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EVOLUTION OF LOCAL SELF-GOVERNMENT IN RUSSIA
AND INDIA
If we analyse the annals of mass participation in local Soviet government we find that the political culture of pre-revolutionary imperial Russia can be best described in terms of the principles that comprise the doctrine of "Official Nationality": autocracy, orthodoxy and nationality (Riasanovsky, 1984: 324). Among the three major features autocracy was the keystone. The right to make decisions for all the Russian people was bestowed in the hands of the Tsar and he was accountable to none. The orthodox clergy's mediation of the official faith stressed ethics and values that were wholly consonant and synonymous with those of autocracy. They affirmed the Tsar's absolute authority, which came from God rather than from the consent of the people. The Tsar's relationship to his people was patriarchal. They behaved like a wise and benevolent father who made decisions for his large family and household. In this perception of politics, notions of popular participation in governance were no less fanciful than the suggestion that small children be allowed to run the household; the alternative to autocracy was anarchy (Hahn, 1988: 45).

The Soviet system of local government was portrayed as a re-incarnation of Tsarist Russia with Stalin as the unlimited autocrat and Marxist ideology as his orthodoxy. There were shades of opinion. One view held that in the absence of any democratic experiences, Russian national character became highly authoritarian, political choices were limited to obedience or violent revolt. Given their psychological predisposition for a strong leader whose authority was unlimited, failure to develop institutions of popular participation in government were all but inevitable (Berdaive, 1937: 194). A more optimistic view denied that Russians were incapable of self-government or that the transition from tsarist autocracy to Stalinist dictatorship was inevitable. Without minimizing the importance of Russian political traditions to the evolution of Bolshevisim, the emergence of parliamentary forms of government in the late nineteenth and early twentieth century provided a viable historical alternative, but again that was lost, when the Bolsheviks took power (Weissmen, 1981: 167-712). Finally, many political scientists maintained that Russia under the Tsars was an
authoritarian system, to be distinguished from the totalitarian character of modern Russia. They admit the contemporary relevance of autocratic traditions, adding only that twentieth century technology has enhanced the degree to which Soviet Tsars controlled their subjects (Fainsod, 1955: 179). Stephen White concluded in his more behaviorally oriented analysis of Soviet & Tsarist political systems that "an emphasis upon continuity rather than change in Soviet political culture would not appear to be misplaced (White, 1979: 167-168).

Local Self Government before the Revolution:

The dominant values of pre-revolutionary Russian political culture were antithetical to the development of the institutions and practices of participatory government. Simultaneously it cannot be denied that the elements of participatory government were not wholly absent in Russian history. In identifying these institutions and practices, it is helpful to adopt, the image of two Russias: the "official" Russia of the nobility and the gentry, whose political consciousness was exposed to concerns of national policy, and the "popular" Russia of the peasantry whose political life was limited to village (Tacker, 1971: 122). The image of two Russias is because of historical experience which appears to be relevant to the formation of political attitudes and orientations. Any assessment of the problems and possibilities for development of participation in local government in the modern period would be incomplete without reference to the practices that did exist in the pre-revolutionary period.

Local Self-Government in "Official Russia":

The earliest known institution of Local Self-Government in Russian history was the Veche. As it existed in Kievan Russia of the eleventh and twelfth centuries, the Veche was a crude form of direct democracy in which the heads of households gathered in an assembly, usually in the marketplace, to decide the issues of war and peace and even conflict between the Princes as well as local concerns. The Veche preceded the establishment of rule by the Princes in the Kievan Russia. The Princes were obliged to take into account local opinion as expressed in these early towns during the Mongol invasions of the thirteenth century. The Princes achieved their
satisfaction by providing service to the people in the northern Russian city state of Novgorod and Pskov in the fourteenth and fifteenth centuries. Here the members of the Veche were invited and they had the power to dismiss the Princes and elect executive officials (the Posadniki and Tysiatskii) even bishops and act authoritatively on all matters of importance to the community. Only the expansion of the Muscovite autocracy under Ivan III brought these practices to an end in Novgorod and Pskov (Riasanovsky, 1984: 50-52).

Even with the establishment of Muscovite state, traditions of popular participation in decision making did not entirely disappear. While in no way restricting the sovereign's ultimate authority, these traditions were manifested in three ways. First, there was the Boyar Duma, a council of the nobility ranging in number from 30 to perhaps 200. However, only an advisory body of the Duma met frequently and dealt with virtually all matters of state business. Nicholas Riasanovksy suggests that the Muscovite formula to the effect that "the sovereign directed and the boyars assented resembles the activity of the royal councils of Europe" (Riasanovsky, 1984: 50-52). The institution of Zemskii Sobor bears an even more intriguing resemblance to western parliamentary institutions. The Tsar called the assemblies as Sobory. In attendance there were perhaps, 200 to 500 representatives of the three estates, and the clergy. Town people and even peasants also took part in the deliberations. The most famous Sobory resulted in the election of the first Romanov Tsar in 1613. Like the Boyar Duma, the Sobory were advisory, and implementation of their decisions depended upon the willingness of the Tsar to give them effect. Nonetheless, the issues they dealt with were significant and their influence cannot be discounted. Finally, Local Self-Government was officially encouraged in this period, in some cases including the elections of local town administrations. Legislation to this effect was adopted by Ivan IV in 1555 in an effort to use popular participation in local affairs.

The imperial age of Russia, which began with the accession of Peter the Great in 1869, witnessed the introduction of precedent shattering changes in many aspects of Russian life. Ironically, however, for a ruler committed to westernization, these included a retreat from the tenuous traditions of self-government that had preceded him. The Boyar Duma and Zenskii Sobor ceased functioning; efforts to stimulate local
participation in government remained stillborn. The objective of the reform in local government which did take place under Peter I and Catherine II was not the development of popular participation in government, but expansion of the central authority's control over local affairs, especially in collection of taxes. Whatever "participation" in local government did exist was exclusively in the province of the gentry, who accounted for about 1.5% of the population. The overwhelming majority of Russians had been serfs for more than one hundred years and would remain so until 1861.

If the emancipation of the serfs was the signal of reform during the reign of Alexander II, the establishment of the Zemstvo in 1864 followed it in importance. This represented the most ambitious experiment in Local Self-Government in prerevolutionary Russian history. The basic unit of the Zemstvo was the district (Uezd) assembly, which met annually. It was comprised of doubt-forty representatives elected for three years term from the three classes of the local population: peasants, townspeople, and gentry. Each district assembly in the thirty-four provinces where Zemstvo was created elected members to a provincial (Guberniia) assembly at least for three years term. At their annual meetings these assemblies elected executive officers who managed the administrative affairs of the Zemstvo. These included a variety of basic municipal services, including roads, medicine, education and famine relief.

It is tempting to see in the Zemstvo a major step towards the transformation of Russian autocracy into a constitutional democracy. Indeed, those who designated the system clearly did so with reference to the theories of democratic liberalism that prevailed in Europe in the nineteenth century (Starr. 1972: 63). In reality, the Zemstvo as institutions of self-government was flawed, perhaps fatally. According to the authors of a recent book on this subject, the notion that the Zemstvo would promote the kind of social integration upon which a stable democratic polity could be based was a "liberal myth" (Emmons & Vucinich, 1982: 434). In the first place, the Zemstvo reforms were accepted primarily because of their usefulness to the central authorities;
promotion of popular participation in local government was at best a secondary purpose (Emmons & Vucinich, 1982: 432).

In addition, the system of proportional representation by which seats in the assemblies were allotted was based on land ownerships. This ensured control by the gentry, whose decisions naturally reflected their own interests. It is hardly surprising that the peasants, although indirectly enfranchised to elect about one-third of the district representatives, took little interests in Zemstvo affairs, correctly perceiving these as organs to preserve a status quo that was unfavorable to them. As William Rosenberg, pointed out that for the peasants “the Zemstvo symbolized as reaction, not progress” (Rosenberg, 1982: 402). Finally, there was the unequal relationship between the Zemstvo and central bureaucracy. The chief administrative officer in the provinces was the Governor, who along with heads of other key departments, notably, the police, was answerable to the center, not to the Zemstvo. Thus, the central bureaucracy had the power to interfere at its discretion, in the affairs of the Zemstvo. The Governor had to do little but he had the power to appeal. Matters worsened with the legislation in 1890 that established a system of land captain (Zemskie Nachalniki) who had broad authority in the local districts and especially in the peasant Volosts.

Neither the Zemstvo reforms succeed in establishing the principles nor the practices of Local Self-Government, nor the system have any effect at all. They accomplished much in the provision of municipal services and served, perhaps inadvertently, to disseminate liberal and radical ideas, though to what extent is unclear (Emmons, 1985: 440-441). In trying to draw conclusions about Russian political culture prior to the revolutions of 1905 and 1917, it seems clear that popular participation in state politics, that is, in the politics of “official” Russia was poorly developed; the political orientations of Russians were predominantly “subject” orientations. They had little, if any, say in the decisions from above that affected their lives. Nevertheless, it is not accurate to conclude that there was no tradition of self government. Institutions embodying such traditions did exist and they functioned, however imperfectly from Veche to Zemstvo.
Politics in Village:

From the beginning there was a second Russian society, separate and parallel, yet intimately connected to the first. This was the Russia of the peasant. In trying to comprehend the development of Russian political culture, it is essential to maintain a demographic perspective. Until Stalin's forced industrialization, peasants accounted for at least 85 percent of the population. Equally important is understanding of the political consciousness of the peasants in the psychological distance that separated them from the political life of "Official" Russia. While certainly aware of the autocracy and hardly untouched by the central bureaucracy that was operated by it, these institutions were of secondary importance in the daily affairs of the village. A peasant proverb neatly captures the greater immediacy of village governance for the peasant: "the whip of the village elder is felt more than scepter of Tsar" (Hahn, 1988: 53).

The origins of the peasant commune (Mir or Obshchina) have been the subject of considerable controversy: contemporary opinion holds that after 1600, an important transaction in communal life took place with the development of the repartitioned commune system. This development was accompanied by the merging of individual households and small hamlets into larger villages, chiefly for the convenience of the state and the land lord, who found it easier to deal with a village representative than with the peasants, individually (Pipes, 1974: 17-19). It is not coincidental that these changes occurred at the time of expanding control over the peasants and were accelerated by the onset of serfdom.

On the eve of the emancipation of the serfs in the 1861, the village had become established as the framework for peasants for their development in their social and political life. Nearly 80 percent of the peasants of central Russia live in rural villages comprised of six or more households (Jerome, 1961: 505). Decisions affecting the life of the village and especially those regarding taxes and the periodic redistribution of communal land were made by the heads of households at a meeting (Skhod), which was open to all. Normally the head was male, but women also participated and could vote as proxies. Voting was by a simple majority or by two thirds if the issue was of
sufficient importance. At the meeting, a village elder (Starosta) would be elected, perhaps with other officers. Several smaller settlements or one larger one would be referred to as a Volost, but the Volost council was always elected, directly or indirectly, depending on size. This basic organization of political settlements lay in villages which seem to have been widespread, despite regional variation (Hittle, 1979: 46-57, 129, 131).

It is tempting to romanticize the participatory character of village political life. In the first place, given the general absence of literacy and a certain tendency to alcoholic over indulgence, the assemblies must often have been unruly and chaotic affairs. The villages exercised their authority only at the sufferance of the landlord where order and sobriety prevailed. After emancipation, of the serf with its intrusive bureaucracy and the land captain system, village decisions were found unsuitable and overridden; no matter how much they reflected popular sentiment. But this practice seems to have been the exception. As long as taxes were paid and no crimes were committed both landlord and state apparently preferred to leave local affairs to the peasants themselves (Jerome, 1961: 524). Physical and psychological distance from “Official Russia” paradoxically served to nurture institutions and practices of Local Self-Government among the peasants that were almost unknown among the higher classes. The principles of autocracy dominated during the pre-revolutionary political culture of “Official Russia” while the overwhelming majority of Russians engaged in what Stephen White refers to as “the rich and democratic community life” of the village (White, 1979: 35).

**The Emergence of the Local Soviet: 1905-1917:**

The word “Soviet” in Russian language means advice or counsel but only in the twentieth century it has taken a second meaning: a council as an institution of government comprised of elected representatives. The absence of such usage before 1905 indicated that these institutions lacked roots in the political traditions of either the village or the autocracy but is sui-generis in Russian history. In fact, the first use of the word “Soviet” in its second meaning of a council, referred not to institutions of government but to committees of factory workers chosen by their peers to negotiate
with their employers and with the state during the strikes around the end of the
nineteenth century during Russia's period of nascent industrialization. Such
committees would arise on an ad hoc basis, often at the request of management,
perform their functions of communicating worker grievances and then be disbanded,
not frequently but with the dismissal from work of those workers who took part

The idea of the Soviet as a quasi-permanent body with a political character emerged at
the time of the Revolution of 1905. The first local body is generally considered to
have appeared in May 1905 in the textile centre of Ivanovo-voznesensk in Vladimir
province which is around 200 miles northeast of Moscow. Bad living and working
conditions prevailed in those factories compelled 40,000 workers to go on strike on
12th of May in 1905. More than one hundred Deputies (often called Starosti, or
elders) were elected at individual factories and on May 15 they constituted, the
Ivanovo-Voznesensk authorized council (Soviet Upolnomochennykh). They in turn
elected a presidium to negotiate not only for improved economic conditions but also
for political rights. During the course of the strike, the conduct of local affairs often
required the participation or at least acquiescence of the soviet while perhaps, one
fourth of the deputies were social democrats, and the soviet was not affiliated with
any one political party (Sidney, 1964: 152-155). Although the soviet was disbanded
by the authority and achieved little in practical results, the former deputies continued
to speak for the workers and the idea of the local soviet attracted attention in other
parts of the country.

The idea of electing workers representatives was not unknown in Russia. The general
strike, which came to head in St. Petersburg, served as a catalyst for the creation of
the council of worker's deputies which first met in October 13, 1905. Originally
consisting of 30 to 40 deputies elected on a ratio of one deputy per 500 workers, the
St. Petersburg Soviet grew in a few days to 226 representatives from 96 factories and
five unions. An executive committee was elected in which the chairman and the vice-
chairman were Mensheviks and another vice-chairman was a Social Revolutionary
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(Sidney, 1964: 152-155). The Soviet was the axis of all events; every thread ran towards it, every call to action emanated from it (Trotsky, 1971: 104).

The development of the Petrograd Soviet as a popular body in whose name a smaller group of leaders made effective decisions facilitated its takeover by the Bolsheviks. At first, however, the Bolshevik representation was weak. In March 1917, the total number of deputies reached an unwieldy 3000, out of which two thirds were soldiers. Out of them, the Bolsheviks accounted for only 40. The 42 members' executive committee of the Petrograd Soviet, which was technically accountable to its working class membership but included only seven workers, made decisions that were ratified at sessions of the whole. Only two members, Stalin and Kamenev were Bolsheviks. While Lenin's party fared better in the borough soviets in Petrograd and in the local Zemstvo, which had been given control of the municipal Dumas by the provisional government, Mensheviks and Social Revolutionaries clearly dominated the soviet movement in Russia (Hough and Fainsod, 1979: P-51). Lenin's commitment in the "April Theses" to the soviets as the only possible form of revolutionary government and his slogan "All power to the soviets" seem paradoxical in the light of Bolshevik weakness in these organs (Lenin, 1977: 23).

The Development of Local Soviet after the Revolution:

Lenin's approach to the local Soviets in 1917 was primarily tactical; they were means to an end rather than the end itself. But when the Revolutionary end was secured and the question of how to govern came to the fore, the soviets were projected by Lenin as the incarnations of Marxist democracy. Lenin drew heavily on Karl Marx's description of the Paris Commune of 1871 in the Civil War of France, which was perhaps the clearest expression of Marx's views on governing a communist society, a society in which the state was to become extinct. According to Marx, communal government would consist of elected representatives of the working class, subject to recall. There would be no separation of executive and legislative functions apparently to ensure that those who passed laws would also be responsible for carrying them out. Public service would be remunerated at "Workmen's wages" to avoid the development of a class of professional politicians. All the municipal
functions formerly undertaken by the state would now be run by the citizens themselves through their councilors. The Paris Commune was to be prototypical for all France, with local affairs being decided by local communes while those “few but important functions which would still remain for a central government” would be conducted by instructed delegates sent from district assemblies. The standing army and the police were to be abolished; order would be preserved by local militia and the natural comradeship of the working class (Marx, 1971: 71-72).

Lenin’s efforts to draw parallels between the communes and the soviets are apparent as early as 1908 (Lenin, 1908, Vol-13: 478), but the conception of the soviets as organs of state power modeled on the communes was not clearly elucidated until after the provisional government was established (Lenin, 1917, Vol-23: 325). The most comprehensive expression of Lenin’s views on the state is in ‘State and Revolution’ where he provides the fullest theoretical definition of the state as the dictatorship of the proletariat. Much of the treatise is an attempt to associate the Paris Commune with this conception, observing in it “the first attempt by a proletarian revolution to smash the bourgeois state machine; it is the political form by which the state machines must be replaced” (Lenin, Vol-25: 25). It was not until after the Bolsheviks gained control of the soviets in September that Lenin resurrected them from the “purgatory” of Menshevik and Social Revolutionary leadership and again identified them as “the new state apparatus” explicitly modeled on the experience of the Paris Commune (Lenin, 1917: 101-104).

The evolution of Lenin’s thinking on the soviets has significance for understanding the conception of the state in contemporary socialist societies. Neil Harding argues persuasively that two mutually exclusive conceptions of government were contending in Marxist thought on the state: the ideal of the commune, with its emphasis on proletarian self-rule and direct democracy, and the dictatorship of proletariat, with its reliance on coercion to repress class opposition. Harding believes that at least until April 1918 Lenin continued to favour the evolution of the soviets into proletarian instruments of self government in which locally accountable worker-citizens would run their own affairs which was a sort of government by amateurs. But the crises
faced by the Bolsheviks during the period of the civil war forced Lenin to rely on the other Marxian theoretical construct of the state as a dictatorship, albeit one acting in the interests of the working class (Harding, 1984: 30-31). The absence of references to the soviets in *State and Revolution* and the contemptuous repudiation of democratic “forms of government” in the *Proletarian Revolution* and the *Renegade Kautsky*, written in October 1918, support this (Lenin, Vol-28: 231-242).

Any soviet scholar seeking doctrinal legitimation of their efforts to resurrect the soviets as institutions of popular participation in government would find ample ammunition in the writing of both Marx and Lenin. The communal model as a political archetype of the kind of government that would emerge in communist society after the coercive apparatus of the state, was no longer needed, persists in the theoretical formulation articulated by Lenin after the October Revolution. It was even incorporated into the 1919 programme of the All Russian Communist Party (the Bolsheviks).

Emphasis on direct participation of workers in the running of their own affairs is echoed in the recent writings on the Soviets (Hahn, 1988: 62). Much of the language and spirit of this communal model also found its way into the legislation on the Soviets adopted since 1967 (Hahn, 1988: 62). In some of these writings, the dictatorship of the proletariat was presented as a necessary but temporary form of the state justified by the exigencies of civil war and the abnormal circumstances of rapid industrialization. In normal times, it was amplified that a return to some version of direct worker participation found in early Bolshevik theory (Hahn, 1988, P-63). However, instead of moving towards direct democracy, the state moved quickly in the direction of even greater centralisation. Any local autonomy that did exist was by fault, not by design, and even that disappeared with the onset of industrialization. It was one thing to declare at the Second All Russian Congress of Soviets on October 25, 1917 that all power henceforth belongs to the Soviets and quite another to erect a government based on that promise.
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The structure of government that emerged initially was minimal and readily adaptable; real power rested with the party from the outset. Nationally, decisions were made by the council of people's commissars chaired by Lenin and nominally responsible to the Congress of Soviets and its central committees. Local government was handed over to the soviets of workers, soldiers, peasants and farm laborer's deputies by means of a circular from the Commissariat of Internal Affairs issued on January 4, 1918, which simultaneously terminated the authority of the Zemstvo organs that preceded them. Local organs decided local matters, they carried out the decrees and decisions of the central power and they elected an executive committee from among their members to do this (Everett, 1983: 21-22).

The principles of government by the soviets received institutional expression not until the constitution of July 10, 1918. Here, however, the legal requirements were quite specific. In towns, Local Soviets of between 50 and 1000 deputies were elected at a ratio of one per 1,000 inhabitants in a village, soviets numbered between 3 and 50 deputies, with one deputy for every 100 citizens. The town soviets were to meet once a week, the village twice. An executive committee (Ispolkom) of up to 5 villagers, or 3 to 15 townspeople, would be elected from the membership to conduct current business. Election to Soviets at higher administrative levels (Volost, Uezd, Gubernia, and Oblast) was indirect. The deputies were usually chosen by the executive committee of the subordinate unit at the summit of the All Russian Congress of Soviets. While the constitution specified local control over local questions, central control was ensured both by the constitution and by the principle of 'democratic centralism' (Everett, 1983: 21-22).

In fact two realities determined the character of the local soviets in their formative years. The extension of party control over the organs of government was the weakness of the Soviets outside the major cities. With respect to the first, it should be remembered that in their origins the soviets were independent of any single party control. Their membership was comprised of individuals with varying party affiliations. Following the dismissal of the constituent Assembly on January 19, 1918, all pretensions that the soviets could act independently of the will of the Bolshevik
party were eliminated. If the party was the vanguard of the proletariat, then in Lenin's words "the soviets are the Russian form of the dictatorship of the proletariat" (Lenin, 1917, Vol-26: 257). Party control over the soviets was ensured not only by the steady abolition of opposition parties but also by the erection in the summer of 1918 of an organizational structure which parallel that of the soviets at every level from the center to the periphery.

The second reality to recognize about the early development of the soviets is that the organization of the political life of villages, where most Russians lived, bore little resemblance to that prescribed by the constitution. The village becomes completely independent and hardly anything is known in the countryside of Soviet systems, actions, or aims. During industrialization and collectivization in the 1920s and early 1930s, the harnessing of the local soviets did not change much of their character because subordinate to them controls from the center. This was the result not only of economic necessity; political reasons also played a role.

It is tempting to dismiss the 1936 constitution as one of the history's great conceits. In the face of the eradication of perhaps three million kulaks (private peasant farmers) and at the height of the great purges, it was declared that class conflict had been ended in the Soviet Union and that the basis of socialism had been achieved. With respect to the local soviets, the 1936 constitution contained changes in both nomenclature and structure, it also made explicit the principle of "dual subordination" by which the executive organs of local soviets were accountable not only to the council that elected them but also to their corresponding administrative departments at higher level (Art-101 of Basic Law of USSR, 1936). The pre-revolutionary terms for the local organs of government (Gubernia, Uezd, Volost, etc) were replaced. Republics were now subdivided into area (Krai), region (Oblast), district (Raion), city (Gorod) and village (Selo) soviets. Equality of suffrage represented a change from earlier days, when the industrial workers were heavily over represented. Originally scheduled to meet once or twice a week, soviet sessions were now to be held four to six times annually, more nearly reflecting local practices (Art-85 and 86, 1936).
The activities of local soviets under this constitution and for the rest of the period of Stalin's leadership were not insignificant. Especially during the war years and period of reconstruction, that followed much of the administration of local affairs was of necessity left to local administrators despite the loss during the war of two out of three deputies and over half the Ispolkom presidents, the soviets continued to function. Yet the suggestion that "citizen influence on local decisions" may have been a by-product of these circumstances should be carefully qualified (Hough and Fainsod, 1979: 190). The realities of political life at the local level diverged substantially from what was prescribed by the constitution more often than not; local decisions appear to have been made by local administrators acting on instructions from above and were imposed on an indifferent citizenry.

Criticism of the work of the local soviets was long overdue. The resolution of 22 January, 1957, is rightly considered a turning point in the revival of interest in promoting citizen participation in local government. But while the deputies were called upon to play a larger role in governmental affairs, the resolution expected them to do it within the existing legislative framework.

The evolution of the soviets since the beginning of the twentieth century resulted in an elaborate theoretical and legislative framework for the expansion of citizen participation in local government in Soviet Union. But it is equally clear from Russian history both before and after the 1917 revolution, that legislative expressions of democratic principles had to a large extent remained the registration of aspirations rather than an accomplishment of fact. Soviet specialists on local government are also fully aware that the legislative powers granted to the local soviets were often underutilised. "The problem of 'developing' local government seems likely to be severe for the next generation at least; it takes a long time to change a culture" (Hill, 1983: 32). In short it would be a mistake to base any conclusions regarding the possibility of increased citizen participation in local government in the Soviet Union on facile assumption about the anti-democratic character of pre-revolutionary Russian political culture or on the absence of an adequate legislative basis for greater participation in the soviet period.
Organization of Soviet Local Government:

Hierarchy

The unique feature of Soviet type political system was the monopoly of legitimacy accorded to one party, the communist party. From the national parliament (the Super Soviet) to the village council, the Soviets constituted a "unitary system of state power". This means that each Soviet was considered an integral part of the whole. The resolution of local and particular concerns cannot be viewed separately from how it affects other districts in the larger administrative units of which the local soviet was a part. Rather each local Soviet must strive to ensure that what it is doing fits harmoniously with the greater good of soviet society as a whole. In theory the practice of asserting local or regional interests, even though that might be disadvantageous to the larger community, which often considered the mark of an effective legislator in American politics was incompatible with this "unitary system". For this reason soviet political theorists vigorously rejected the idea of independent Local Self-Government while at the same time asserting that in strictly local issues the Soviets had complete authority. The unitary character of the Soviets as a system of government was manifested in the universality of the norms and procedures that governed the operation of soviets. The law on the status of Deputies, for example applied equally to deputies at every level in every region. Deputies at each level are elected for five years. All the soviets below the level of Deputies are called local Soviets and their term of office is two and half years. The hierarchy of the local Soviets was quite complex and confusing, particularly because the territorial breakdown used by the Soviets did not always accurately reflect the ranking of the Soviets based on administrative subordination, especially in case of cities (Jacobs, 1983: 3-4).

Here Jacob's approach will be applied too. First, the levels of local government used in Soviet statistical reporting will be outlined; this will be followed by a description based on administrative subordination. After the elections of February 24, 1985, there were 52,041 local Soviets (Jacobs, 1983: 4-5). Based on territorial ranking used by the
Soviet Government, they are broken down as follows (the RSFSR, the Ukraine, Byelorussia, Kazakhstan, Uzbekistan, Tajikistan, Kirgizstan and Turkmenistan) were sub-divided into 123 regional units (Oblasts). Eight autonomous republics, six Krai and ten autonomous Okrugs were equal in administrative ranking to the oblasts, but distinguished by the ethnic composition of their population. Within the regions and in the remaining union republics that had no regional sub divisions are 3,113 districts (Raion) Soviets and 2,137 were city Soviets. In addition, 152 of the larger soviet cities were subdivided into 645 city boroughs (Raion or Gorode). At the base of the pyramid were 3,823 settlement soviet and 42,176 village soviet. Settlement soviet represent a single population point, while village soviet are comprised of clusters of several small rural communities.

An examination of the Soviet political hierarchy from the perspective of administrative subordination reveals a different picture of the relative importance of the various levels in the hierarchy, a difference that accentuates the importance of Soviet cities as the nerve centers of the soviets state system. Although more than 81 percent of the local soviets were found in rural areas, more than 65 percent of the soviet population lived in the cities and were subject to city government. In terms of subordination, cities fell into one of the three categories, depending on their importance or their size. In the first category, which included the capitals of all the union-republics were the cities that were directly subordinated to the union-republic or autonomous republic in which they were located in 1983; there were eighty-seven of the former and eighty-five of the latter. Administrative subordination for this group of cities does not appear to be based on size, however, forty-three of the eighty-seven cities subordinated to union-republics had populations of less than 50,000 (Hahn, 1988: 85). The second group included cities that were subordinated to the regional Krai or Okrug subdivisions because inclusion in the regional and Krai category was determined by the governments of republics having such subdivisions (Hahn, 1988: 85).
In principle of dual subordination, the center ensured its interests and communicated it to the local level. For enforceability both local level and its administrative officials in their charges were responsible. Thus for example, the chief administrator of international affairs (police and fire) of one of the thirty-one city boroughs in Moscow reported not only to his council but also to the head of the corresponding Moscow city department, who in turn was responsible to the RSFSR Minister of International Affairs. The latter must oversaw, the implementation of policies designed and administered by the USSR Ministry of Internal Affairs. Most western observers saw the principle of dual subordination primarily as a guarantee of control by the center, (Jacobs, 1972: 7) but Soviet specialists rejected this view. Barabashev and Sheremet states that “from the side of the corresponding soviet it is necessary to emphasize the leadership of the apparatus of the local Soviets horizontally as a rule, and from the side of the superior soviets the leadership is prevailing vertically” (Slider, 1986: 243-263). Practice probably lay between these views; local soviets are stronger in less important local issues, and central authority takes precedence in issues of national or regional importance.

The question of the division of labour between central and local authority was also determined legally. Questions of jurisdiction or “competence” were defined for each level of the Soviets by national and republican level legislation (Slider, 1986: 243-264). The soviet constitution (in Article 145-148) established the general framework of local government jurisdiction and indicated the areas of activity for which each jurisdiction was responsible. The list is far more extensive than the powers accorded to local government by article 97 and article 98 of the 1936 constitution. In particular, the local soviets control over enterprises, institutions and organizations on their territory: the execution of the Soviets decisions by these bodies is mandatory (Art-148). Area specified in which local Soviets “coordinate and control” the activities of the entities include land use, conservation, construction, labour resources, production of consumer goods and provision of every day consumer services. In short, by law
their authority was supposed to be greatest in areas where the needs of the community were most direct.

A detailed description of changes in administrative and legislative jurisdiction of each level of Soviets is not needed here (Mote, 1965: 119) but it can be said that the rule making authority of the local Soviets in 1986 is greater than it was twenty years earlier, not only in the number of areas in which their competence had grown but also in their ability to make decisions that contained normative prescriptions. It would be incorrect today to conclude as Max Mote did in 1963, that the deputy to the local Soviet had no power in the western sense that “Soviet statutes do not originate with the Soviet as ordinances do with an American city council” (Butter, 1983: 39,42). Many local decisions were specific towards certain classes of the population and therefore “non normative” and the local Soviets were empowered to adopt public regulations that established general rules of conduct for the local community (Lebedev, 1980: 21).

One intriguing ambiguity in Soviet legislation regarding the jurisdiction of local government was whether local authorities were free to make rules in areas not expressly addressed by superior legislation. In the American system for example, the principle of ‘residual powers” applies to states and to municipalities opting for ‘home rule’ local governments which can legislate in areas not reserved to or covered by superior legislation. Soviet specialists appear to differ on these questions. One specialist on administrative theory, P.N. Lebedev, writes that the “Soviet legislation did not exhaustively define the spheres of activity of the city and city borough soviets” and that the local Soviet could by its own discretion define the circle of questions related to its jurisdiction”. An apparently contradictory view is expressed as “It is impossible to agree that local government might have the right to publish normative acts when a particular issue is not forbidden by the center or if in general it is not found reflected in an act of the central organ. Therefore, no general principle is
seen whereby the local Soviet is given the scope to regulate when the center is silent” (Hill, 1983: 24-30).

Local Self-Government Reforms during Gorbachev Period:

Soviet specialists on government insist that elections in the soviet system were the most democratic in the world. Multiple candidates were not prohibited by soviet law, and the law points out, the possibility of contested elections has been the subject of a lively debate among soviet specialist for some time. Mikhail Gorbachev in his speech to the 27th Congress of the CPSU on February 1986 averred that “the time is apparently ripe for making necessary corrections to our electoral practice as well. What Gorbachev had in mind was spelled out in greater detail in his speech to the January 27-28, 1987, plenum of the CPSU Central Committee, when he described “democratization” as a key element of his policy or ‘reconstruction’ (perestroika) of soviet society and proposed changes in the way members of the local soviets were to be elected. On February 26, 1987, the presidium of the RSFSR Supreme Soviet adopted legislation that required the formation of multimember districts for the election of deputies to district, city, settlement and village soviets in the elections scheduled for June 27, 1981. The legislation stipulated that in certain regions of the USSR selected single member districts were to be combined into new, larger districts electing the same number of deputies as before, but that the number of candidates would exceed the number to be elected. The actual numbers would vary from one multimember district to another, but roughly seven or eight candidates would run for five seats. Names would appear on the ballots in alphabetical order. Voters could cross off the names, those they do not want to vote. For an absolute majority 50 percent is required for winning election. If the number of those elected exceeds the number of places available, then those receiving the fewest votes (but more than 50 percent) would become “reserve deputies” who would fill any vacancies that might occur during the term of office of those who were elected.

It should be emphasized that the multimember district elections were being held as an experiment in selected areas of Soviet Union. The conversations with soviet
specialists in May 1987 indicated that about five percent of the total number of deputies would be affected. According to Pravda (June 27 1987), 94184 deputies were elected from among 120,449, candidates in local elections. That would represent about 4.4 percent of all the deputies elected at the district, city, settlement and village level. The results of this experiment were to be analyzed and generalized prior to the elections of January 1990. Depending on the other outcome of this assessment a new election law requiring competitive elections of all local Soviets, and possibly the Supreme Soviets would be adopted. However the results of Soviet elections can hardly be considered as an expression of people's preference about who will govern. Nevertheless, the electoral process itself did have some opportunities for citizens to present their views. In order to understand how citizens participated in local soviet government, it is necessary to look at these participatory elements.

The Composition of Local Soviet:

Everett M. Jacobs emphasizes on comparing norms between republics but his different view emerges when the composition of local soviets is analysed not by geographical area but by the level of Soviet. First, if the difference between the highest and lowest percentages is used as a rough measure of relative uniformity, and if a difference of less than ten percent is used as an operational definition of relative uniformity, then only for gender, age and komsomol membership do we find a relatively high degree of uniformity between levels of government. For all other norms there was considerable variation with deputies at regional level more likely to have higher education, to be party members and to work in non-manual jobs than those at the village and settlement level, they are also slightly more likely to be male.

His second conclusion is that the composition of the soviets mirrors the characteristics of the population at large only for gender with respect to the other traits considered here, the degree of representativeness is very rough indeed, with party members, those with higher education, the young, employees, and kolkhozniks over represented, the latter because the overwhelming majority of the soviets are located in the villages.
Chapter - II

History of Local Government in India

Local Government during Ancient Times

The institutions of local government have flourished in India since time immemorial. If we look back to the later Vedic period, we see the presence of Sabha and Samiti (Sharma, 1990: 67). These two institutions would be considered as the very crude form of Local Self-Government and were highly successful during Vedic period. The king usually attended the Samiti. The most important work of the Samiti was to elect the king. Justice was based on Dharma. Local government played a more important part in the Rig Vedic days. The lowest unit of administration was the family or kul and its chief was known as Grihapati or Kulapati. A group of families or kuls constituted a village which in the Rig Vedic days was called Grama. The village officer was called Gramini. The village head Gramini led the villagers in time of war and attended the meetings of the Sabha and Samiti. Several villages together formed a Vis or Clan and its chief was called Vispati. He was also a military leader and used to lead his clan in times of war under the guidance and instructions of the Rajan of the tribe. The tribe was known as the Jana and the head of the Jana was the Rajan who was constantly assisted by the Senani and the Purohita. Unfortunately in the later Vedic period these two institutions (Sabha and Samiti) were dominated by chiefs and rich nobles. Women were no longer permitted to sit on the Sabha and it was dominated by nobles and Brahmins during these days (Sharma, 1990: 67). The Panchayats or village governments or village communities as they were called were ancient institutions and were themselves small republics.

"They seem to last where nothing else lasts. Dynasty after dynasty tumbles down; revolution succeeds revolution; Hindu, Pathan, Mughal, Maratha, Sikh, English are all masters in turn; but village communities remain the same... the union of village communities, each one forming a separate little state in itself has contributed more than any other cause to the preservation of the people of India through all the revolutions and the changes which they have suffered; and is high degree conducive for their
happiness, and to the enjoyment of a great portion of freedom and independence” (Sir Charles Metcalfe on the village communities in 1830).

The urban government had also existed during ancient period. Megasthenes gave a description of the administration of a town in the third century before Christ. He wrote “Those who have charge of the city are divided into six bodies of five each. The members of the first look after everything relating to the industrial arts. Those of the second attend to the entertainment of the foreigners. To these they assign lodgings, they keep watch over their modes of life by means of these persons whom they give to them for their assistance. Third body consists of those who inquire when and how births and deaths occur with the view not only of levying a tax, but also in order that births and deaths among both high and low may not escape the cognizance of government. The fourth class superintendents’ trade and commerce. Its members have charge of weights and measures, and see that the products in their season are sold by public notice. No one is allowed to deal in more than one kind of commodity unless he pays a double tax. The fifth class supervises manufactured articles which they sell by public notice. The sixth and the last class consist of those who collect the tenth of prices of the articles sold” (The imperial Gazette of India, Vol-4, 1909: 282).

Local Government during Mughal Period

Coming to the period of Mughal rule in India one finds a system of local government in existence. The administration of a town vested in an officer, called Kotwal, who performed many municipal functions besides exercising supreme authority in all magisterial, police and fiscal matters. The account of town life and administration of those days were described as: The appropriate person for this office should be vigorous, experienced, active, deliberate, patient, astute, and human. Through his watchfulness and night patrolling the citizens should enjoy the repose of security, and the evil disposed lie in the slough of non-existence. He should keep a register of house and frequented roads, and engage the citizens in a pledge of reciprocal assistance, and bind them to a common participation in will and woe. He should from a quarter by a union of certain number of certain habitations, name one of his intelligent subordinates for its superintendence, and receive a daily report under his seal of those who enter or leave it and of whatever events occur there in. And he should appoint as
a spy one among the obscure residents with whom the other should have no acquaintance, and keeping their reports in writing employ a heedful scrutiny. He should establish a separate sarai and cause unknown arrivals to alight therein and by the aid of diverse detectives take account of them. He should minutely observe the income and expenditure of various classes of men, and by a refined address make his vigilance reflect honor on his administration. He should so direct that no one shall demand a tax or cess save on arms, elephants, horses, cattle, camels, sheep, goats and merchandise. In every Subah a slight impost shall be levied at an appointed place. After all he should locate the cemetery outside of, and to the west of the city (Jarett, 1949: 43-45)

During the Sultanate Period when the Turks conquered the country, they divided it into a number of tracts called iqtas which were parceled out among the leading Turkish nobles. The holders of these officers were called muqtis or walis. It was these tracts which later became provinces or subas. At first, the muqtis were almost independent; they were expected to maintain law and order in their tracts, and collect the land revenue due to the government. Gradually as the central government became stronger and gained experience, it began to control the muqtis more closely (Chandra S., 1990: 77).

Below the provinces were the shiqs and below them pargana. The villages were grouped into units of 100 or 84 (traditionally called chaurasi). This must have been the basis of the parganas. The pargana was headed by the amil. The most important people in the village were the khut (landowners) and muqaddam or headman. The working of the village administration at local level symbolized that collection of land revenue system were more or less followed by the same people and in the same manner as of the Turks (Chandra S., 1990: 78).

The Real Local Government is British Creation:

Although local government existed in India in ancient times, in its present structure and style of functioning, it owes its existence to the British rule in India. The Local Self-Government in India, in the sense of representative organization
responsible to a body of electors, enjoying powers of administration and taxation and functioning both as a school for training in responsibility and a vital link in the chain of organisms that make up the government of the country, is a British creation (Mukherji, 1918, Vol-1: 5). Neither the system of village self-government that prevailed in earlier times, nor the method of town government which was then in existence visualized the type of periodically elected representative government responsible to the electorate that had evolved in the west and was planted in India by the British. The ancient village communities were constituted on a narrow basis of hereditary privilege or caste closely restricted in the scope of their duties: collection of revenue and protection of life and property were their main functions and were neither conscious instruments of political education nor important parts of the administrative system (Govt. of India, Memorandum of Local Self Govt., Vol-V: 1056). The beginning of local government is said to have been made in 1687 when, for the first time, a local governing body (A Municipal Corporation) was set up for the city of Madras. This was the root of municipal administration to the local city council (Arora and Goyal, 1995: 259). Local government is thus slightly more than three centuries old in India. Its history since 1687 is rather chequered and even exotic. Broadly, it may be divided into the following five periods.

**Period-I (1687-1881):** Local Government is viewed and utilized to ease central and provincial finances, and thus to sub serve imperial needs;

**Period-II (1882-1929):** Local Government began to be viewed as self government;

**Period-III (1920-1937):** Local Government came within the jurisdiction of provinces and, further, was transferred to popular control;

**Period-IV (1938-1949):** Local government was in a state of repair and reconstruction;
Chapter II

Period-V (1950-1992): Local government as the creation of the state government subjected to its supervision and control has been keyed to the requirements of the constitution.

After 1993 the local government becomes the third stratum of the government under the Indian constitution with the passage of the constitution amendment (73rd and 74th) acts operative since 24th April 1993. After these constitutional amendment acts Gandhi’s dream of every village being a republic had been translated into reality with the introduction of the three-tier Panchayati Raj system to enlist people partition in rural reconstruction (Goel and Rajneesh, 2003: 3).

Local Government to Ease Central Finances to Sub-serve Imperial Needs: Period I (1687-1881):

A Municipal Corporation was set up in 1687 in Madras. It was modelled after similar institutions then in vogue in Britain and clothed with the authority to levy specified taxes. The corporation consisted of a mayor, alderman and burgesses who were empowered to levy taxes for constructing a guild-hall, a jail and a building for a school, for ‘such further ornaments and edifices as shall be thought convenient for the honour, interest, ornaments, security, and defence of corporation and inhabitants’, and for the payment of salaries of the municipal personnel including a school master. The Municipal Corporation was setup because the East India Company believed that the people would willingly pay “five shillings for the public good, being taxed by themselves, than six pence raised by our despotic power”. The people however resisted taxation to the utmost. In 1726 the municipal corporation was replaced by a Mayor’s court, which was more judicial body than an administrative one. The evolution of local government in India had to wait until 1793 when it acquired a statutory base.

The Charter Act of 1793 established municipal administration in the three presidency towns of Madras, Calcutta and Bombay by authorising the Governor General of India to appoint justices of peace in these three towns. These justices of peace were authorised to levy taxes on houses and lands to provide for scavenging, police and
maintenance of roads. The municipal administration was extended to the district towns in Bengal in 1842 when Bengal Act was passed, which enabled the setting up of a town committee for sanitary purposes upon applications made by two thirds of the householders in a town. This act however proved to be an abortive attempt (Parashar, 2003, Vol-I: 1). As the taxation was to be direct, it encountered resistance everywhere. As the setting of a municipality was an entirely voluntary affair, no town came forward to ask for it. The Act (of 1842) was far in advance of the times. Based upon the voluntary principle, it could take effect in no place except on the application of two-third of the householders, and the taxation enforceable under it was of direct character, the law nowhere met with popular acceptance. It was only introduced in town, and there the inhabitants, when called on to pay the tax, not only refused, but prosecuted the collector for trespass when he attempted to levy it (The imperial Gazetteer of India, Vol-IV: 286). In 1850, an act was passed for the entire country and it, unlike the earlier statutes, provided for indirect taxation to which the people had been accustomed since times immemorial.

A fresh impetus to the growth of local government came in 1863 when the Royal Army Sanitary commission expressed its concern, among others, over the filthy conditions of towns in India. As a result, a series of acts were passed, which extended municipal administration to the various parts of the country. Voluntarism which was hitherto the basic principle in setting up local government in India was now abandoned when the provincial governments were empowered to constitute municipal committees charged with the responsibility for sanitation, lighting and water supply. The year 1870 marks a further stage in the evolution of local government. In that year Lord Mayo’s famous resolution which advocated a measure of decentralization from the centre of the provinces, emphasized the desirability of associating Indians in administration, and indicated the municipal government as the most promising field for this purpose. The operation of this resolution in its full meaning and integrity would afford opportunities for the development of self-government for strengthening municipal institutions and for the association of natives and Europeans to a greater extent.
The main features of this period are:

- Local Government in India was introduced primarily to serve the British interests rather than promote self-governing bodies in the country. The Taxation Enquiry Commission (1953-54) correctly points out: “It was needed for the association of Indians with administration (in order, for one thing, that taxes could be more readily imposed and collected) that prompted the early British Indian administration to embark on the introduction of local self-governing institutions in this country. The resolution of Lord Mayo (1870) on financial decentralization also visualized the development of local self-governing institutions; but this was subordinate to the need for tapping local sources of revenue and of effecting economy by decentralized administration” (Report of Tax Enquiry Commission, 1953-54: 336).

- Local government institutions were dominated by the British and, thus, most of the Indian population remained deprived of participation in their functioning. The dominant motive behind the institution of local government of India was to give relief to the imperial finances.

In the resolution in 1870, Lord Mayo said: “Local interest, supervision and care are necessary for success in the management of funds devoted to education, medical charity and local public works.” It is worth noting the comments of the taxation Enquiry Commission 1953-55, on Mayo’s resolution. The commission observed that there was however, no comparable development of local self-governing institution in rural areas up to the year 1871, when Lord Mayo introduced his scheme for decentralization of administration. The scheme had a stimulating effect on the development of local self-governing institutions in the rural areas. Both types of committees (urban and rural) were largely consisting of nominated and official members. It was implicit in the period that the emphasis was on the ‘local’ rather than on the ‘self-government’ aspects of the Local Self-Government (Goel and Rajneesh, 2003: 9). In this way, the rural areas were ignored, and the act passed, affected the urban areas. The development of local government institutions was basically to provide relief to the imperial finances and serve the British interests. Moreover the
elective principle was confined to the (old) central provinces only and in 1881 four out of every five municipalities were wholly nominated bodies.

Local Government to be viewed as Self-Government: Period II (1882-1919):

Hitherto, local government had remained almost wholly non-Indian and, therefore, from the Indians’ point of view, was to a great extent neither ‘local’ nor ‘self government’. Meanwhile political consciousness was gradually spreading among Indians, giving rise to new aspirations. Largely due to his innate liberalism and partly to satisfy public opinion, Lord Ripon, who succeeded Lord Mayo as the Governor General of India, resolved in 1882 to make local government self-governing. He is rightly credited with the enunciation of a new philosophy of local government. To him, Local government was predominantly ‘an instrument of political and popular education’. The resolution embodying this doctrine has been hailed as the Magna Carta and Lord Ripon, its author, as the father of local government in India.

Lord Ripon’s resolution enunciated the following principles which were henceforth to inform and guide local government in India:

- Local bodies should have mostly elected non-governmental members and chairman.
- The state control over local bodies should be indirect rather than direct.
- These bodies must be endowed with adequate financial sources to carry out their functions. To this end, certain sources of local revenue should be made available to the local bodies which should also receive suitable grants from the principal budget.
- Local government personnel should operate under the administrative control of the local bodies. The government personnel who are deputed to the local government must be treated as employees of the local government and subject to its control.
- The resolution of 1882 should be interpreted by the provincial governments according to the local conditions prevalent in the provinces.
- That a network of local boards be spread throughout the country and area of jurisdiction of every local board should be so small that both local knowledge and local interest on the part of the members of the board could be secured.
The number of non-official was to be very large. The official element was not to exceed one third of the whole.

As far as practicable, the local governments were to introduce elections for the members of local boards.

The boards should be entrusted not merely with expenditure of fixed allotment of funds but also with the management of local sources of revenue.

A non-official chairman, whose election should be subject to the approval to the provincial government, should be introduced.

The district engineer should help the local bodies in their work of supervision and maintenance of buildings. He should work as their servant and not as their master.

The affixation of courtesy titles to the names of non-official should be fixed with a view to giving them pride in local service and attracting more men with a deep sense of responsibility.

The control should be exercised from within rather than from without. The government should ‘revise and check the acts of the local bodies that dictate them’.

K.M.Panikar described that Lord Ripon’s reform of Local Self-Government laid the basis of local and municipal self government which soon took firm roots in India and became the ground work of democratic institution in higher spheres (Goel and Rajneesh. 2003: 11). The resolution put forward the cases for the expansion of Local Self-Government in a very convincing manner. Again Surendra Nath Banerjea commented in 1882, “The concession of Local Self-Government is the prelude, the precursor of the national of imperial self-government”. This resolution led to the passage of new Acts in various provinces. But the bureaucracy was too strong and well entrenched; and it succeeded admirably in frustrating Ripon’s intentions. The reforms proposed by Lord Ripon were significantly whittled down by the provinces which enjoyed the freedom to interpret the resolution according to local conditions. Also, Lord Ripon was succeeded by viceroys who lacked his liberalism and who were not prepared to put political education above administrative efficiency.

Another significant stage in the history of local government was the publication of the report of Royal Commission upon Decentralization in 1909 which was set up in 1906. It made the following principal recommendations:
The village should be regarded as the basic unit of Local Self-Government institutions and every village should have a Panchayat. Municipalities should be constituted in the urban areas.

There should be substantial majority of elected members in the local bodies.

The municipality should elect its own president, but district collector should continue to be the president of the district local board.

Municipalities should be given the necessary authority to determine the taxes and to prepare their budgets after keeping the minimum reserved fund. The government should give grants for public works like water supply, drainage schemes, etc.

The bigger cities should have services of fulltime nominated officer. Local bodies should enjoy full control over their employees.

Outside control over the local bodies should be restricted to advice, suggestions and audit.

The government control over the municipal powers of raising local loans should continue and the prior sanction of the government should be obtained for lease or sale of municipal properties.

The Royal commission on Decentralization (1909) after reviewing the working of the local and district boards in the various provinces of the country, came to the conclusion that chiefly due to their unrepresentative character and inadequate powers, these bodies had not been a successes, "The want of success of the existing system" said the report, seems to us to be mainly due to two reasons: firstly, that the boards have hitherto not possessed real powers, secondly, that lack of due representation of minorities and genuine reluctance of large land owners and other persons of high social position to submit themselves to the vote of an ordinary territorial constituency. To remove the defects of the board's constitution, the commission recommended the creation of a genuine electorate consisting of the members of the village Panchayats, the provision for an elective majority on all boards, and a due representation to minorities through nomination. They also recommended the formation of village Panchayat and resolution of the local boards where they had been abolished, so that Local Self-Government might be built up from the bottom.
Little however was accomplished until 1918 when the government of India issued a resolution re-affirming the object of self-government is to train the people in the management of their own local affairs and political education of this sort must in the main take precedence over consideration of departmental efficiency. It follows from this that local bodies should be representative as far as possible of the people whose affairs they are called upon to administer, that their authority in the matter entrusted should be real and not nominal and that they should not be subjected to unnecessary control, should learn by making mistakes and profiting by them. The resolution of Government of India after 1918 contained the following:

- Panchayats should be revived in the villages.
- Local bodies should contain a large elective majority.
- Local government should be made broad-based by suitably extending the franchise.
- The President of the local body should be a member of the public and elected, rather than nominated.
- Local bodies should be allowed freedom in the preparation of the budget, the imposition of taxes and sanction of works.

Local Government within the Jurisdiction of Provinces and Then Transferred To Popular Control: Period III (1920-1937):

As stated earlier the national movement for independence started gaining momentum causing anxiety to both governments in Britain and India. With the outbreak of the First World War (1914-18) the British Government felt it necessary to gain support and cooperation from the people of India. The British Government ultimately came out with the historic announcement to seek increasing association of Indians in every branch of the administration and the gradual development of self-governing institutions with a view to progressive realization of responsible government in India. This announcement marked the end of one epoch in India and the beginning of a new era. The Government of India act 1919 was enforced in 1920 to lead the country towards this goal. A beginning in responsible government was made in the provinces by introducing a diarchic system of government. Certain matters which were of developmental nature like Local Self-Government, cooperation, agriculture, etc. were transferred to the control of the popularly elected
ministers who were responsible to the legislature and elected on a wider franchise. The Government of India Act, 1919 thus inaugurated an era of new interest and activity in the field of local government. This period witnessed a series of amending acts on local government in every province. The practice of having a civil servant as the president disappeared from all municipal bodies, though not from all of district or local boards; the franchise was further democratized; the local bodies were freed from many restrictions in respect of preparation of budget; and, finally, the executive direction passed into the hands of the elected members of the public. Men like Jawaharlal Nehru, Sardar Vallabhbhai Patel and Purusottam Das Tandon entered the municipal councils and gained insight into the functioning of democratic institutions.

The local government was thus set to move in the direction of democracy. Simultaneously, with a measure of democratisation of local government there occurred a gradual but unmistakable decline in efficiency in administration of local affairs. Corruption increased; favouritism and nepotism became rather rampant, and the local civil service came under the influence of the local politicians and even started working for them and as a consequence bribery in municipal appointments increased. Jawaharlal Nehru was the Chairman of the Allahabad municipal board in 1924 and 1925 thus wrote about his experiences of the working of local government in India: “Year after year government resolutions and officials and some newspapers criticise municipalities and local boards and point out their many failings, and from this the moral is drawn that democratic institutions are not suited to India. Their failings are obvious enough but little attention is paid to the framework within which they have to function. This framework is neither democratic nor autocratic, it is a cross between the two, and has the disadvantages of both” (Nehru, 1995: 144). He continues: “Whatever the reasons, the fact remains that our local bodies are not, as a rule shining examples of success and efficiency though they might, even so, compare with some municipalities in advanced democratic countries. They are not usually corrupt: they are just inefficient and their weak point is nepotism and their perspectives are all wrong. All this is natural enough; for democracy, to be successful, must have a background of informed public opinion and a sense of responsibility. Instead we have an all-pervading atmosphere of authoritarianism, and the
accompaniments of democracy are lacking. There is no mass educational system, no effort to build up public opinion based on other petty issues” (Nehru, 1995: 144). A most penetrating analysis of the functioning of this first experiment in self-government in India was made by Indian Statutory Commission (Simon Commission) in 1930.

**Local Government in a State of Repair and Reconstruction: Period IV (1937-1949):**

With the enforcement (only the provincial part was enforced) in 1937, the Government of India Act, 1935, the diarchic system of government at the provincial level was replaced by provincial autonomy. The national movement for independence was also reaching new proportions. With the growing strength of the national movement and the achievement of provincial autonomy, the local government in India ceased to be a mere experimental station of self-government; it became, indeed the constituent part of self-government for the country as a whole. Although the local government succeeded in acquiring by now a new and stable base, the deficiencies and drawbacks from which it was suffering were too vivid and serious to remain unidentified, undiagnosed and even unverified. During this period provinces launched investigation into local governing bodies with a view to making them apt institutions for conducting local affairs. The central provinces setup an enquiry committee in 1935, the united provinces in 1938, and Bombay in 1939. Although the recommendations of the municipal enquiry committees were unevenly carried out in various provinces, there was a definite trend towards democratisation of local government by further lowering of the franchise and abolition of the system of nominations, and secondly, by the separation of deliberative functions from executive ones.

The independence of the country in 1947 ushered in a new period in the history of local government in India. With the termination of alien rule there was self-government at all levels: central, provincial and local. The local government was, thus, enabled to function for the first time under an atmosphere of national independence. In 1948 the ministers of Local Self-Government in the provinces met
under the chairmanship of the central minister for Health. This was the first meeting of its kind. Amrit Kaur, the Minister of Health, and the Chairman of the conference, observed: “I believe this is the first time that the government of India has called a conference. Apparently, no conference of those responsible for Local Self-Government has been called so far because the subject falls entirely within the provincial sphere. At the same time the subject of Local Self-Government is of such vital importance to the general wellbeing of the people that I felt it would be definitely beneficial if a forum could be provided where those responsible for this arm of the administration all over India could meet together periodically, exchange ideas and discuss problems of common interest.” Jawaharlal Nehru who inaugurated the conference expounded the vital role of local government in free India. He remarked “Local Self-Government is and must be the basis of any true system of democracy. We have got rather into the habit of thinking of democracy at the top and not so much below. Democracy at the top may not be a success unless you build on this foundation from below.”

Central Provinces Scheme of Local Government:

An account of local government of this period should contain a description of the scheme of the local government formulated, originally in 1937 and implemented, in a modified form, in 1948, in the central provinces. The architect of this scheme was D. P. Mishra, who was the minister of Local Self-Government at that time. This scheme was bold, even revolutionary attempt at the reconstruction of local government in the province. It sought to do away with one stroke the duality of the administrative system: one district administration and another the local government with its two independent entities of rural local government and urban local government, extending the sphere of activity of the district board to the whole of the district administration and making the district collector the chief executive officer of the district board and the district staff as its own. The powers of the district board varied from being merely advisory to being final and binding and to this end, all powers were grouped under four classes. Class I included subjects which must be placed before the district board as a rule but the district collector had the right to either accept or reject the board’s advice. Class II comprised matters of which the
final decision lay with the provincial government but which, all the same were to be discussed and voted upon by the district board. Class III consisted of subjects which could be acted upon only when both the board and the collector were in agreement. Finally, class IV contained those items on which the district board enjoyed the complete sovereignty, and the district collector had no option but to carry out the decisions of the board. This scheme of local government claimed three advantages: “In the first place it would secure for the district board an efficient executive and administrative staff made up of the collector and his subordinates without any additional cost. Secondly, it would mitigate the bureaucratic character of the district administration. Thirdly and lastly, it would add to the importance of Local Self-Government in the eyes of the people and would thus stimulate their interest in it” (Sharma, 1944: 26).

This scheme, with its radical contents, met with severe criticism, particularly at the hands of the Governor of the Central Provinces. As a result, it was stalled at the time. It could be revived only after India attained independence in 1947. In a modified form, this scheme, known now as the janapada scheme of local government, was adopted in 1948 by the central provinces legislative assembly by its enactment of the central provinces and Berar local government act, 1948.

The Janapada scheme of the Central Provinces was an innovation of the first order. Spiritually, it anticipates the Balvantray pattern of rural local government and even outshines the latter in many respects. It broke new ground in many matters. Firstly, it took government closer to the people by adoption of tahsil as the unit of government, thus shifting emphasis from the district to the smaller area of tahsil. In short, by making tahsil as the unit of administration, it decentralised administration. This new level of tahsil was named janapada, a term of common usage in ancient India, standing for a group of villages constituting a single unit for purpose of administration. Secondly, it sought an integration of the rural and urban local governments operating in the janapada by bringing both these arms of local government under a degree of control of the janapada sabha. The Gram Panchayats and municipalities had each its individual existence and separate sphere of functions.
but the *janapada sabha* was endowed with certain well defined functions and powers over the whole area of the *sabha*. The municipalities in the *janapada* were required to make contributions to the funds of the *sabha*. Thirdly, it visualised the *tahsil*- called the *janapada* as a self contained, integrated unit of administration. The personnel of all the state departments located in the *janapada* were put under the administrative control of the chief executive officer of the *janapada sabha*.

The *janapada* scheme was implemented in 1948. Despite its shortcomings it had a historical role to play in the evolution of local government in the Central Provinces. The Rural Local Self-Government Committee, setup in 1957, by Madhya Pradesh, observed in its report submitted in 1958: “Although the *janapada sabhas* achievements have fallen short of expectations, we feel the existence of these institutions... has not been altogether without any advantages. We have, as a result, people available with experience of work of local bodies to man new bodies. We have also a body of people who are accustomed to pay taxes, organise special development of welfare activities and carryout generally other works of public utility; for instance, it is through their basis, in new setup of the three tier system that we are now proposing, use could be made with great benefit of the people so experienced particularly at the block level institutions” (Report of Rural Local Self-Government, Bhopal, 1959: 18).

**Local Government as the Requirements of the Constitution: Period V (1950-1992):**

As the present constitution came into force in 1950, the local government may be said to have entered a new phase in that year. The constitution allocated local government to the state list of functions and, secondly, in the directive principles of state policy, affirmed: “State shall take steps to organise village Panchayats to endow them to function as units of self-governments” (Article-40).

Identification of one sector of local government for the purpose of special attention and development in the constitution is understandable as rural India represented three fourth of India. In fact, significant changes have taken place in the structure and
system of rural local government since the inauguration of the constitution in 1950. As a result of the report of the team for the study of community project and National Extension Service (1957), a three tier system of rural local government emerged in most states: Zilla Parishad at the district level, Panchayat Samiti at the block level and Panchayat at the village level. They were endowed with wide powers over a large range of functions including development.

As compared to the dramatic changes in rural local government, the development of urban local government has been slow to the extent of being unimpressive. It is only of late that the urban local government has attracted the attention of the government. The third five year plan (1961-66) took note of the significance of urban local government and said: "In the next phase of planning, as many towns and cities as possible, at any rate those with a population of one lakh or more, should come into the scheme of planning in an organic way; each state mobilising its own resources and helping to create conditions for a better life for citizens." The third five year plan recognised that urbanisation was gaining momentum in India. It observed: The problem to be faced are formidable in size and complexity and solutions for them can be found not only by the state governments but also by municipal administration and by the public generally if an increasing amount of community effort and citizen participation can be called forth within each urban area. There are certain minimum directions in which action should be taken during the third plan so that for the future, at any rate, a correct course is set. These are:

- Control of urban land values through public acquisition of land and appropriate fiscal policies;
- Physical planning of the use of land and preparation of master plans;
- Defining tolerable minimum standards for housing and other services to be provided for towns according to their requirements and also prescribing maximum standards to the extent necessary; and
- Strengthening of municipal administration for undertaking new developmental responsibilities (Planning Commission: Third Five-Year Plan: 690).

Many state government set up committees to enquire into the functioning of local government institutions and to suggest remedial measures. The central government
also appointed committees to this end. The Panchayati raj was indeed, recommended by a committee set up by the central government. In addition to the Balwantray Mehta Committee (1957), the central government set up the Ashok Mehta Committee on Panchayati Raj Institutions (1978) and the GVK Rao committee to review the existing administrative arrangements for rural development and poverty alleviation programme (1985). The central government is credited with setting up the largest number of committees to examine various facets of panchayati raj. Maharashtra, Gujarat, Rajasthan and Mysore set up committees to recommend suitable forms of panchayati raj to be introduced. Similarly Maharashtra, Madhya Pradesh, Punjab and Gujarat constituted committees to examine the functioning of urban local government and suggest reforms.

The central government has itself set up the following committees to report on urban local government:

- Local finance inquiry committee, 1951
- Committee on the training of municipal employees, 1963
- Committee of ministers on augmentation of financial resources of urban local bodies, 1963
- Rural–Urban relationship committee, 1966
- Committee on service conditions of Municipal Employees, 1968
- Committee on Budgetary Reforms in Municipal Administration, 1974
- Study group on constitution, Power and Laws of Urban Local Bodies and Municipal Corporation, 1982

There has been spurt in the number of Municipal Corporation in the country. While there were only three corporation towns in 1947, the number in nineties was 73. Another significant development has been separation of the rural local government from the urban local government. The departments of the community development and Panchyati raj have been set up in the states as well as in the centre to deal with rural government. The departments of Local Self-Governments in the states are consequently, concerned with only the urban local government.
Local government is the third stratum of government since 1993 but it falls within the jurisdiction of the states. As is, therefore, to be expected, there are some notable variations in the nomenclature, pattern of local government and its working in various states. Yet, there is unusually high degree of uniformity in the system of local government in the country. This is so, because, historically, local government in India is a product of an exceptionally centralised administrative system. Under the present constitution it has been shaped within the framework of centralised planning. Further, the continuance of the same political party in power at centre (Except for 1977-79 and 89-91) and states (except for a brief period in Kerala, Orissa, UP, Bihar) is another factor to be reckoned with.

Period VI -Since 1993:

One of the earliest actions of the P.V.Narasimha Rao Government after coming into power at the centre was to also amend the Indian constitution to provide constitutional base to local government, both rural and urban. This is a revolutionary development in the field of local government in India. Now local government, both rural and urban, constitutes the third stratum of government existing in its own right. As a result, both rural government (Panchayati Raj Institutions) and urban government have been overhauled. These will be analysed in detail in the third and fourth chapter.

A Brief Comparison of History of Local Governments between Russia and India:

People’s participation not only in the local level but also at each and every stage of government is very much rooted in India from the early Vedic period, which is absent in Soviet Russia. In contrast, pre-revolutionary imperial Russia was symbolised by the autocratic rule of the Tsar and the orthodox church. People’s participation in India can be known from Sabha and Samiti whereas Russian patriarchial society brings many limitations for the growth and development of the people’s participation during the pre-revolutionary era. India was strongly defending her democratic traditions whereas Russia was defending the relevance of autocratic traditions in that period.
The right to make decisions for all the Russian people at the grass root level was invested in the hands of the Tsar and they were accountable to no one. In India the right to make decisions was left to the Sabha and Samiti. The Soviet system of local government has been portrayed as reincarnation of Tsarist Russia with Stalin as the unlimited autocrat whereas pre-independence Indian system of Local Self-Government is portrayed as “Gram Swaraj” or self rule of the village people which was popularized by Mahatma Gandhi. The above mentioned autocratic experience in Russia is because of absence of democratic experience in Russia and the presence of democratic experiences in India is because of its past experiences. Although element of strong participatory government was prevailing in India, there is partial participatory government in Russian history.

The image of “Two Russia” can be partially compared with India in the Indian context. In Russia one is “Official Russia” of nobility and gentry, and the other is “Popular Russia” of peasant. The official Russia of nobility and gentry can be comparable with Zamindary system of Zamindar in India and popular Russia of peasant can be comparable with the labourers in India.

The earliest known institution of Local Self-Government in Russian history was the Veche whereas in India the earliest known institution was ‘Gram’ (village). Both Veche in Russia and Gram in India preceded the establishment of rule by the princes in both the countries. In Russia the members of the Veche were invited and they had the power to dismiss the princes and elect executive officials whereas in India the members of the Grama Sabha or Gram Panchayat had no power to dismiss the princes but they had the power to elect the executive officials.

The institution of Zemskii Sober in Soviet Russia bears an even more-intriguing resemblance to western parliamentary institutions. In India the institution of District had resemblance only with Prefect of France among western countries. In pre-revolutionary Russian political culture Local Self-Government was officially encouraged including the elections of local town administrations whereas in India, the
British introduced Local Self-Government to properly collect tax from the ordinary farmers and citizens for their benefit and profit. But in spite of encouragement, whatever ‘participation’ in local government in Imperial Russia did exist was exclusively the province of the gentry, who accounted for about 1.5% of the population, so people’s participation was extremely low, whereas in India people’s participation was extremely high. The establishment of the Zemstvo in Russia was the signal reform of Alexander II in 1864 whereas establishment of District in India was the signal reform of Warren Hasting in 1772.

The Zemstvo reforms in Russia and the District reforms in India were accepted primarily because of their usefulness to the central authorities in both the countries. Both the institutions; Zemstvo in Soviet Russia and the District in India symbolised creation out of reaction, not as progress. The Zemstvo reforms in Russia succeeded neither in establishing the principles and practices of Local Self-Government nor in the system have any effect at all in the present day on the other hand district reform in India made many successes in many fields like division of judiciary and executive functions and people’s participation in decision making in a gradual way. The whip of the village elder in Soviet Russia was felt more than scepter of Tsar in the same way in India the whip of the village head was felt more than scepter of a British who was in charge of some village.

Both Karl Marx and Gandhi emphasised on self rule of local soviet in Russia and Gram Swaraj in India respectively. But Gandhi strongly believed in individual morality whereas Marx urged for dictatorship of proletariat in the form of violence. Criticism of the work of the local soviets was long overdue in Soviet Russia but the resolution of 22nd January 1957 is rightly considered as a turning point in the revival of interest in promoting citizen participation in local government in Russia. Likewise in India, Balwantray Mehta committee report which was submitted in the field of legislation relating to the rural Local Self-Government in India. Specialists on local government in both the countries are fully aware that the legislative powers granted to the local soviets in Russia and the Gram Panchayats in India are often underutilized.
Chapter - II

The unique feature of Soviet type political system is the monopoly of legitimacy accorded to one party, the communist party whereas in India there is prevalence of multi-party system not only in federal and state level but also in local level of government. The Soviets are said to constitute a "unitary system of state power" whereas in India it is federal system of state power and centre is little bit powerful as far as residual powers are concerned.

Finally, if we analyse the control of Local Self-Government in both the countries then we can find that principle of dual subordination is prevailing in Soviet Russia (centre and province both are powerful in controlling local government) and principle of single subordination (only state government is the sole authority to control its local government) is prevailing in India.