CHAPTER I

INTRODUCTION: DEMOCRATIC DECENTRALIZATION

"The term Democracy has in recent years been loosely used to denote sometimes a state of society, sometimes a state of mind, sometimes a quality in manners. It has become entrusted with all sorts of associations attractive or repulsive, ethical or poetical, or even religious. But Democracy really means nothing more or less than the rule of the whole people engrossing their sovereign will by their votes." It implies, in the modern context, the Representative Democracy, and the whole people or numerous portion of them exercise the governing power through deputies periodically elected by themselves. It admits of all citizen "to a share in the sovereign power of the State." Democracy is not merely a way of life. It is also a form of government. Democratic government is a machinery devised for attaining that way of life. Democracy aims at the establishment of the rule of reason and justice in all human relations on the basis of liberty and equality with the object of affording greatest opportunities to the individuals, the communities and the nations to realize their highest potentialities.

But it is not enough to say that good government can never be a substitute for self-government. The centralization and mechanisa-
tion of modern state, as a result of scientific, technological as well as socio-economic developments has released certain evil forces. Individual initiative and capacities are stunted. In an over-centralized state bureaucracy gets an opportunity for self-aggrandisement. The social life suffers from apoplexy at the centre and anemia in the extremes. Over-centralization leads to corruption, slavery and inefficiency in administration. Therefore, democracy on the national scale can function in a healthy manner and only if it is supported and nourished by democratic local government. Traditionally, local self-government is regarded as one of the counterweights against excessive centralized government. It is often held that the "grass roots" of democracy, its essential training ground are to be found at the local level. Because here people deal with problems of immediate and direct importance to themselves and these problems, moreover, are intelligible to them in terms of their personal experience. Apart from this, the local self-government provides a healthy counterbalance to over-centralization, restraining the apoplexy at the centre and the anemia at the periphery.

From the sociological point of view a nation is a community of communities. Liberty does not merely imply freedom from restraint. It also implies the positive privilege of participating in the government of one's own community. The positive privilege of active citizenship is as much necessary for the dignity and self-
realization of the members of a local community as for the nation as a whole. "The value of learning the civic art by performing its duties cannot be exaggerated, and the natural home for such citizen training is in the local community. To cultivate a sense of self-direction by local decisions on public affairs contributes to pride in one's community and to a feeling of responsibility." The freedom to move forward or to stand still, to time progress, and to determine priorities in civic enterprises is an essential element in the process of local self-government.

The importance of the little community can hardly be denied in a democratic system. James Bryce, the author of the massive and monumental work on Modern Democracies, spoke at length on the "general service which, self-government in small areas renders in forming the qualities needed by the citizen of a free country." In the first place, "it creates among the citizens a sense of their common interest in common affairs, and of their individual as well as common duty to take care that those affairs are efficiently and honestly administered." Whoever learns to be public-spirited, active and upright in the affairs of the village has learnt the first lesson of the duty incumbent on a citizen of a great country.

Secondly, "local institutions train men not only to work for others but also to work effectively with others. They develop a common sense, reasonableness, judgement, sociability. Those who
have to bring their mind together learn the need for concession and compromise. A man has the opportunity of showing what is in him, and commending himself to his fellow-citizens. If democracy is to be real, it is necessary that the people should be associated with the administration, and their effective interest must be kept up at all levels of administration. Only elections at fixed intervals will not do. What is badly needed is that there must be clear opportunities for the influence and power of the people who are the real masters of democracy to be brought to bear upon administration. Local self-government provides this opportunity. A. Da Tocqueville has rightly remarked that "local assemblies of citizens constitute the strength of free nations. Town meetings are to liberty what primary school to science." These meetings bring liberty within the reach of the people and teach them how to use and enjoy it. A nation may establish a system of free government but without the spirit of local institutions it cannot have the spirit of liberty. The democratic countries, e.g., Switzerland, Great Britain and the United States of America in which local government has been most developed have attracted the interest of the people and drawn talent from their ranks. The practice of local self-government, as Bryce said, is "the best school of democracy, and the best guarantee of its success." Ideally, the local self-governing institutions constitute the cradle for democracy, and the best school for training in active and good citizenship.
If governmental decisions are all made in some distant capital city, citizens generally have little opportunity to learn how the Government operates, what it can, and cannot, do. If some decisions are, on the other hand, made by local self-governing institutions, "citizens have a much better opportunity to become politically mature, and they have some of the resources of governmental action in their own hands to apply as they see fit to a variety of local problems. The central government can then deal with the broader problems that need to be faced on a national scale."

J.S. Mill, an ardent apostle of Democracy, felt the need of local self-government institutions. He observes that there are some affairs affecting the general interests of the nation as a whole and there are others of a purely local interest. "On the principle of division of labour, it is indispensable to share them between central and local authorities." Secondly, these local functions "carry down the important political education ............ to a much lower grade in society."It is a school of political capacity and general intelligence." "Local government is educative in perhaps a higher degree than any other part of government."

Thirdly, Mill says, those who have any interest in common which they do not share with the general body of countrymen may best manage these joint interests by themselves.
Professor Harold J. Laski affirmed that "the case for a strong system of local government in any state is clear almost beyond the needs of discussion." The full benefit of democratic government cannot be realized unless we begin by admission that all problems are not central problems, and that the results of problems not central in their incidence require decision at the place, and by the persons, where and by whom the incidence is most deeply felt. Among the inhabitants of some given area, there is a consciousness of common purpose and common needs by which they are differentiated from the inhabitants of other areas. "Administration from without lacks the vitalising ability to be responsive to local opinion. It cannot grasp the genius of place."

Every State in the world is characterised by some degree of local government. "The term Local Government," according to E. Eric Jackson, "indicates the management of local affairs and services by popularly elected councils, chosen within the area administered by a council." According to William A. Robson, "Local Government may be said to involve the conception of territorial, non-sovereign community possessing the legal right and the necessary organization to regulate its own affairs. This in turn presupposes the existence of a local authority with power to act independently of external control as well as the participation of the local community in the administration of its own affairs. The extent to which these elements
are present must in all cases be a question of degree. Hence the essential characteristics of a local government are its legal status, its power to act independently of State control, the participation of the local community in the decision-making and administration of the general local affairs and its power to raise its own resources to meet the expenses. Local government means authority to determine and execute measures within an area inside and smaller than the whole state. Local means restricted area. The variant, local self-government, is important for its emphasis upon the freedom of the locality to decide and act. In short, the local self-government means "the management of services and regulatory functions by locally elected Councils and officials responsible to them, under statutory and inspectorial supervision of the central legislature and executive, but with enough financial and other independence to admit of a fair degree of local initiative and policy-making." The sole object of the local government at the local level is to promote the well-being of the inhabitants. It is very difficult to find a full-fledged and coherent theory of local government. It may mean two different processes - Local Self-Administration and the Local Self-Government. Local Self-Administration begins to arise where for the sake of administrative convenience, the territory of a State is divided into local areas and local agents are appointed by the State to administer such areas on its
behalf. The local agent may be elected by the people. But the composition of the local agency to which administrative activities are decentralised is almost immaterial from the standpoint of the State control. On the other hand, self-government is a process enlisting the wills of the governed, and its success ultimately depends upon the capacities of the governed. "Local Self-Government implies a local government organ responsible to as well as representative of the people living in the locality; and yet responsible also directly or indirectly to the State. Such organs of government may have actually preceded the State, as in Swiss Confederation; or, they may owe their existence to the State, as in Canada, But they do not form part of the State administration and, always, the essential principle of their organization is that control over the execution of the administrative powers vested in them rests in the hands of the representatives elected by the people of the locality concerned. It is these representatives who are responsible collectively both to the locality and to the State for the performance of permissive and obligatory powers developed upon the local government."

"The political road to a better society is the road of decentralization and responsible self-government." Professor G.D. H. Cole states the same idea in a different way. "Democracy is hostile to centralization for it is a spirit which wants freedom to manifest itself immediately and on the spot, wherever the need for expansion of a collective will arises." "To centralise it, so
as to make it flow into a single central channel, is to destroy its spontaneity and to make it unreal. Thus the process of decentralization is inherent in any application of the democratic ideal to the administrative organization. It is the converse of centralization and "denotes the transfer of authority, legislative, judicial or administrative, from a higher level of government to a lower." Centralization stands for concentration of authority at the Head Quarters; decentralization, on the other hand, denotes dispersal of authority among a number of units. The difference between two concepts is well brought out by Fasler:

"Whether a given field service leans towards centralization or towards decentralization may be discerned from observation of the importance of matters on which field officials have decision-making authority, compared to matters wholly retained for headquarters decision; the extent of central consultation with field officials on matters that arise and are formally decided at Headquarters, and the weight such field opinion carries, the frequency with which field officials must refer matters to headquarters for decision even though they arise at and are partially "processed" in the field, the number and specificity of central regulations and orders governing decision-making in the field; the provision for, citizen appeal to headquarters for overruling of field decisions; the degree to which all the agency's field activities within each geographic area are directed by a single field official; and the
calibre of field officials. Neither the mere existence of a field service, nor its carrying of a heavy work-load, nor its employment of nine-tenths of the agency's personnel constitutes evidence of decentralization.\textsuperscript{29}

The concept of decentralization should be distinguished from the concepts of devolution and delegation. "Decentralization represents local government in areas where the authority to decide has been devolved to a council of locally elected persons, acting in their own discretion, with their own officials."\textsuperscript{30} This is almost synonymous with the British traditional form of local self-government. On the other hand, devolution refers to the process of "the legal conferring of powers to discharge specified or residual functions upon formally constituted local authorities."\textsuperscript{31} Delegation implies transfer of certain specified functions by the central to the local authority which thereupon acts as the agent of the former which retains the right to issue directives or revise decisions. In short, what is ceded is merely functions and not authority and responsibility.

Delegation of power is frequently mistaken for decentralization. "The former does not divest the Government of the ultimate responsibility for the actions of the authority to whom power is delegated; this authority is under the control of the Government
and is in every way subordinate to it. Decentralization, on the other hand, is a process whereby the Government divests itself completely of certain duties and responsibilities and devolves them on to some other authority. 32 Decentralization creates a corporate sense of responsibility in the local self-governing institution with independent authority and existence, is a training in self-government. "It confides the administration of powers to those who feel most directly the consequences of those powers." 33

The term 'decentralization' does not generally contain any democratic connotation. Therefore, the word 'democratic' is used to impart a special meaning to the term. "Democratic decentralization is a political ideal and local self-government is its institutional form." 34 Local self-government stands for the decentralization element and the concept of people's participation for the democratic element. As a political concept democratic decentralization implies the setting up of new levels of government. The creation of autonomous States within the Indian Union and of Panchayati Raj institutions within the States is an instance in point. Another dimension of it is the association of the public with administration, and this can be secured only by the dispersal of political and administrative authority. Dr. Iqbal Narain has summed up the conceptual and theoretical postulates of democratic decentralization in the Indian context, i.e., Panchayati Raj when he remarked that
"Panchayati Raj is an extension of Community Development, both in its objective and programmes, and Panchayati Raj institutions should primarily serve as a development mechanism and not primarily as a power mechanism." Dr. Narain has more specifically defined Panchayati Raj as "the administration of locally demarcated areas, in charge of services which are mainly local and the benefits of which are enjoyed by the resident citizens therein, paying for their services through their own resources as far as possible, with an organizational structure of their own, legally recognised and responsible to the people in the areas, and are largely free from external control."

In simpler terms democratic decentralization means free and popular management of local affairs by local people. By a process of deduction the implications and scope of democratic decentralization would be:

"(i) Existence of authorities at various levels each closer to the ultimate sovereign, viz., the people;
(ii) Allocation of sphere of activities to these authorities;
(iii) Democratic composition of these authorities;
(iv) Democratic working of these authorities; and
(v) Autonomy to these authorities in their allotted sphere limited only by the supervision of democratic authorities at a higher level."
The Mehta Study Team on Community Projects and National Extension Service recommended in 1957 the policy of democratic decentralization as a result of their study of the Community Development Programme and laid emphasis particularly on people's participation. The emphasis of the Study Team was always on the development of the local self-government and on the devolution of government's authority to it. By elaborating the concept of public participation in the Community Development it pointed out the larger aspect of the policy of the democratic decentralization. "People's participation is not merely their providing a certain portion of the cost of a particular work in cash, kind or manual labour. It is their full realization that all aspects of Community development are their concern and the Government's participation is only to assist them where such assistance is necessary." It is, therefore, obvious that people's participation is an important determining factor in any local development and that is possible only through the organization of effective democratic institutions. But democratic government operating over a vast area cannot adequately appreciate local needs. Therefore, it is necessary that "there should be a devolution of power and a decentralization of machinery controlled and directed by popular representatives of the local area." 

"The challenge of democratic decentralization is as much, if not more so, a challenge to the political leaders as it is to the
The greatest need is for clarity of policy and for foresight in formulating legislation which will make it possible for the administrative bureaucracy to have a clearly defined role in the execution of the programme. After all it is the legislation which sets the limits within which the administrator is to function, and there is a danger that if these limits are not clearly demarcated, the programme as a whole will suffer.

Douglas Ensminger does not, of course, think that legislation alone will do the job. As a sociologist he is convinced that the development of motivations and institutions is not a process which can be legislated. But at the same time he is equally convinced that without the proper legislation the process which the Community Development hopes to initiate will not take place. It is because legislation enables the administrators to evolve a programme. In this respect, the most important thing facing the makers of legislation is the need for proper balance.

Democratic decentralization is intended to be a people's programme. Therefore, "with democratic decentralization the administrative orientation must shift quite completely from making decisions and issuing orders to helping the people make decisions through their panchayats, co-operatives and a mistakes."
REFERENCES:

10. Ibid, P.149.
15. Ibid, P. 348.


36. Ibid, P. 58.


41. Ibid, P. 293.