

Subtheme

## **Enhancement of Democracy through Empowerment of Disadvantaged Groups**

Work Session 10: To What Extent  
should Local Governments  
Lead in the Empowerment of  
Disadvantaged Groups?

Work Session 22: Are Local  
Governments Really Enhancing  
Participatory Decision-Making?

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### **1. Local Governments and the Empowerment of Disadvantaged Groups**

Local government plays a critical role in enhancing democracy in federal systems. It has the potential to bring government closer to the people through both representative and participatory democracy. A key challenge however remains the extent to which local governments are autonomous and the extent to which they are inclusive of all communities with regard to both its composition and decision making. Indeed, local government is often not inclusive

in terms of political representation or decision-making, resulting in policies and actions that often do not address the needs of disadvantaged groups, including women. These issues were highlighted by Vilasrao Deshmukh, the Chief Minister of Maharashtra as a precursor to discussions at the session. The case presenters provided detailed discussion of various schemes/actions undertaken by the respective governments to ensure that the disadvantaged groups, especially the women are brought under the purview of the federal democratic setup as beneficiaries.

The Ethiopian presenter provided an overview of efforts to empower disadvantaged groups, including women, under the new constitution that established the Federal Democratic Republic of Ethiopia (FDRE) in 1995. The federation is made up of nine autonomous states that are delimited on the basis of settlement patterns, language and identity. The constitution favours decentralization to regional states, which in turn have further devolved authority to lower levels of government to provide services to communities—notably with a view to making government work better for disadvantaged populations. In rural communities of Ethiopia, ensuring women's participation in the development process has raised particular challenges. However, Ethiopia's performance in bringing women's voices into national decision-making has improved significantly in recent years: 21 per cent of seats in the House of Peoples' Representatives are currently occupied by women, a threefold increase from the previous national legislature. Notwithstanding the fact that it is too early to announce the success of Ethiopian federal republic in empowering the disadvantaged population, one cannot ignore the sincere and laudable efforts by the Ethiopian authorities in ensuring the women's participation in the decision-making processes.

The Secretary, Ministry of Panchayati Raj, Government of India, one of the Indian case presenters, spoke about the Indian constitutional amendments of 1992, which enshrined local governments as the third tier of constitutionally recognized government, has played a significant role in enhancing the local level participation in decision-making as well as representation of the disadvantaged lot. In India, entrenching local government in the constitution

was seen as vital for the mobilization of local resources for development. Since constitutional amendments in 1992, India has made significant progress in enhancing the political representation of women. A third of all seats in the panchayats (rural local authorities) and urban municipalities must be reserved for women. This quota also applies to the head of all local bodies. As a result, out of 3.2 million members elected in local authorities, more than a million are women. The Indian Constitution also provides that seats in the local government structures must be reserved for scheduled (backward) castes and tribes in proportion to their share of the total population of the local area. State legislatures are also empowered to provide for the reservation of seats for so-called “backward class of citizens”. At the end of her presentation, she urged the participants to advise their respective governments to have an inclusive policy with clarity on power sharing.

The second case presenter from India the Principal Secretary, Ministry of Rural Development and Panchayati Raj, Government of Kerala, presented his experiences and views from the state government’s perspective on empowering of disadvantaged groups, entrenching local governments, empowering women. The Kerala government has been doing a commendable work to ensure public participation in governance system to facilitate empowerment by introducing innovations like participatory budgeting and a social audit, among other steps.

The cases from South Africa and Canada were presented after the Indian cases. The issue that seemed to be overlapping in both presentations was the attribute of multiculturalism. The disadvantaged groups in both the countries have been constitutionally protected in the federal framework but the intrinsic gap is still visible in practice and implementation of government policy and law. In addition to this, the Deputy-Chair, Financial and Fiscal Commission, South Africa highlighted South African efforts to involve women at the local level. In South Africa, it is a statutory goal that all political parties should seek 50/50 representation of men and women. Although this is not an enforceable requirement, the African National Congress (ANC) has adopted this policy, ensuring that 48 per cent of all their candidates in the 2006 local government

elections were women. Among elected councilors, 46 per cent of the ANC members were women, with the overall percentage for all councillors standing at 40 per cent. However, only 15 per cent of South African mayors are women. South Africa has also established a committee of citizens in the ward of each elected councillor to ensure an effective channel of communication with their municipal council. This system is intended to ensure that diverse interests are taken into consideration through an informal political process. The ward committees, chaired by the ward councillor, consist of a maximum of ten members who must be chosen in such a way as to ensure equitable representation of women as well as the diversity of interests in the ward. It is very much evident from her presentation that though involving women is not an enforceable requirement, a few or rather only one political party has shown the intent as well as the political will to ensure the empowerment of the disadvantaged groups, especially women. There are several examples regarding this; take India's example, at the local level some improvement can be observed in terms of representation of women, but at the federal level the decade-long debate on reservation for women in the lower house is an issue of the lack of political will amongst the political parties. So as to achieve the representation and empowerment of the disadvantaged lot, the governments and more importantly the political groups constituting the governments and otherwise have to be sensitized about the inclusion of these groups without which the success of the federal democracies is incomplete and partial.

While Canada is generally accommodating to an active role by its diverse communities—including its numerous recent immigrants—in the political life of the country, the Canadian political system has traditionally eschewed targets for representation of different groups in their respective legislatures and executives, whether at the local, provincial or federal level. As a result, it is often said that Canada's performance in ensuring representation among some groups—notably women and Aboriginal Canadians—is not as good as it should be. The presenter from Canada, who is the President of the Indian Taxation Advisory Board, points out that women have been slightly more successful in achieving elected office at the local

government level than at the provincial or federal level. At 21.7 per cent, Canada's municipal councils have a higher percentage of women than the House of Commons (20.7 per cent). Among Canada's ten largest cities (representing half the country's population), women currently occupy 28 per cent of council seats and five of these ten cities have 30 per cent or more women on their councils. The Federation of Canadian Municipalities (FCM) has also adopted a strategy aimed at increasing the participation of women in the municipal politics to 30 per cent by 2026. According to the definition of the United Nations, 30 per cent is the minimal percentage of women required for government to reflect women's concerns. As per the documents of the Federation of Canadian Municipalities, women represent 12.9 per cent of mayors and 22.9 per cent of councillors in Canada, for an average of 21.4 per cent, and a total of 5,242 women out of a total of 24,542 mayors and councillors. The current data shows that Canada would need 2,120 more women in elected office at present to reach the 30 per cent target; meaning increasing the number of women in municipal government by roughly 100 every year for the coming 20 years. To support this effort, FCM has developed a set of strategies and tactics that municipal councils can use to further the involvement of women in municipal government. These strategies need the women to be proactive in making the FCM women concerned institution; advocating, educating and communicating to the women, starting campaign schools, ensure equality, recruit women, adjust electoral terms, promote respect, encourage employer support, highlight women's contribution, making gender mainstream.

The situation with regard to Aboriginal representation is also not as problematic as suggested in the background paper prepared for the conference: the paper asserts that Aboriginal people are under-represented in local government in Canada and that "not only has this group suffered from a lack of political representation, but they have also been marginalized in terms of service delivery". In support of this, it cites a study of eight municipal councils located in areas with a high indigenous population (ten thousand or more), only 6 of the 36 elected officials were aboriginal constituting just 17 per cent. However, in 2001, there were only ten cities

in Canada with a population of ten thousand or more Aboriginals. In these cities, the Aboriginal population was on average less than 2 per cent of the total population and it exceeded 10 per cent in only one city. From this perspective, it does not appear to be the case that Aboriginals are under-represented in local government in Canada. Many municipalities also have consultative structures in place to channel the concerns of diverse minorities to the elected officials, such as ethno-cultural minorities (many of them recent immigrants to the country). It is also not uncommon to see affirmative action programmes targeting employment within local government, particularly in sensitive areas such as policing where ensuring a representative police force can be crucial. Many municipalities also provide their services in more than one language. For instance, Toronto's emergency services are equipped to respond in over 150 languages.

This session has brought out a lot of issues which can be helpful for the practitioners of the participating countries to evolve mechanisms to empower the disadvantaged and women at the local-level leading all the way to other levels too (India can draw out a lot in that respect). There is a pressing need to have a clear legislative mandate for the entrenchment of local governments (e.g. 73rd and 74th Amendments to the constitution in the Indian case) in the respective federal countries. These countries have to seriously devise techniques to clearly demarcate the financial and political powers of local bodies, because a lot depends on the financial powers alongside the political powers. The case of India is particularly instructive, where local governments have all the political powers mandated to them but for the financial side they still lack the resources and end up wanting for the same (since the state governments have the financial powers). Private sector and NGOs can play greater roles in minimizing the gap in representation of the under-represented and the over-represented. The Canadian example; the FMC's efforts to involve more and more women can be seen as a stepping stone towards the empowering of the disadvantaged groups, especially the women. Above all the discussion in this session and the participants too seemed to be optimistic towards the empowerment of these groups with a special emphasis on women.

## 2. Local Governments and the Enhancement of Participatory Decision Making

In many federations—notably in developing and middle income countries—local government is viewed as an increasingly important forum for developing and maintaining a self-sustaining democratic culture and for ensuring legitimacy of national institutions. There is a growing realization in these countries that decentralization of power to local governments—coupled with reinforced participation of the public and stakeholders—is crucial to the development process. Empowering local governments nevertheless involves certain challenges of balancing an appropriate degree of autonomy against the risks of an over-complex system of decision-making and blurred lines of accountability to citizens. Brazil is a recent example of both re-democratization and decentralization to local governments and communities (the independence of its state and municipal levels of government were guaranteed in its 1988 constitution). Entrenching local self-rule was seen as vital for the mobilization of local resources for development. There are two main mechanisms in Brazil for ensuring local participation in decision-making. They are: Community Councils (in which representatives of local inhabitants and/or service users have a seat) and Participatory Budgeting. Community Councils are often required by federal legislation (or, in some cases, by international agencies financing particular programmes) or by multilateral organizations when they finance a programme. Community councillors' main role is to control the use of funds and take minor decisions about their allocation. Participatory budgeting (PB)—pioneered by the city of Porto Allegro in 1989—enables ordinary citizens to deliberate and collectively make decisions about local budget allocations. By 2000, PB had been adopted by over 140 municipalities of Brazil's 5,000 municipalities and was said to have involved around 30,000 people.

The Mexican constitution has recognized local government as a third order of government within its federal structure since 1983. Since full democratization in 1996, elections at the local level come under the jurisdiction of an independent Federal Electoral Institute (IFE), whose decisions can be appealed to a Federal Electoral Tribunal. In addition to this the President of Senate Commission

on Federalism and Local Government in Mexico, spoke about how democratization with significant decentralization has gone hand in hand, raising issues of regarding coordination between governments. Local governments continue to be relatively weak relative to the senior orders of government in terms of policy-making and administrative capacity, as well as in terms of its access to autonomous revenues.

In its 1848 Constitution, Switzerland established a system of three layers of government: (i) the communes (numbering nearly three thousand) at the local level, (ii) the 26 cantons at the regional level, and (iii) the Confederation, at the national level. Direct democracy is the defining feature of Swiss federalism at all three levels and explains in large part the important role played by communes (and by cantons) as the laboratories of innovation in public policies and management: Referenda have long been provided for in the federal and most cantonal constitutions to enable citizens to take part in the decision-making process on all important political and economic issues. Direct democracy is also a long-entrenched feature of the communes, taking different forms in different communes, reflecting their particular histories and circumstances. The presenter, a Member of the Federal Parliament from Switzerland quoted the example of Berne where people vote directly for the financial matter and on other important issues. In particular, the form of direct democracy tends to vary by size of commune (which vary from a few hundred citizens to more than a million): Large communes (like the cantons and federal government) include the right to referendums and initiatives in their constitutions. In many smaller communes, important decisions are commonly made by the citizens themselves at public meetings. While communes also have legislative and executive councils (i.e. instruments of representative democracy), citizens organized in public-interest groups also exert significant influence on councils' legislative and executive decisions due to their ability to launch referenda to, in effect, appeal those decisions to the citizenry. Participation by citizens in local decision-making remains vigorous.

This session brought out certain interesting features of these federal democracies in providing space for participatory decision-



making. The important highlights of this session can be summed up as; linkages between participatory democracies, transnational participation, raising revenue for the functioning of local bodies, more autonomy is sought for the local bodies and above all political awakening of the masses at the grass roots level. The lesson emphasized by Swiss participants is that participatory decision-making is about democracy and empowerment and the ballot box should not be seen as a mere mechanism to elect presidents, vice-presidents, or mayors.