters of panchayati raj had visualized that the stability and security of Indian democracy depend largely on the successful functioning of the village panchayats which have to become its real backbone. But the fact is that the village panchayats, to-day, are nowhere near that position. And it is doubtful whether they would in the near future develop themselves to assume such a role. This is distressing but hardly surprising.

The Balwantrai Mehta Study Team brought the philosophy of panchayati raj to the fore in the middle fifties and gave a blueprint for elective democratic institutions at the

levels of the district, the taluka and the village.

Two decades of panchayati raj institutions promised on the philosophy and the institutional approach of the Mehta Committee has not brought about a political or psychological revolution. There is an air of disillusionment with these institutions and there is an erosion in the commitment to the philosophy of panchayati raj' (62) .

Such diffusion has not led to any fulfilment of the idyllic vision of a self-contained village community. Both in terms of political sufficiency and as a unit of administration and citizen - participation, the village is fast ceasing to be a focal point of attention. (63)

The dimensions of the crisis of democratic decentralization in India are manifold and wide-ranging.

Jaya Prakash Narayan believes that decentralization cannot be effected by handing down power from above to people who have been politically emasculated and whose capacity for self-rule has been thwarted, by the party system and concentration of power at the top. Today village panchayats are being established according to laws made in the Vidhan Sabhas. These are not true panchayats. The process must be started from the bottom. A programme of self-rule and self-management must be placed before the people, and by a constructive, non-partisan approach they must be helped to translate it into practice. (64)

It is true that viewed in the context of the complexities of rural problems in our country, two decades is a short period to bring about appreciable positive change in the socio-economic conditions of rural people and to break the traditional bonds that have always perpetuated backwardness in rural India. But in the light of experience gained in the last two decades an objective assessment of the new experiment of democratic decentralization in the institutional form of panchayati raj can be attempted.

There is no area where Panchayat Samitis and Zilla Parishads are free to take decisions and implement them without hindrance. The programmes that these bodies administer, are not decided upon at the block level but at a much higher level. All that they have to do is to implement the programmes which are, by and large, governed by the schematic budget and as such cannot be changed. For the guidance of the Panchayat Samitis detailed rules and regulations under the authority vested in the state government have been framed ⁽⁶⁵⁾. Therefore, behind the formal acceptance of the idea of local autonomy, there exists a well-entrenched resistance to any radical change of balance of power in favour of local self-government institutions. ⁽⁶⁶⁾

Besides, the administrative system remains what it was in good old days. Basically it has not changed. It has not been responsive to the requirements of the situation in the country. Now, with that system, however much we may exert and toil, and however

much the bureaucracy works for the people, there is not going to be genuine response in the hearts of the people (67) . How far such a system of administration can strengthen and broadbase democracy is open to question. There has been no effective participation on the part of the people. The persons who are in seats of authority today in these institutions are the same persons belonging to the higher classes of the rural society who were the leaders of the community earlier and dominated it with all their likes and dislikes, whims and prejudices (68) . As such, the benefits of development appear to have accrued to the politically dominant who are also in most cases the economically and socially dominant (69) .

We find that on the one hand, Panchayati Raj has introduced the possibility of emergence of a new leadership and, to that extent, helped redistribution of power and social positions; it has, on the other hand, displayed tendencies to perpetuate the existing caste differences and caste domination and to increase factions and conflicts (70) . Traditional moorings of caste, family, social status and religion still dominate. It is a sad commentary on panchayati raj system that it has given a political shape to old caste labels. There are now the problems of the dominant castes and the subservient castes and the victimization of the latter by the former. (71)

To the rural elite, however, panchayati raj provides a welcome opportunity for their increasing association with the village government and a distinct method for attaining posi-

tions of political stability for their own parties and factions. But to the weaker sections, panchayati raj is yet to develop a distinctive image of its own as different from the old system of local or feudal governments, which had existed under the British. This is so in view of the fact that the relationship of the weaker sections with the officials or the village hierarchy has not yet changed to any great extent. (72)

And since caste plays a dominant role in the rural social system, the strata that provide the leadership still continue to be the same that provided the leadership in a traditional society, namely, the upper-caste. Therefore, development and change would be meaningless if they do not mean the upliftment of the weaker sections of the community. Local self-government institutions have put the people to test with regard to the promotion of the welfare of the weaker sections and unless the higher castes perform their part of the duty, viz., to allow the weaker sections to come up, it will not bear any fruit.

So long as the bulk of the population is moved by appeals to local and traditional ties, there is no surer way of winning the election than by emphasizing their ties. The introduction of a popularly elected representative system based on universal adult suffrage has therefore led not to national integration but to the reverse — increased linguistic, racial, regional and religious divisions. (73) With a predominantly illiterate population, political issues are solved, not in the light of policy, but of caste, religion and region. The greater the proli-

feration of elected bodies, the greater will be the inefficiency, the maladministration and the corruption. (74) And this was what Ambedkar had feared. He believed: 'what the Harijans had to fear about was bad administration ... (which) was due to absence of men belonging to the Scheduled Castes in the administration.' And, Ambedkar charged, 'the administration was unsympathetic to the Scheduled Castes because it was manned wholly by Caste Hindu officers who were partial to the Caste Hindus' and who 'practised (75) tyranny and oppression' on the Harijans.

In many places, says one authority, the system is not achieving the desired results. Often it is due to greed on the part of elected representatives, place seeking on the part of the officers and almost everywhere a failure to realise, against the broad canvas of India's programme of social and economic development that is being attempted. (76)

It would however be wrong to expect much from panchayati raj with regard to boosting up egalitarian trends in society in isolation from such allied phenomena as land policy, agrarian reforms, rural indebtedness, the hold of the economically dominant on the co-operatives and so on. (77)

Under these circumstances, it is natural that 'there are many states in which we have not yet succeeded in giving to the weaker sections of the community the Harijans, tribals and others, the economic benefit of our plans Econo-

mic assistance has continued to flow, on a preferential basis to the people who are more powerful, who least need economic assistance from government. (78)

But the welfare of the weaker sections must form an important part of the planning for economic development of the country. There have been repeated assertions of these ends in the aims and objectives of various plans, (a) community development programmes (b) and the panchayati raj institutions. (c)

[(a) "The benefits of economic development must accrue more and more to the relatively less privileged classes of society and there should be progressive reduction of the concentration of income, wealth and economic power." (79)

(b) "Development programmes should be so devised and organised that the under-privileged are enabled to improve their conditions progressively so that inequalities are reduced and sense of solidarity and partnership in a great endeavour is created in the community." (80)

(c) "The primary objective of panchayati raj is to enable the people of each area to achieve intensive and continuous development in the interest of the entire population." (81)

But it has been observed in various evaluation reports and reports of study and observation teams (82) that the weaker sections of the community have not been much benefited by these programmes.

A two day conference on "Adaptation of Administration to Rural Development" ended in Delhi on 19th August, 1978. The conference noted that "violence exercised by the rich against the poor" was one of the major obstacles that would have to be eliminated if the poor were to be organised and involved in the task of development. The conference noted that plans to decentralize the administration would not succeed without "institutional devices to strengthen the political and material base of the poor."⁽⁸³⁾

Therefore, a satisfactory decentralization programme, envisaged by Mehta team, is yet to be implemented in our country. Power has nowhere been really transferred to the people. A careful observer of panchayati raj writes: 'after all when one talks of power to the people, one cannot help asking as to who the people are, what one often finds is a traditional leader, a wealthy person or a leader of a socially powerful group wielding authority in the name of the people.'⁽⁸⁴⁾

Experience has shown that even when backward section of the village has captured a panchayat, defeating the traditionally dominant section, they have failed to achieve anything because of the non-co-operation and opposition of the defeated interest.

Therefore, the dream of the farmer becoming his own, and consequently, that of the country's Destiny Man, is yet to be realized. Much headway is yet to be made in regard to attitude-

orientation towards social change. Rural people, by and large, continue to be both fatalists and defeatists in their psychology. Evil social customs like dowry, child marriage, untouchability, etc., have still obsessed their outlook. (85)

Jaya Prakash Narayan believes that panchayati raj might become the base of a true participatory democracy, if certain conditions were fulfilled, namely, education of the people, understood in the widest sense of the term, is an essential condition for the success of the experiment; its success would depend upon the extent to which organised political parties refrained from interfering with it and trying to convert it into their handmaid, and using it as a jumping ground to climb to power; and there should be a real devolution of power to the local authorities and not a make-belief. The local authorities should be provided with the necessary resources and given real control over the civil servants under their charge. (86)

However, considering thus from different angles, it may be concluded that the introduction or the operation of the institution of panchayati raj has not resulted in directing the society towards a Gandhian ideal. It has merely become the symbol of a half-hearted and grudging attempt of political and economic decentralisation in the country.

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