

## Panchayats: hope for dalit rights

Panchayat-related caste violence continues unabated and has become a part of the social reality today

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First Published: Wed, May 01 2013. 10 36 PM IST



The reason why Dalits have still not fully exploited this empowering tool is the nature of Indian society—its inequality, social hierarchy, the rich and poor divide. Photo: Indranil Bhoumik/Mint

In ancient India, the panchayat system was based on the age-old caste system, social status and family. Although the local self-government concept was introduced in 1882, it took more than 100 years for the local self-government institutions to become a part of the Indian Constitution. While tremendous possibilities have been opened up in the areas of development, social justice, people's

participation and grass-roots democracy, what has the new phase of decentralization meant for Dalits in the country?

Reservation of seats and offices of the chairpersons for scheduled castes (SCs) and scheduled tribes (STs) in proportion to their population has the potential to radically change the socio-political structure of this country.

The reason why Dalits have still not fully exploited this empowering tool is the nature of Indian society—its inequality, social hierarchy, the rich and poor divide. Who are the victims of this inequitable social system? They are mainly the former untouchables who now call themselves Dalits. How can decentralization strengthen the elected panchayats? Do decentralized institutions increase the violations or enhance the possibility for respecting and observing their rights?

Although historically excluded groups and communities are now included in these decision-making bodies (more than 660,000 elected members, i.e. 22.5%, in the rural and urban local bodies are from SCs and STs), there has been a sharp increase in caste-based violence in the panchayats in the last 20 years. The dominant castes see panchayats as one of the tools for the lower castes to assert their rights. The prevailing trend is to weaken and destroy these instruments. It is evident that the upper castes that have been controlling the affairs of the village and the local community are yet to reconcile to the empowerment of Dalits, which has exacerbated tensions and inspired violence against these groups.

The elections to the panchayats have been the first and foremost point of attack. When Melavalavu panchayat in Madurai, Tamil Nadu, was declared a panchayat reserved for the lower castes in the October 1996 local election, the dominant castes resented this and the polls could not be held. The second attempt to hold elections was also foiled by violence and booth capturing. Finally, when the elections were held on 30 December 1996, the upper castes boycotted it. Members of the lower castes were elected as president and vice-president, among other posts, despite stiff resistance from the upper castes, but they were never permitted by the dominant caste to enter the new panchayat office. Finally, on 30 June 1997, the president and vice-president, along with three others, were murdered in broad daylight; their only crime was that they had been elected through the democratic process.

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Unfortunately, while upper caste groups are committing atrocities against the lower castes, the latter do not have a supportive redressal mechanism. Since the police is not under the authority of panchayats, Dalits are being subjected to violence with the connivance of the state administration and the local police.

The panchayat elections are a nightmarish experience for Dalits. Several elections in reserved panchayats could not be held because not a single nomination paper was filed in the face of threats from upper caste people. In many panchayats, Dalit candidates are living in terror because filing their nomination papers is seen as an act of defiance. Dalit voters are often prevented from voting in many panchayats.

There have been instances where high caste groups have challenged the reservation for SCs and STs in a court of law, and when this attempt failed, they announced a boycott of elections. There are also numerous cases of Dalits being used as proxies, and being coaxed to carry out the dictates of the dominant castes.

Even after coming to positions of power, elected Dalit representatives are restricted in effective exercise of their leadership; they do not get the power and status they deserve. Dalit members are made to sit outside the panchayat offices on the floor while the traditional village headmen occupy the chairs. This oppression is doubly so in the case of women Dalit members. Moreover, Dalit sarpanches are forced to give priority to activities favouring upper caste members.

The silver lining is positive intervention by the judiciary. Public interest litigation has been successful in giving substance to the local bodies legislation. When a Dalit woman sarpanch had to face retribution by defeated candidates belonging to the upper caste, she lodged a police complaint. A case was filed in the Allahabad high court. In its landmark judgement (February 2001), the court ruled: "The caste system in India, based on the feudal occupational division of labour in the past, is today totally outmoded and is a great hindrance to the nation's progress..."

Panchayats have opened up the possibilities of bringing to the surface most of the things previously swept under the carpet. *Gram sabhas* and *gram* panchayats provide a democratic forum to grapple with social and political issues in the open. In several cases, the presence of a Dalit sarpanch or a Dalit ward member has greatly contributed to the participation of greater numbers of the Dalit community in *gram sabha* meetings.

The mass media, communication technology and spatial mobility have broken the isolation of villages. Incidents even in remote village panchayats are grabbing the national limelight. The new panchayat system, with all its current weaknesses, has helped to weave the village into the broader social fabric.

In states and regions which have witnessed strong social movements, Dalit panchayat members have begun to assert their constitutional rights and the dominant castes have begun to accept these changes, though grudgingly. It holds out hope for the future.

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