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**AFFIRMATIVE ACTION AND  
POLITICAL PARTICIPATION:  
ELECTED REPRESENTATIVES  
IN THE PANCHYATS OF ORISSA**

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# AFFIRMATIVE ACTION AND POLITICAL PARTICIPATION: ELECTED REPRESENTATIVES IN THE PANCHAYATS OF ORISSA

**Pratyusna Patnaik\***

## ***Abstract***

*Drawing on empirical data from four gram panchayats in Orissa, the paper examines the 'representation' of elected representatives—more particularly those of disadvantaged categories—by exploring their participation in the governance process, responsiveness towards the interest of their constituents, and their accountability in gram panchayats. The paper concludes that despite the opportunity for inclusion and empowerment, affirmative action in decentralisation has not been successful in ensuring effective representation of disadvantaged groups with respect to the above attributes.*

## **Introduction**

Decentralisation has assumed a central role in matters of governance in the developing world over the last few years. In their efforts to democratize the governing structure and involve people in the process of governance and decision-making, most of the developing countries around the world are carrying out measures to decentralise governance. Thus, decentralised democratic governance is regarded as 'both a right in itself and a means of ensuring basic human rights observance' (Gloppen *et al.*, 2003: 1). The major promise of democratic decentralisation is that it brings popular participation and accountability to local governance, and therefore, makes local governance more responsive to citizens' desires and more effective in delivering services (Blair, 2000).

The commitment towards popular participation in governance at the local level has been reinforced through recent policies of affirmative action, which have provided an opportunity to the hitherto marginalized and disadvantaged groups to express their voice and have a say in the making of decisions that affect them. Measures of affirmative action following the enactment of the 73<sup>rd</sup> Constitutional Amendment Act, 1993, opened a new chapter in the history of democratic decentralisation in

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India by devolving power to the people and giving constitutional status to Panchayati Raj institutions. Article 243G of the Constitution empowers the State Legislatures to endow the panchayats with such powers and authority as may be necessary to enable them to function as institutions of self-government. The provision of reservation for scheduled castes, scheduled tribes and women (Article 243D) has given them an opportunity to hold formal positions of power and, in turn, participate in the decision-making process. The increased importance of participation in the panchayats through policies of affirmative action has necessarily increased the number of SCs, STs and women in the rural political institutions. However, such numerical representation alone does not ensure the empowerment of weaker sections unless and until it is transformed into effective participation.

Acknowledging the importance of 'participation' in the democratic local government, this paper attempts to study the participation of elected representatives, more particularly those belonging to weaker sections, in the functioning of panchayats in order to observe the extent to which numerical representation has been successful in actual exercise of power by these sections. The objective of the paper is to examine 'representation' in panchayats by assessing their participation in the functioning of the panchayats and the rural decision-making process. In the present paper, the term "participation" is limited to the activities of the elected representatives in the process of local governance.

The empirical data for the present paper have been collected from four Gram Panchayats, from Dhenkanal Sadar Block of Dhenkanal district of Orissa, based on the following criteria that these panchayats should have: (1) a president who is a scheduled caste male from a SC reserved constituency, (2) a president who is a scheduled tribe male from a ST reserved constituency, (3) a president who is a woman from a constituency reserved for women and (4) a general category male president from an unreserved constituency. These four gram panchayats are Govindpur (reserved for SC), Saptasajya (reserved for ST), Talabarakot (reserved for women) and Beltikiri (unreserved). Including the president and vice-president, these four gram panchayats comprise 16, 14, 17 and 14 elected representatives respectively. A combination of interview method and focused group discussion method was used for the study. In total, 61 elected representatives have been interviewed.

## Conceptualising Representation

### Representation

Representation is taken to mean 'a relation between two persons, the representative and the represented or constituent, with the representative holding the authority to perform various actions that incorporate the agreements of the represented' (Grazia, 1968: 461). Viewed in this sense, the authority that the representatives enjoy is always derived from the agreement by the constituents, which they bestow upon the representatives to act or make decisions on their behalf.

The role of representation is multi-faceted. Often, it is described as the range of expectations that people possess regarding government and hence is related to public officials and leaders. Edmund Burke (1774) considered the role of the representative as 'one who ought to respect his constituents' opinions, who ought to prefer their interest above his own, but who ought not to sacrifice his unbiased opinion in deciding for the good of the whole nation' (cited in Rao, 1998: 30). Pitkin (1967: 209–10) also regards representation as, '... acting in the interests of the represented, in a manner responsive to them'. Taken in this sense, representatives can be considered as 'trustees', who act according to their free judgment for the good of the whole nation.

The functions of representatives have been further elaborated by Whalke *et al.*, (1962), who distinguish between three typical styles of representation, i.e. 'delegates', 'trustees' and 'politicos'. The role of delegates is based on the assumption that representatives should not use their independent judgment or convictions as the criteria for decision-making. With regard to the delegate theory of representation, McCrone and Kuklinski (1979) show that this form of representation takes place only when two conditions are fulfilled simultaneously. First, the representative must feel obliged to respond to constituents' preference; second, the constituents must instruct their representatives in a clear fashion, so that representatives can act in accordance with the opinions of the constituents. The trustee role finds expression in two major conceptions: a moralistic conception, in which the representative is a free agent and follows what s/he considers right or just; and a rational conception, according to which the representative follows his/her own judgment based on an assessment of facts and on his/her understanding of the problems involved. Finally, the politico as a

representational role type is disposed to both trustee and delegate roles in various ways, in that s/he is more sensitive to conflicting alternatives in role assumptions, and is more flexible in adopting a style that is suited to his/her decision-making. Representation should thus be seen as a continuum of styles, with the trustee and delegate orientations as poles, and a mid-point where the orientations tend to overlap and, within a range, give rise to a politico role (Rao, 1998: 31).

Sartori (1968: 465) discusses representation in terms of three quite different meanings of the term: first, 'the idea of mandate or instructions'; second, 'the idea of representativeness', that is, resemblance and similarity; third, 'the idea of responsibility or accountability'. The idea of mandate is derived from private law and belongs to the context of juristic representation. In the juristic context, a representative is often spoken of as a delegate or one holding a mandate. Thus, a representative acting for others by virtue of a contract or mandate between them is engaged in juristic representation. The idea of resemblance is derived from a sociological or existential context according to which representation is essentially a fact of likeness that transcends all voluntary selection and even awareness. In the sociological sense, to say that somebody is a 'representative of' means that s/he possesses certain existential features of the group, class, or vocation from which he is drawn. Here, a person is deemed representative because his or her personal attributes – religion, race, social status, education or communal membership – are typical of a group. The idea of responsibility or accountability is treated as political representation, which is closely connected with sociological representation on the one hand and with juristic representation on the other, and additionally has a procedural character, involving the acceptance of a general responsibility for the interests of a group.

Sartori's categorisation corresponds with Birch's (1964, 1971) usage of the term 'representative'. He discusses three different usages of representative: 'delegated representative' to denote an agent, who acts on behalf of his principal; 'representative in the microcosmic sense'; to indicate that a person shares some of the characteristics of a class of persons; and 'representation in the symbolic sense' indicates that a person symbolises the identity or qualities of a class of persons.

A person's claim to be a representative depends upon what s/he represents. Viewed from this point, s/he can find four different

entities that are to be represented: identities, beliefs, constituencies and interests (Squires, 1999: 178). Accordingly, depending on which of these s/he chooses to prioritise, s/he advocates social, ideological, geographic or functional representation. The social axis involves representatives reflecting the social composition of the electorate in terms of presence as secured by quotas, policies or reserved places. On this model, representation occurs when the legislature includes the same proportion of each relevant subgroup as the population from which it is drawn. The ideological axis involves collective representation via parties. This is 'representation from above' in that there is a highly centralised, party-led decision-making structure. The geographic axis involves district-based delegates. Here, representatives have to act in ways consistent with the opinions of citizens from areas that elects them. This is 'representation from below' with low levels of party discipline and minimum ideological manifestos. The functional axis of representation involves representatives acting as spokespeople for interest groups and new social movements. On this model, representatives respond not primarily to party or constituents but to pressure from organised interests (Norris and Michael, 1997; Squires, 1999).

Representation is a concept of social interest largely in the context of power relations among leaders or representatives and their followers or constituents. Mansbridge (2000, 2003) distinguishes between four types of representation, i.e. representation by promise, anticipatory representation, introspective representation and surrogate representation; and locates the first two of these in the context of power relations.

First, 'representation by promise' entails that the representative is bound to further the interests of the constituents. In this traditional model of representation, the representative promises to follow the constituents' instructions and act to further their interests. Representation by promise, thus, uses a forward-looking concept of power, where the power relation from constituent to representative runs forward in a linear fashion. This typology of representation corresponds to Dahl's (1957) and Weber's (1978) conceptualisation of power, where power is visualised in terms of some future action by those upon whom one exercises power.

Second, in 'anticipatory representation' the constituent looks back to the past behaviour of a representative in deciding how to vote in the next election. Here, the power relation works not forward

but backward through anticipated reactions. This kind of formulation of representation can be found in Bachrach and Baratz (1963) and Lukes' (1974) conception of power. In a power relation between A and B, B complies with A's wishes, because by doing so he will not be deprived of a value or values, which he regards more highly than those which would have been achieved by non-compliance.

Third, in 'introspective representation', constituents select representatives who can be assumed to act in ways the constituents approve without any external incentives. In this model, representatives are not accountable to their constituents in the traditional sense. Rather, their accountability is only to their own beliefs and principles. Finally, in 'surrogate representation' the representative and the constituent do not have any electoral relationship. This type of representation occurs when the persons elected represent constituents outside their own districts.

Thus, representation can be seen in different senses. First, it could be just the articulation of views of the constituents. Second, it could be a reflection of views of people of the constituency, but influenced by the representative's own judgement. Third, it could be entirely the judgement of the representative without any relation to what the people of the constituency think or expect.

Notwithstanding the various facets of representation, it obviously refers to the participation of representatives in governing the affairs of the constituency, and engaging themselves in making decisions on behalf of the constituents. The following section, therefore, deals with the concept of participation and discusses its role in democratic local governance.

## **Participation**

Participation has long been acknowledged as the central theme of democratic governance, where citizens enjoy the right to participate in governance. In a political structure where freedom and equality are granted to the people, citizens can engage in political activities, at least to the extent of voting in elections and even further, they have the option to participate in a political party organisation. Political participation, therefore, may be defined as 'those activities of citizens that attempt to influence the structure of government, the selection of government authorities or the policies of the government' (Conway, 2000: 3).

Democracy offers citizens an opportunity to elect and subsequently dispose governments through the electoral process. In such a liberal democratic framework, people are expected to participate only by expressing their mandate, and the scope of participation ends with the electoral process (see Schumpeter, 1942). However, such a narrow vision of participation undermines public involvement and minimizes peoples' role in the decision-making process. Of late, scholars have disagreed with the Schumpeterian notion of public participation, which speaks only of the role of citizens in electing representatives, and argue that such restricted participation results in the establishment of institutions and processes that tend to discourage citizen participation, i.e. their contribution beyond the elections (Pateman, 1970; Barber, 1984; Farrar, 1988; Gould, 1998). Citizens' participation in recent years has been more greatly valued and democratic countries around the world are making efforts to broaden the scope of participation beyond citizens' electoral responsibilities. It is now acknowledged that wider public participation improves the government's ability to discern public interests, and allows it to gain legitimacy; it is through this mechanism of participation that the people can hold public officials to account (see Held, 1987).

Political participation in a democracy has a wider connotation, which ranges from popular participation in electing representatives to the actual participation of representatives in the process of governance. Verba, *et. al* (1993) define political participation in the democratic context as those activities, which have 'the intent or effect of influencing government action – either directly by the making or implementation of public policy or indirectly by influencing the selection of people who make those policies' (cited in Joyce, 1998: 6). By electing representatives through universal suffrage, people participate in the democratic process, whereas elected representatives directly participate in governance. While people participate in the electoral system to chose representatives, representatives are expected to articulate the interests of the people by actually participating in the decision-making process.

The concept of participation is not new to policy formulations in democratic political structures. However, the term entered into the development discourse and practice in the 1970s with a new meaning, which distinguished this newly established concept of 'community participation' from that of 'political participation', which includes voting, political parties and lobbying (Cornwall and Gaventa, 2000: 51). The

earlier emphasis on political participation — while giving citizens a right to vote — ignored their capabilities in contributing effectively in designing public policy, and regarded that 'it was up to the experts — the professionals, politicians and managers — to ensure that citizens' needs are well served' (Richardson, 1983: 2–3). With increasing pressure from international development agents and donor agencies, and owing to the demand from the grassroots level to be included and involved, the form of participation that emerged after the 1970s focused largely upon establishing consultative mechanisms, often in the form of user committees (Cornwall and Gaventa, 2000). Citizens, therefore, have now got some political space in which they can develop their own identities and voices (Barnes, 1999), and involve them in the implementation of policies and programmes concerning their own development.

With the current preoccupation of most developing countries with policies of decentralisation and democratisation, and more so with the introduction of affirmative action in the last decade, the meaning, nature and scope of public participation has increased considerably. This third wave of participation is posed differently from its first and second waves, where participation was conceptualized as only casting votes in elections and involvement of citizens in policy implementation formed somewhere else (Cornwall and Gaventa, 2000). Participation in the 1990s, with the emphasis of reservation policies at the levels of local government, has become both a right in itself and a means for ensuring effective governance, since the twin aims of decentralisation, i.e. deepening democracy and good governance can be achieved with active participation of the people.

Participation as is understood today in the context of democratic local government is different from its meaning in the 1970s when the concept meant only involving citizens as users of state-delivered beneficiary programmes. As a political concept as well as a process, participation has now a dynamic implication with the recent policies of devolution, where the people are not only expected to voice their opinions in elections, but also enjoy the power to participate in the actual decision-making process. With greater recognition of civil society and increasing emphasis on good governance, the concept of participation, in democratic local government, has shifted from 'beneficiary participation in state-delivered programmes to an understanding of participation as a means of holding the state accountable through new forms of governance' (Cornwall and Gaventa, 2000: 58).

## Accountability

Accountability involves a relationship between a bearer of a right or legitimate claim and the agents or agencies responsible for fulfilling those rights (Gloppen *et al.*, 2003). Public accountability is considered to be an important feature of democratic government, where elected representatives and public officials are expected to remain accountable to the citizenry at large. In a democratic political system, accountability generates good governance and at least in theory, is considered important in getting optimal performance from elected representatives and the public departments (Moncrieffe, 2001). Blair (2000) observes that democratic governance both at the national and local level can succeed only if government employees (bureaucrats and public officials) and elected representatives are accountable to the public. While in a governing system, the elected representatives remain (or should remain) directly accountable to the people, the bureaucrats do so indirectly by being answerable to the representatives.

Moncrieffe (2001) identifies two broad dimensions of accountability: first, the *ex-post* accountability, which refers to holding public officials responsible to the elections, law and other monitoring mechanisms; second, the *ex-ante* accountability, which suggests that representatives must know what are the interests of citizens, allow for deliberation and consultation about policies and keep the public informed about policy choices. The *ex-post* accountability ensures effective performance and proper representation, though in principle, through the electioneering process, where citizens participate to replace unsatisfactory government with favourable alternatives (see also Manin, 1997). This form of accountability may be a derivative of the democratic system of governance, where elections serve as a check to hold the representatives accountable to the people.

Ex-post accountability, as pointed out by Moncrieffe (2001), can be accomplished in vertical or horizontal manner. The vertical manner of accountability refers to the direct relation between the public and their representatives, and is channelled in most cases through the process of election. Besides a popular mandate via elections, the other institutions ensuring such vertical accountability are political parties, media and civil society organisations (Blair, 2000; Gloppen *et al.*, 2003). Vertical accountability gives an opportunity to the citizens to express their views and makes it obligatory on the part of the representatives

to become responsive towards the needs and preferences of the constituents, in the absence of which they (representatives) run the risk of being voted out of office. However, the effectiveness of vertical accountability often becomes questionable owing to the fact that people may not always behave rationally and responsibly in choosing their representatives.

Such scepticism about vertical accountability has resulted in the emergence of various horizontal mechanisms of accountability in most modern democracies, where certain institutions are entrusted with the power to hold the representatives and other public officials accountable. These institutions include the constitution, legislative branch of government, judiciary, auditor generals, several monitoring commissions and anti-corruption bodies.

Lederman *et al.*, (2001) identified three main features to determine the degree of accountability in a political system. They are the degree of competition in the political system, the checks and balance mechanisms of government and the transparency of the system. Downs (1957) recognizes political competition as an important factor that determines the efficiency of political outcomes. Political competition, through free and fair elections, helps in ensuring that politicians can be held liable for their actions taken as bearers of public office (Linz and Stepan, 1996; Rose-Ackerman, 1999).

The checks and balance mechanisms of a government along with the separation of power into different bodies, work towards ensuring accountability, where different agencies of the government control one another in the citizen's favour. The argument is, therefore, that parliamentary democracy increases accountability and reduces corruption by separating executive powers from the legislature and allowing for a stronger and more immediate monitoring of the executive by the legislature (Linz, 1990; Linz and Stepan, 1996; Bailey and Valenzuela, 1997; Persson *et al.*, 1997; Laffont and Meleu, 2001). During policy formulation and implementation, the checks and balance mechanisms require that policy choices should not be restricted to governing members, but extended to opposition, affected parties and groups and individuals who can offer special knowledge (Moncrieffe, 2001).

The third determinant of accountability, i.e. transparency, as identified by Lederman *et al.*, (2001) increases accountability by publicizing right and wrong doings of the government, and reducing the

informational problem between the citizens and the government. Transparency, however, depends considerably upon the freedom of press and expression. It further guards against corruption and allows the electorate more accurate perceptions of government policy (Moncrieffe, 1998, 2001; Facker and Lin, 1995).

In a similar fashion, Gloppen *et al.*, (2003: 4) point out three mechanisms of accountability: transparency, answerability and controllability. They further opine that accountability contributes towards fulfilling the commitments of a government to poverty reduction through 'systematic reporting on the poverty profile of public spending (transparency), by instituting consultation procedures giving all affected parties a right to be heard (answerability) and by introducing court-like structures of sanctions (controllability)' .

### **Functioning as Representatives**

The concept of representation in the context of panchayats is closely associated with three attributes, which are related to one another. They are first, participation of elected representatives in the functioning of the panchayats; second, responsiveness towards constituents' interest; and third, being accountable to them. Although responsiveness and accountability are interlinked elements, they also refer to separate processes each with its own dynamics.

Broadly, there are two ways in which the elected representatives participate in the panchayats. The first is through activities in the panchayat meetings, in different committees of the panchayat, in the gram sabhas and *palli* sabhas and in discussions to plan various activities for the overall development of the Gram Panchayat. The second aspect of participation of the elected representatives is through their interaction with their constituents, which allows them to gauge the interests and needs of the constituents and work towards meeting them. This view of participation is also closely associated with responsiveness and accountability.

Representation of elected members as a whole and specifically those of the disadvantaged groups can be studied by looking at their functioning in panchayats. The level of interest in politics, their participation in the decision-making process, responsiveness and accountability towards the constituents' interest, are some of the aspects of working in the local political institutions.

## Caste and Representation

The four panchayats include a large number of Scheduled Tribe and Scheduled Caste representatives (40.97 %), with 16 and 9 elected members respectively. Out of the 16 Scheduled Tribe representatives (including women representatives) 14 (87.5 %) have been elected to seats reserved for them. Khandayats are next in number with 15 (24.6 %) elected members in these panchayats. Out of the 17 unreserved seats in these four panchayats, Khandayats have occupied more than half of the seats (9) of which two are women representatives. For the purpose of analysis the representatives are divided into four different caste groups: first, Forward Caste, which includes 15 *Khandayat* (traditional warrior caste), 2 *Karana* (traditional record keeper), and 8 *Chasa* (cultivators) representatives; second, Backward Caste, which includes 5 *Teli* (oil presser), 3 *Badhei* (carpenter), 2 *Sundhi* (distiller) and 1 *Gopala* (milk man) representatives; third, Scheduled Caste (nine representatives) and fourth, Scheduled Tribe (16 representatives).

The reason for such substantial number of elected officials belonging to disadvantaged groups like SCs, STs and Women can be attributed to the reservation policy of the 73<sup>rd</sup> Constitutional Amendment, since the representation of these categories is very minimal in the general constituencies (see also Narayana, 1998 and Aziz et al, 1996). The general constituencies are dominated by representatives belonging to the Khandayat caste, which is a dominant caste in the region.

## Level of Interest in Politics

One of the important considerations in assessing representatives in panchayats is their level of interest in politics, i.e. whether they became elected members because of their own interest or because of the persuasion of others. Here, "others" include local elites, local people and husband/family members. Out of the 61 representatives interviewed, only 15 members stated that they were interested in politics. Two-thirds of the members (46) had not been interested in politics when they contested the elections.

When the interest in politics before contesting the elections is compared with the data on caste and gender of the representatives, the disadvantaged groups are more often among those not interested in politics. For example, in the case of SCs and STs, it was found that out of the 25 representatives, only one (belonging to SC category)

was interested in politics before contesting elections. In comparison to male representatives, women representatives were less interested in politics before elections. Only one woman, who comes from a higher caste (*Karana*) and class, was found to be interested in politics. She has completed high school and her husband has also been actively involved in politics. Among various factors, belonging to a higher caste, and having a higher economic position, education and political support from husband or family members, have been important factors that motivated her to enter politics. The lack of interest in politics of several representatives, before contesting the panchayat elections, has resulted in inexperienced members coming to the panchayats.

Only eight elected members have prior political experience, while more than 85 % of them are new to politics. Levels of interest in politics of the representatives are further considered by looking into factors such as aspiration for future political career, willingness to contest next elections, involvement in party activity and desire to carry out developmental works in the locality (see Table 1 below).

**Table 1: Level of interest in Politics**

	No interest	Moderate interest	High interest	Total
Political career	41	11	9	61
Willingness to contest next election	28	21	12	61
Party activity	52	4	5	61
Development initiative	27	13	21	61

Several factors have contributed towards members being elected to the panchayats, in spite of being inexperienced and lacking interest in politics. While in the case of many of the women representatives it was the husband whose interest in politics brought them to the panchayats, the local elite were successful in influencing many others, including scheduled caste and scheduled tribe males and females. The husbands and local elite, who wanted to be involved in politics but could not contest due to the reservation of seats for

weaker sections, put their proxies in the panchayats and acted as *de facto* representatives. Nearly one-fifth of the candidates (12) have contested for the panchayat seats out of their own interest, while the influence of the local elite, in persuading the candidates to contest elections, is found to be prominent in 65 % of the cases.

### **Participation of Elected Representatives**

The participation of the representatives was assessed by examining the way they act at regular panchayat activities. The activities include attendance in gram panchayat meetings; participation in setting the agenda, which involves identifying issues and problems of the constituencies, raising them in panchayat meetings and participating in the discussions, and finally their involvement in the decision-making process, such as taking decisions in planning, budgeting, location of developmental projects, and selection of beneficiaries in the panchayats.

**Attendance at gram panchayat meetings:** Attendance of elected representatives in regular gram panchayat meetings was found to be very low. The majority (62.3 %) of them did not attend the meetings regularly. Only 23 (37.7 %) elected members stated that they attended panchayat meetings regularly. Even though the majority of the respondents stated that they are irregular in attending panchayat meetings, the panchayat records, however, showed substantial attendance of elected representatives. On further enquiry, it was found that participation in the panchayats has been reduced to signing the registers, which the panchayat office bearers carried to the houses of the representatives to collect their signatures.

Further analysis indicated that a higher proportion of representatives belonging to the SCs and STs and women did not attend the monthly gram panchayat meetings regularly. Out of the 25 members belonging to forward castes [which includes 15 Khandayat, 2 Karana and 8 Chasa representatives], 11 (44 %) members were found to be irregular in attending meetings. The attendance data of disadvantaged groups are given below in Table 2.

**Table 2: Attendance of disadvantaged groups in panchayat meetings**

Attendance	SC	ST	Women	Landless
Regular*	2	2	4	0
Irregular**	7	14	22	18
Total	9	16	26	18

\*Those attending more than three-fourths of the total number of meetings in the panchayat.

\*\* Those attending less than three-fourths of the total meetings in the panchayat.

Thus, a striking fact about the panchayats in Orissa is that the gram panchayat meetings are overwhelmingly a male-dominated event, in spite of policies targeted towards empowering women by giving them one-third representation.<sup>1</sup> The limited attendance of elected representatives was found to be juxtaposed with the ambiguous nature of the meetings themselves. On most occasions, panchayat meetings were formalities to be completed and marked only in the records, without their actual occurrence. Such an observation can be substantiated by the fact that most meetings were called without prior and adequate notice. Often, proxy meetings were held and the proceedings were recorded even without the knowledge of those who attended them. However, such proceedings bore the signatures of all the members, including those who were absent from the meetings.

***Participation in setting the agenda:*** Identifying issues of the locality, raising specific problems and issues in the meetings and discussing them, are some of the important activities in the functioning of panchayats. Gender differences were observed with regard to raising problems of the constituents in gram panchayat meetings. None of the women respondents chose to raise problems of their locality frequently at the meetings. The data further showed that members from the disadvantaged groups (SC, ST and women) rarely raised problems of their locality. Only one respondent belonging to a scheduled caste, who was president of one of the selected panchayats, was able to identify and raise problems of his constituency for discussion in the panchayat meetings. The gender and caste division of representatives in raising problems of the locality are cross-tabulated and given below in Table 3.

**Table 3: Gender and caste division of representatives in raising problems**

(all in percentages) N = 61

		Raise Problems			Total
		Rarely	Sometimes	Always	
Male	Forward caste	1.6	8.2	13.2	23
	Backward caste	3.3	3.3	3.3	9.9
	SC	1.6	4.9	1.6	8.1
	ST	9.8	6.5	-	16.3
	Total (male)	16.3	22.9	18.1	57.3
Female	Forward caste	8.1	9.9	-	18
	Backward caste	6.6	1.6	-	8.2
	SC	6.6	-	-	6.6
	ST	9.9	-	-	9.9
	Total (female)	31.2	11.5	-	42.7
Total		47.5	34.4	18.1	100

In order to gauge the capacity of the representatives in raising issues, the respondents were asked about the manner in which they raised issues at the panchayat meetings. The capacity to raise issues in the panchayat meetings was found to be low among those of scheduled castes, scheduled tribes, and women, especially among women belonging to scheduled castes and scheduled tribes. Elected members hailing from the disadvantaged groups, in the majority of the cases, did not raise and problem of their locality themselves, rather they took the help of other members to do so.

During the course of a panchayat meeting, a scheduled caste woman representative was observed taking the help of others to make her point explicit. In most cases, the women representatives as well as those of lower castes preferred to tell the president or any other member in advance about the problem of their locality, expecting that they would speak on their behalf, rather than speaking at the meetings themselves. They were also observed discussing matters with the president after the meetings, outside the panchayat office.

The reason for this was shyness and nervousness in talking in front of others, particularly male representatives of the panchayats.

The participation of representatives, more so in the case of disadvantaged groups, was found to be minimal. On the whole, in the four panchayats, there were only a few (14.7 %) representatives who participated frequently in discussions during the meetings. Low attendance in panchayat meetings and limited capacity to raise issues often came in the way of discussing the problems of the panchayat and in turn in the process of decision-making. Simply sitting and listening to the proceedings of the meetings and nodding their heads have been their form of participation (see Table 4). Active participation, which means initiating and being involved in discussions in the meetings, was found to be very rare in the case of representatives from the disadvantaged groups, and more so among women belonging to scheduled castes and scheduled tribes.

**Table – 4: Caste and the manner of participation in discussions**

(all values in percentages) N = 61)

		Manner of participation in discussions			Total
		Sit and listen	Passive*	Active**	
Male	Forward caste	1.6	9.8	11.5	22.9
	Backward caste	1.6	1.6	6.6	9.8
	SC	5	1.6	1.6	8.2
	ST	8.2	6.6	1.6	16.4
	Total (male)	16.4	19.6	21.3	57.3
Female	Forward Caste	5	9.8	3.3	18.1
	Backward Caste	5	1.6	1.6	8.2
	SC	6.6	-	-	6.6
	ST	9.8	-	-	9.8
	Total (female)	26.4	11.4	4.9	42.7
Total		42.8	31	26.2	100

\*Participate in discussions initiated by others, \*\* Initiate the discussion himself/herself

**Participation in decision-making:** Several areas of participation in panchayat decision-making activities were identified and the respondents were asked to indicate how they participated in the identified areas. Participation of representatives was found to be low in important decision-making activities like 'where should a developmental project be located', 'who should be given benefits from a developmental programme' and 'who should be given contracts'. Only a few panchayat members took the important decisions on these matters. Participation of members in areas such as planning and development work was found to be comparatively higher than the previously mentioned areas. However, the overall participation of the majority of respondents was very insignificant (See Table 5).

**Table 5: Participation in decision-making**

Areas of participation	Never	Sometimes	Always	Total
Planning	25 (41 %)	22 (36 %)	14 (23 %)	61 (100 %)
Development work	27 (44.3 %)	21 (34.4 %)	13 (21.3 %)	61 (100 %)
Budgeting	35 (57.4 %)	13 (21.3 %)	13 (21.3 %)	61 (100 %)
Location of the projects	45 (73.8 %)	9 (14.8 %)	7 (11.4 %)	61 (100 %)
Selection of beneficiaries	48 (78.7 %)	6 (9.8 %)	7 (11.5 %)	61 (100 %)
Awarding contracts	49 (80.4 %)	6 (9.8 %)	6 (9.8 %)	61 (100 %)

Though some of the representatives stated that they participated sometimes in these areas of decisions, in reality, they were not even aware of these activities. They were just asked to affix their signatures once the decision was taken by certain members in the panchayat. Members of disadvantaged groups knew some of the key terms like 'planning', 'budgeting', 'developmental work' etc. without knowing the significance of these terms in the functioning of the panchayats.

## **Factors contributing to the lower participation in panchayats**

Several factors contributed towards low attendance of members in panchayats meetings as well as low participation in the panchayat decision-making process. Among the major reasons, social restrictions, economic compulsions and household work were found to be major reasons for irregular attendance in monthly meetings by the representatives belonging to disadvantaged categories (women in particular).

Social restriction is an important cause that hinders the effective participation of SCs, STs and women representatives in the panchayats (see also Inbanathan, 2001). Restrictions for SCs and STs were different from those related to upper caste women representatives. As stated by the upper caste women representatives, restrictions on mobility and interaction with male representatives are imposed by their own family members, which affects their participation in the panchayats. There are cases where their husbands oppose their wives' active participation in panchayat activities, though they were instrumental in bringing their wives into politics. Such a situation sounds paradoxical since the same husbands who persuaded their wives to contest the elections now opposed their wives' active participation in panchayats. This clearly indicates the attitude of the husbands of women representatives who could not themselves hold formal positions of power because of the reservation policy, but are trying to exercise power through their wives.

Though moving out of the house is not a major problem for the women representatives of scheduled castes, they suffer severe restrictions due to their caste positions. During the course of a meeting in the panchayat the seating pattern is determined according to the caste of the members. The scheduled caste women members sit together and other members, including women of other castes, hesitate to come closer to them. Interviews with the scheduled caste women revealed that even though reservations have been successful in bringing them to the office of the panchayat, they are treated differently within it.

Household work and distance of the gram panchayat office are found to be other reasons for low participation of women. In all the cases, women hardly get time for panchayat activities after fulfilling their household responsibilities of cooking and child rearing. This makes it difficult to attend panchayat meetings, which can take several hours,

especially if they take place in another village. The husband or other male members of the family escort the women representatives to the gram panchayat meetings. On certain occasions, the male escorts of these women representatives prompted them on what to say in the meeting hall. Husbands of women representatives even intervened during interviews with the researcher (where the representatives were meant to be interviewed rather than their husbands). Though women representatives appreciated the role of the husbands and other male relatives as escorts, owing to the distance of the panchayat office from their homes, which they cannot cover alone, they also admitted that their attendance definitely depends on the availability and presence of these male members.<sup>2</sup>

Economic compulsion is observed as the third cause of low participation in panchayat activities. Out of the 61 representatives interviewed, 25 belong to Scheduled Castes and Scheduled Tribes, out of which 18 are landless and the remaining seven possess land less than 2.5 acres. The main source of income for them being either manual or daily labour, attendance in gram panchayat meetings often comes in the way of their livelihood. Respondents were very straightforward in this regard and stated that they cannot afford to miss a day's income, and hence regular attendance becomes difficult if not impossible.

### **Implications of affirmative action and participation**

The above analysis of the participation of elected members opens up several issues for discussion on the concept of representation in general and those of disadvantaged categories in particular. The basic rationale, with which the institutions of local governance were established, was that they would bring government closer to the people, so that people from all walks of life could participate in politics. Democratic local governance ensures that citizens will be voting for elected officials, which in turn, will increase local interest in the political process. Combined with popular participation, the policies of affirmative action in local governance strive to ensure 'proper representation'.

Taking a cue from the theoretical discussion on representation and drawing inferences from the empirical analysis of participation of elected representatives, we may derive some implications. We perceive representation as involving the articulation of views and desires of the citizens, and involvement of the representatives' own judgment while taking decisions in the activities of the panchayats. Effective

representation entails meaningful participation of elected representatives in panchayat activities in order to articulate the interests of the constituents. The irregularity of elected members in attending the panchayat meetings — in most cases not attending meetings at all, their limited efforts in identifying and raising issues of the locality and low participation in discussions of the constituents' problems, necessarily results in their inability to articulate the views and desires of the constituents. The various issues of the locality and the views of the constituents, in most cases, do not reach the women elected members in order to be articulated in the panchayat meetings, as the husbands of these members and other local elites minimised women's role in the panchayats by exerting control over them and acting as *de facto* members.

The other manifestation of representation is the exercise of judgement by representatives while taking decisions on behalf of their constituents.<sup>3</sup> The elected representatives in the Gram panchayats in Orissa, more so those belonging to disadvantaged groups, also performed very minimally in this regard. In most cases, they (the SCs, STs and women representatives) could not reflect the views and requirements of their constituents and failed to use their own judgment in panchayat decision-making. Such a claim can be substantiated by the following example.

After the 1999 cyclone in Orissa, the State Government initiated programmes to rehabilitate the cyclone-affected people by rebuilding their houses through the Indira Awas Yojana (IAY) scheme, to be administered by the panchayats. The houses most affected by the calamity belonged to those of SCs and STs (as they are the *kacha* thatched roof houses), whose requirement for benefits from government schemes was higher compared to that of others. However, the representatives belonging to these sections failed to articulate these needs of their constituents in the decisions that were taken, even though some of them emphasised during interviews that they were able to identify the needs. Further, they could not put forward their judgment, considered opinion or way of thinking to influence the panchayat's decisions of beneficiary selection. The SCs and STs required assistance for construction of their houses, but did not receive it as their representatives were unable to articulate their requirements. This is evident from the fact that in one panchayat (Beltikiri) financial assistance was given to a household belonging to a Karana caste (a forward caste in Orissa) to rebuild his

damaged cattle-shed, whereas there were many scheduled caste and tribal households in the panchayat who failed to get any financial assistance from the government schemes to rebuild their own houses. This reveals the inability of elected representatives to highlight the cause of their constituents.

The above two activities of the elected members, i.e. lack of proper articulation of citizens' interest and inability to use their judgment in panchayat decision-making, question the very notion of 'representation of marginalised groups' through affirmative action. Even though affirmative action has ensured that the weaker sections of society are represented in the rural political institutions, proper and effective representation of interests of these groups upon which the empowerment of these sections rests, is yet to take place.

### **Representatives' Responsiveness to the Interests of Constituents**

One of the important theoretical considerations of representation, as discussed in the previous section, is that representatives are not only expected to articulate the interest of the constituents, but also to work towards fulfilling those interests in a responsive manner. While analysing the representatives' responsiveness towards constituents' interests, we need to address several questions: what are the interests of the constituents that the representatives are expected to fulfill? Whose interests do the representatives represent? Is it the interests of that particular group from which they come, for example, caste, ethnic group, gender, or certain section of society? Or is it the interests of the entire constituency?

In order to understand the interests of the citizens, the representatives were asked to state the expectations that people have from them and how they are able to perceive those expectations. In typical responses to such a question, the representatives spell out needs like constructing village roads and connectivity of the village to the main road, putting up tube-wells, sanitation, building schools, providing electricity to the villages. The representatives further opined that being residents of the same locality, they could easily identify the interests of the constituency.

Affirmative action policies have resulted in bringing in a new set of representatives into the gram panchayats, whose representational status is inevitably related to their caste and/or gender position. In such a context, where the representatives belong to particular sections of society, two separate, but interrelated ways of representation may be identified. First, to represent the particular section from which they have come, and second, to work in the interest of the entire constituency. The representatives belonging to disadvantaged groups have the dual responsibility of fulfilling the general interests of all the members of the constituency and also of those belonging to the groups from which they come. This further calls for making a distinction, if one exists, between the interests of the disadvantaged groups, whose representation the Amendment Act wants to ensure, and those of the entire constituency.

Looking back at the empirical data, it may be stated that the interests that were identified by the representatives were broader in nature, and were not exactly related to any particular section of society. The representatives had very little awareness about the existence of specific interests of any particular group. Even the SC and ST representatives talked about wider interests such as road, water and education. Mostly they were not able to identify group-specific interests and distinguish them from the general interests of the constituency. However, this does not mean that disadvantaged groups do not have any interests which are specific to their group. On further inquiry about the living conditions of the SCs and STs in general and their day to day problems in the village, we could observe that these groups suffered from problems like social restrictions, poor housing, lack of employment, lack of community halls for them to observe their specific ceremonies or festivals and discuss community affairs. Even though the SC and ST representatives felt the need for these tasks, they did not bring them into the panchayat discussions, and failed to address them in a responsive manner.

On whether their caste/community members came to them with their problems and expected them to work upon them, most representatives belonging to disadvantaged categories replied in the negative. On the other hand, some of the representatives belonging to forward castes, who had some influence in the panchayats, stated that individuals of the SCs and STs frequently approached them with their needs and requirements like sanctioning of loans and getting

other benefits from different schemes. Similar was the case with interests of women in general. Hardly any women representatives stated that they took up women specific issues in the panchayats, and no women constituents approach them to take up their issues. Women-specific issues like obtaining pensions for widows and the aged, or *anganwadi* activities have lower priority in the panchayats, and women representatives did not accord special consideration to these issues.

Minimal capacity to articulate the interests of the constituents and the lack of priority for group-specific interests affected the responsiveness. The idea of representatives acting to further the interests of their constituents in a responsive manner becomes questionable in a context where the majority of them did not cherish any political aspirations or ambitions, and were elected because of the influence or persuasion of others. Therefore, we suggest that political equality and a right to participate may not necessarily lead to responsive governance at the local level, in the presence of gross social and economic inequalities and persisting ignorance about their rights and interests.

### **Accountability in Panchayats**

Accountability in panchayats involves a relationship between the citizens and the elected representatives, which is strengthened by frequent interactions and communication between them. In a panchayat, the villagers interact between themselves informally, and communicate more frequently in a face-to-face manner. There are several ways in which this face-to-face communication takes place in rural communities, starting from informal gatherings in community halls, meetings in tea shops, in the fields, near river banks or village ponds, to formal meetings in the grama sabhas. Therefore, the degree of accountability, at least in principle, should be more explicit and well established in such a context. However, our observations suggest otherwise. In contrast to the general principle, the informal and face-to-face interactions have not resulted in strengthening the accountability of elected representatives.

The interactions among the villagers are non-political in nature most of the time. In informal meetings, the people are more concerned about seasonal rain failure, differential market prices for agricultural produce, harvesting, incurable diseases to family members and about other personal matters, rather than politics. The women's informal gatherings near river banks and at neighbourhoods focus on family issues.

It is not that political issues are always ignored and not talked about in village public space. In discussions, including the political ones, village people are less assertive about their interests and rights, since most of the time the interaction between citizens and representatives does not entail a relationship between bearer of rights and agents, who are expected to fulfil the rights and be accountable to them.

One of the important ways by which representatives can be accountable to the constituents is through deliberating over the issues that concern citizens, engaging in consultation and providing explanations for the decisions taken (Moncrieffe, 2001). From the earlier discussion, it is evident that most representatives from the disadvantaged groups were unable to articulate their constituents' interests; and thus, were less able to deliberate over the issues of common concern. Public deliberation over issues of common concern involves exchange of ideas, values, proposals and reasons aimed at evaluating alternative courses of action to be undertaken by the representatives (Hunold, 2001: 152). The decisions taken through a deliberative process is also much valued because of its high degree of democratic legitimacy (Barber, 1984, Hunold, 2001; Young, 2001). Such public deliberation, which legitimises democratic decision-making processes as well as paves the way for accountability, is mostly absent in the functioning of the panchayats in Orissa. Decision-making in the panchayats is not observed as a process, which involves consultations and discussions with citizens. Rather, representatives were engaged in consultation with the elites and other influential individuals of the panchayat. Lack of deliberation, even though decentralised governance is meant to be such, may be attributed to two factors. First, in the decentralised structure, the grama sabha is the only political institution where public deliberation can take place. However, irregularity in conducting grama sabhas has affected the deliberation process in panchayats. Second, a deliberative process of decision-making requires several normative ideas for the representatives and citizens, such as equality, inclusion, reasonableness, and free and open exchange of information (Bohman, 1996; Hunold, 2001; Young, 2001). The social exclusion of weaker sections and the prevailing socio-economic inequalities often block the way for sufficient deliberation in panchayats, despite the policies of political inclusion and equality of opportunity.

Other mechanisms to ensure accountability at the level of democratic local governance are competition, existence of checks and

balances, transparency, answerability and controllability (Lederman et al, 2001; Gloppen, 2003). The notion of healthy political interaction among the opposing groups was found to be missing in the panchayats. Even though strong political rivalry exists in rural Orissa it has in no way contributed for accountability in local government. In most cases, the panchayat presidents did not bother to make the opposition leaders part of the panchayat decision-making process. The panchayat presidents, along with their supporters among the elites (the husband in the case of the woman president) managed panchayat matters without consulting any political opponents.

The checks and balance mechanisms and transparency of panchayat activities have suffered because of the lack of any proper institutional structure for them. Even though the policies of decentralisation provide for the existence of grama sabhas, these were hardly ever held. Even if they took place, as in some cases, they were small meetings involving the representatives, the influential local elites, and a few villagers who always follow the elites for some kind of benefit or the other.

The accountability of representatives in local governance in Orissa has suffered most because of elites' involvement in panchayat affairs. The representatives in a majority of cases were answerable to these elites and remained under their control rather than exhibiting any kind of answerability and controllability to the citizens at large. The *de facto* representation of these influential elites and the 'proxy politics' in the panchayats has created a situation where these elites, who either actually take decisions on behalf of the representatives, or substantially influence the decisions, are not answerable to the people, as they do not hold any political position. Those who hold formal political authority (the representatives) do not function independently. In this sense, the representatives are found to be more accountable to the *de facto* representatives (i.e. the elites) than to the people.

## Conclusion

From the above analysis of four panchayats, we can conclude that affirmative action in decentralisation has not been successful in ensuring 'proper and effective representation' of the disadvantaged groups. This is with respect to the participation of elected representatives, their responsiveness towards citizens' interests and accountability in the local government. This has also a bearing on the empowerment of weaker sections of the society, at whom the policies are aimed. However, local governance has ample scope for the inclusion of hitherto excluded sections of society in the making of decisions and formulating programmes that would affect their life. It is also unreasonable, to some extent, to expect the disadvantaged groups to break away completely from the dependent and patriarchal relations, which have excluded their public participation for generations. Besides, most of the representatives were also first generation politicians for whom it is their first public exposure. There is certainly scope for change among these representatives, who with time and experience will be able to represent their constituency more effectively.

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## Notes

<sup>i</sup> Similar incidences of low attendance of representatives belonging to disadvantaged groups are also observed by Ghatak and Ghatak (2002).

<sup>i</sup> Several other studies in Orissa also revealed that though women's representation in Panchayati Raj bodies is significant in terms of numbers, their participation in decision-making is very low. Often, husbands and family members influenced the women representatives in taking decisions. Illiteracy, poverty, lack of awareness and communication skills, and family responsibilities are the major factors, also identified by other scholars, which hinder women's participation in the panchayat decision-making (ISED, 1998; Mishra, 1998; Panda, 1999).

<sup>i</sup> See Edmund Burke (1774), H. F. Pitkin (1967), N. Rao (1998), J. M. Moncrieffe (1998, 2001) on this view.

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