
Towards functional democracy

Elections in democracy

Democracy works through the institution of representative government and the democratic method of constituting such government is to choose political leaders through periodic elections. In a democracy, election is the means through which leaders and their parties acquire legitimate power to govern and the citizens exercise their sovereign power to choose their representatives, therefore the election has to be 'free' and 'fair'. Over the years, India has developed an excellent system of legal and administrative framework consisting of constitutional safeguards for maintaining independence and neutrality of the electoral machinery, a dedicated bureaucratic machinery to implement the laws and the codes of conduct, independent judiciary for adjudicating electoral disputes and a free press. Yet it has not been possible to prevent the numerous instances of electoral malpractices, fraud, violence and intimidation which take place not only during the elections, but also at other times.

In a democracy, an appropriate legal framework is not enough to ensure free and fair elections. A host of other actors such as the government of the day, the ruling party, other political parties, police and district bureaucracy, election adjudicating bodies and others have to act in unison and in a responsible manner, so that neutrality and fairness can be ensured. The bureaucracy and the police are required to work under the Election Commission. Yet they have occasionally been found to be lenient towards the leaders of the ruling party when law requires taking action against the latter for violating electoral laws or electoral code of conduct or for involvement in criminal activities like intimidating the voters and political workers of the opposition parties. The memory of West Bengal's panchayat elections of 2013 is still fresh in our minds when the opposition parties could not field candidates in over 11% of Gram Panchayat seats and could not campaign properly in many more seats because of the terror unleashed by the workers of the ruling party with connivance of the local police.

Need for transforming political practices

Fairly long democratic experience of our country demonstrates clearly that we have gone far ahead of many other nations in respect of enacting progressive laws, rules and codes to ensure free, fair and credible elections, but have achieved little success so far in transforming political parties' attitude towards certain universal values of democracy. Respect for rule of

law, allowing space for voices of those who oppose the establishment in non-violent way, enabling the constitutional authorities and institutions to function independently, resisting the temptation to reduce police and the bureaucracy into minions of ruling party – these are some of the democratic values that are expected to be reflected in the activities and behaviour of the political actors of all parties. Unless these values guide our political practices and our political practices punish acts of violation of such values, no amount of legislative interventions can guarantee free, fair and credible elections.

It is argued that electoral reform, which is an integral part of any functional democracy, is not only a matter of legal reform but much more. The real problem seems to be with the political practices that very often tend to move in the opposite direction by resorting to various political activities that undermine basic democratic values. Reforming political practices and embedding democratic values in them are, therefore, urgent tasks which need to be addressed at various platforms of civil society – the media, the universities, public discussions, and the social movements of civil society organisations (CSO).

Towards participatory and deliberative democracy

The system of three-tier panchayats for the rural areas and the municipalities as envisaged in the 73rd and 74th Constitutional amendments, promise a new form of institutional arrangement of governance, because it opens up channels through which substantive administrative and fiscal powers of the state can be devolved to the grassroots levels. In recent times, demands for decentralisation and local democracy emanate from the rising democratic aspirations of common people who feel threatened by the lack of transparency, accountability and responsiveness of the bureaucracy that represents the centralised administration at the local level.

More specifically, local democracy enriches the practice of democracy through various ways outlined below.

By bringing government at the door steps of citizens, the governance system at the local level is made more transparent, which in turn makes it more accountable to the citizens. Second, a representative government at the local level enables citizens to participate in the process of making of public decisions that affect their day-to-day lives and thereby it enriches the practice of democracy. Third, since the political executives of local government have more

intimate knowledge about the local conditions and as the interactions between them and the citizens is more intense, it is easier for government at this level to be responsive to the urgent needs of people. Last, but not least, local democracy creates opportunity for exercising political and social rights of the citizens and exercising such rights is imperative in lives of individuals as social beings.

Local democracy can also improve the allocation function (provision of goods and services) of the government by making public service delivery system efficient. There are many functions of government that demand intimate knowledge of local needs, local conditions and local-level oversight for being addressed properly. The responsibility for discharging such functions if given to the government at any other level would only lead to inefficiency and non-responsiveness to the local needs.

Local democracy is thus a bulwark against the tendency of democratically elected national and provincial governments to turn into non-responsive, non-participative and non-accountable governments. Through the institutions like Gram Sabha, Gram Sansad, Ward Sabha, Palli Sabha etc, local democracy promotes deliberative democracy, enabling the ordinary citizens to engage in debates over various public issues. Democracy can play an important role in people's voice bringing important public issues to the notice of the political actors.

Democracy's intrinsic value lies in the fact that it can ensure political freedom that facilitates social and political participation of every citizen irrespective of caste, creed or class. But for enabling democracy to function, its demands have to be fulfilled. Holding free, fair and credible elections is one such demand. To fulfil this demand, on one hand, an appropriate legal framework has to be put in place and on the other, surveillance and feedback mechanism for the citizens has to be put in place to ensure that the system is working. Making governance process more deliberative and participative is another important demand of democracy. For fulfilling this demand, decentralisation of governance is necessary. Hence, efforts to make the institutions of Panchayats and Urban local bodies, strong, viable, transparent and participatory constitute an important task of building democracy for people.