

# POLITICS OF INCLUSIVENESS: A STUDY ON THE ROLE PLAYED BY 73rd AND 74th AMENDMENTS IN ENSURING THE EMPOWERMENT OF DALITS IN INDIA

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## Abstract

Democracy stands for inclusiveness. It's the form of government and way of social life to be inclusive enough to accommodate a society's diverse sections. Ensuring the weaker and vulnerable sections properly and adequately represented in the spaces of power thus forms the necessary pretext for the success of democracy. Inclusive politics thus form the core tenet of real democracy. Only through constitutional measures can the exacerbating socio-political conditions of Dalits and other weaker sections in India be adequately resolved. Even though local self-governing institutions started functioning in 1959, it continued to be non-participatory and less inclusive for almost three decades. The entire project was dominated by upper castes, expelling Dalits from the centres of power and decision making. But with the 73rd and 74th amendment of 1992, the unfair picture happened to change as provisions were encapsulated in these amendments to assure easy and fearless access of Dalits and weaker sections to grass-root power edifice, which had been anti-Dalit for centuries. This article attempts to analyse how the 73rd and 74th amendments of the constitution contributed in terms of achieving the ultimate goal of inclusive politics

**Keywords:** Dalits, Political inclusiveness, Panchayat Raj, Democracy, Amendment.

## INTRODUCTION

Contextualizing the notion 'Politics of Inclusiveness'

The notion of inclusive politics revolves around the conviction that no section of the society is ostracized from the nuanced narrations of power and developmental discourses. Political inclusion primarily indicates the extent to which diverse sections of society can access the institutions of democracy includes civic education, voting, running for office, and offering input to representatives as policies (GFM Alumni, 2019). Enhancement of the weaker sections actuated through redressing the innate imbalances that those sections suffer

historically forms the salient trait of inclusive politics.

United Nations Development Programme emphasizes the germane of inclusive political institutions as follows:

Societies whose political institutions are more inclusive and participatory tend to be more peaceful and resilient, just as societies practicing exclusion tend to be more vulnerable to fragility and conflict. ("Inclusive Political Process," n.d). The whole idea of democracy postulates to tear the intuitive elements that marginalize certain sections from the mainstream social structure. Class, caste, gender, etc. often attributes and envisages a political atmosphere streamlined in an abjectly

hierarchical order. Politics of inclusiveness create a paradigm shift from the abhorrent politics that excludes some from power and welfare gamut's and places some on the higher ladders by succumbing to discrimination's deep-rooted attributes. Democracy offers and enunciates an archetype of inclusive politics that encompass constitutional and legal remedies for making the whole system more fascinating by envisaging the idea of equality, the bedrock of entire rhetoric. Ensuring sufficient representation, participation, and influence of weaker sections in governance structures in political processes is an essential prerequisite to realize inclusive politics.

The diverse chambers reflecting the concerns of all communities, better policy, sense of belonging and work with each other in a collaborative manner (Wooley, 2019). It's an indisputable fact that the inclusive political process and the institutions that have been spearheaded by ideas of inclusive politics mould a more in-depth democratic fabric, thereby fettering the expelling of specific sections from arcades of power and representation.

UNDP chalk out how the ideal of inclusive politics works in democratic societies.

- **Civic Engagements-** Civil society capacities are to be strengthened for pursuing political inclusiveness in the system. Emphasis should be laid on creating, expanding, and guarantying spaces for citizen participation in political and public life. For this purpose out and out care and backup should be assured for groups who are victims of discrimination and marginalization.

- **Constitutional reforms:** Modern constitutions are expected to function as the referral point in whole efforts aimed at securing rights of weaker sections is not abridged. Institutional development of already existing constitutional bodies to ease inclusiveness, fulsome initiatives to support dialogue and mediation among different sections, reforming the constitution to make it possible that representation of various sections is ensured

etc. validates the cause of ending political exclusion.

- **Electoral Cycle:** It's a pretext for improving sustainability, transparency, credibility, and effectiveness of not only electoral institutions but also its processes. ("Inclusive Political Process," n.d)

- **Equal and adequate participation and representation of women in political processes, institutions, and venues of decision making and implementation are to be implemented.**

The constitutional amendments that dealt with giving a constitutional aura to India's Panchayat Raj system resolved the sparse representation of women and weaker sections in the grass-root political institutions like three-tier Panchayats promising reservation for these sections is one among the unparalleled endeavours made in history for realizing political inclusiveness.

### **Objectives of the study**

This article aims to delve into the nuances of the following objectives.

1. To find out the effectiveness of the 73rd and 74th amendments in bringing about intuitive progress in the political participation of Dalits in the local governance of the country, thereby initiating the process of inclusive politics
2. To study whether the reservation of seats in the local body elections is a sufficient mechanism to ensure the participation of Dalits in the power structure and policymaking apparatus.

### **Dalits and the experiences of political untouchability**

In Indian society, for historical reasons, Dalits have been denied free and independent access to power structures and were blatantly absent in decision-making centres. Dalits (people belonging to scheduled castes and scheduled tribes) constitute about

25% of the Indian population as per India's 2011 census. They are considered the weakest Indian society section and are still denied certain educational, social, economic, and political rights for centuries, having been discriminated (Thorat, 2009). The word Dalit comes from the Marathi language. (Geetanjali, 2011). Their touch, and sometimes their shadows and even their voices are believed to pollute caste-Hindus (Shah, 2004). The majority of them come under the category of below poverty line families. They are known as underprivileged classes and socially and culturally excluded collectivities in India. Dalits have faced considerable discrimination in the past and still do so in several social life spheres. The governments have succeeded in raising the economic levels of many people. But even today, many Dalits are economically low and form a large proportion of those below the poverty level population (Pradhan & Dutta, 2008)

In Indian society, almost all the power structures, including social, political, and economic, are dominated by the upper castes, despite a few Dalits' prominences. They have gained high political positions (Avinash, n.d.) Practically, they were first-hand victims of political untouchability. Even after the constitution started functioning, they had been deprived of power positions, irrespective of reservation provision opened to them in state legislative assemblies and Parliament. In the grass-root power structure, dominated explicitly by Panjayath Raj institutions, caste hierarchy triumphed. In many places, Dalits were prevented from even getting selected as beneficiaries of developmental schemes monitored by Panchayats. (Pundir, 1997).

Caste demons ostensibly ruled the local democratic ventures making the life of weaker sections brutally inferior. The Panchayat Raj system started to function in 1959 in almost all Indian states but lacked the true spirit of its purpose. They were quickly hijacked by dominant castes that enjoyed enormous socio-economic and political capital in the village societies where feudalism's remnants prevailed. The social stratum envisaged by it was lopsided. Dalits and weaker sections were

subdued, and the centuries-old exploitation over them was thus continued within the security of the new democratic venture. India has had an unbroken history of village Panchayats and caste Panchayats; they were not genuinely democratic as privileges attached to caste, landholding, and other factors prevented them from functioning as the forum of ordinary people. In those Panchayats, these marginalized groups, like women, Scheduled Tribes, and Scheduled Castes, had no voice at all (Balaramulu & Rao, 1995). As a result, the very project of decentralization and devolution of power proposed by the Indian constitution happened to be a real unsavoury plan on Dalits. Unlike the constitutional makers expected, the idea of devolution of power failed explicitly in meeting depressed castes' socio-political aspirations. Instead of alleviating their plight, it offered new instruments of suppression over them.

What makes 73rd and 74th amendments historically relevant is how it obliterates the socio-political invisibility of the country's SC/ST sections constitutionally. It is intuitively apprehended that the political visibility of Dalits and their participation in policymaking has witnessed a striving and progressive growth after implementing the panchayat raj act.

### **73rd and 74th Constitutional Amendments and the Dalit cause**

Sea change was brought to effect concerning the Dalit cause by adopting and implementing 73rd and 74th constitutional amendments, making the proper devolution of power professed by the land's constitution-makers. The process of inclusive politics as envisaged by the constitution was actuated in the term's real sense when these amendments came to effect. Rightful share in managing their affairs by different sections of people forms the basic tenet of democracy and failure to secure proper claims (Arden, 1963). The 73rd constitutional amendment in 1992 marked the beginning of the era of inclusion and representation of marginalized groups in PRIs

(Panchayat Raj Institutions) and ending the monopoly of any specific group in local governance bodies. It targeted to address the needs of various groups, especially those that are excluded based on race, religion, and ethnic background and according to the population of SCs and STs, seats should be reserved in panchayats (Hasan, 2011). Moreover, one-third of each level's seats shall be reserved for women and guaranteed the overall transformation of these disadvantaged sections (Buch, 2009). The representation of these groups has been realized during the twenty years of the journey of PRIs in various states in different stages (Tummala, 1997).

The essential features of the Panchayat Raj act that addressed in comprehend the socio-political life of weaker sections of society are as follows.

- Graha Sabha should be formed at the Panchayat level. It has to perform a political platform for discussion where all sections of people are allowed to participate in the discourses and democratic dialogues related to their lives. Peter Ronald de Souza, in his paper "The Struggle for Local Government: Indian Democracy's New Phase," says that the 73rd Constitutional Amendment of 1993 giving local government a constitutional status introduced new institutions into the working of Indian democracy through several significant innovations and institutionalization of the village assembly (grama sabha). (De Souza, 2003). Unlike caste Panchayats, all diverse sections are expected and allowed to participate in the decision-making process directly related to their lives. Thus, most Dalits could exercise decision-making power, possibly for the first time in their lives, making grass-roots democracy, developmental debate, and local self-governing institutions more inclusive and democratic. It crystallized the power holdership of weaker sections legally possible. It has been the most effective Formal step towards the political empowerment of Dalits. (Kumara, 2016)
- A uniform three-tier local governance system was introduced at village, block, and district levels as a part of this act. This provision benefited the lives of weaker sections by dismantling the existing informal networks of caste Panchayats that had dominated many states' local politics for centuries. The uniform three-tier system was created nationwide, ensuring that democratic institutions were formed, solidifying oppressed sections' democratic representation.
- Act postulates direct election to all seats for all members at three levels. This provision assures that weaker sections are not deprived of the chance of getting elected to important positions of power in PRI's. In the pre-amendment act period, there existed the indirect elections system, where Dalits were always victimized, neglected, and ousted from spaces of power. The political offices in favour of women and the disadvantaged sections of the rural community is that it had improved their awareness and perception levels and it instilled an urge in them for asserting their rightful share in the decision-making process at the local level" (Rajasekhar, 2001)
- The Act proposes reservations for the SCs and STs in proportion to their population on a rotational basis for membership and chairpersonships of Panchayats at all levels. This move had made a great leap forward in the socio-political life of SC/ST sections of the country. The constitution did not provide for reservation for the SCs and STs because they are poor or economically disadvantaged; it did so because they faced an explicit, structured, and systematic exclusion from public life for centuries on the grounds of descent. But these measures were also defended for their potential contribution to improving the socio-economic conditions of the disadvantaged. For Ambedkar, every social separation was the definition of discrimination (Hasan, 2009). The scheme of reservation for vulnerable sections in Panchayats had created massive changes in the grass-root democratic structure across the country. This study conducted by Chaudhary in West Bengal and Rajasthan found that reservation of elected seats is a useful tool to safeguard the weaker sections' interests.

(Chaudhary, 2004 ) The constitutional mandate of reservation scheme in PRIs in favour of weaker sections was a reliable and remarkable step that gave a new spirit to endeavours for achieving the goal of participatory democracy supplemented by politics of inclusiveness.

- It is to be ensured that at least one-third of the seats in the three-tier Panchayat structure are reserved for women as per the act. It benefited women who had been denied participatory rights in specific and Dalit women in particular. Women hailing from the Dalit community are the victims of caste, gender, and class differentiation. In such a situation, the Panchayat Raj act opened gates for them to power. They are now represented in grass-roots democratic institutions based on their caste and gender identities, which had side-lined them from mainstream life for centuries. Ruth Manorama, a leading scholar, points out the plight of Dalit women in her study. Special attention is needed in the case of Dalit women's situation. They form one of the largest socially segregated groups in the world. Dalit women are exposed to multifaceted exploitation. They are financially backward, based on gender, they are considered the second sex, and they are Dalits too. Even though Dalit women are active in large numbers, most leadership positions in the local bodies, organizations, and associations are held by men. (Manorama, 2006). Thus the historical relevance of the constitutional provision for reservation of seats for women in PRIs, both as members and sarpanch, shouldn't be overlooked.

### **73rd and 74th Amendment – An Instrument of Inclusive Politics.**

The almost two decades of experience since the Panchayat Raj act's implementation manifests Dalits empowerment in the grass-root democratic politics, contributing to inclusive politics. Certainly, loopholes and unequal success are there. Still, the overall impact of the amendments and acts couldn't be underrated. The devolution of power has created significant political space for Dalits that was absent earlier. Its introduction has created new

dynamics in the rural political process and has set in new transformative rural politics. (DeSouza, 2003).

The constitutionally created affirmative has molded a new social identity with social dignity and political awareness among Dalits and made an urge to become part of mainstream political, economic, and social lives. Indications signify social cohesion formation at local levels with initial clashes between 'higher' castes and 'lower' castes. Irrespective of that, the political space opened to marginalized sections has made a blow to the highly asymmetrical power structure that prevailed at the local level and given greater freedom for their participation and involvement in decision-making (Pal, 2000). Regarding the involvement of SCs, studies of experts like S.N Chaudary noted that the SC representatives had not been silent spectators. The emergence of young and middle-aged development-oriented Dalit leadership; the inclusion of poor SC people in Panchayati Raj Institutions are significant. SC women are on the journey towards empowerment through Panchayati Raj. The studies have noted that limited fiscal and political decentralization impacted caste on defining social and political identity, use of violence, casteism, feudalism, and poverty. But the 73rd Constitution Amendment has contributed to creating democratic values and the process of social and political transformation. Academic experts and activists often emphasize the need for training for capacity building, promotion of participation. (Chaudhary, 2004). Loopholes are there in the working of the whole project. And it includes:

1. The prevalence of caste system and alienation that exists in certain places.
2. The lack of education and social capital that Dalits face adversely affects their capabilities as holders of power.
3. Disadvantage and social backwardness caused by economic backwardness.
4. Lack of Dalit representation in unreserved seats
5. The invisibility of Dalits in the leadership of mainstream political parties
6. The patriarchy that Dalit women face from their community's men etc. creates hurdles in realizing the act's true spirit.

## Conclusion

Still, the sea change these amendments had made in Dalit society's life, contributing to the cause of inclusive politics, is remarkable and couldn't be denied. The whole idea of inclusive politics gained momentum in the Indian context due to the new political horizon opened to Dalits by the 73rd and 74th constitutional amendment and subsequent Panchayat Raj act. It created a new political stream of discourse in which Dalits and weaker sections occupied constitutionally deserving power and influential positions. What the state and civil society is expected to do in this regard is to fill the prevailing gaps in implementing the 73rd and 74th amendments and realizing the true spirit of the idea of inclusive politics in the Indian political context.

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