

Presidential Election and Panchayats

M.S. JOHN and JOS CHATHUKULAM

Within a few days, the country will witness an important constitutional event—the election of the President of India. This important event has certainly evinced the interest of the media and the legislators in Delhi and the State capitals. However, for the ordinary people, this remains a non-event. One reason for this lack of interest in the regions far away from the centres of power lies in the very composition of the Electoral College. This aspect was not debated in the Constituent Assembly. Instead, the debate was primarily centred on whether the President should be elected by direct or indirect method, and the implications of each of these methods of election for the parliamentary system that the country chose to adopt. Conditions favourable for the inclusion of representatives at the sub-State level were absent at that point in time. The Panchayats had a precarious existence and the organisational pattern differed from State to State.

However, the enactment of the Seventythird and Seventyfourth Amendments to the Constitution and the passing of conformity acts by each of the States was followed by the creation of constitutionally mandated Panchayats and Municipalities in all parts of the country. By electing nearly thirty lakh representatives spread over 241,660 local bodies,

Dr M.S. John is a Reader in Politics and Peace Studies, School of Gandhian Thought and Development Studies, Mahatma Gandhi University, Priyadarsini Hills, Kottayam (Kerala). Dr Jos Chathukulam is the Director, Centre for Rural Management, Perumpankadam, Kottayam (Kerala).

which includes 532 District Panchayats, 5912 middle-level Panchayats, 231,630 Village Panchayats, 2055 Nagar Panchayats, 1435 Municipalities and 96 City Corporations, the domain of representative democracy has been expanded, deepened and regularised. It is only befitting that this large number of elected representatives of the people, who are closest to the people, are brought into the process of election of the President.

The President of India is currently elected by an electoral college consisting of the elected Members of both the Houses of Parliament and elected Members of the Legislative Assemblies other than those of the Union Territories. Election is held on the basis of weighted voting with the size of the population that the representative represents being the main consideration. The total number of persons who are eligible to vote in the ensuing elections comes to 4896. The total vote value of the elected Legislators of all the States put together will be equal to that of the elected Members of Parliament. As long as we had only two levels of government, this system was justifiable even though its representational base was narrow. However, we now have a large number of elected representatives in our Panchayats, which constitute the third stratum of our governmental system. Their election process is similar to the election of those who currently hold the eligibility to vote in the presidential election. It has been found that voter

turnout is highest in the elections to the local bodies. Leaving these representatives of the people out of the election process is therefore a clear case of discrimination. The President is expected to be a representative of the nation as well as the States. The largest number of representatives of the people is found at the sub-State level. By drawing this segment into the process, the regional diversities found within individual States can be better reflected in the election of the President.

Now, the Electoral College consists of very few women, given the poor representation of women in Parliament and the State Legislatures. Since one-third of the representatives in the Panchayats are women, granting them voting rights will bridge the huge gender gap that exists in the presidential Electoral College considerably. There are nearly 660,000 SC/ST members of Panchayats and their participation in the elections would make the process a more inclusive one. Providing voting rights to the Panchayat members suits the interests of citizens of the Union Territories also: The only representative of theirs who is currently entitled to vote is the local Member of Parliament.

This would mean taking the election campaign beyond the State capitals to Districts and even Villages. An election to the highest office in the country is at present a limited exercise without any implications for the educative spin-offs that such exercise can entail. But by including the Panchayats, we will be able to provide representation to rural India and also make the presidential election an educative experience.

This will obviously demand an amendment to the Constitution. How this can be logistically worked out needs detailed discussion. However, such a move has certain advantages. First of all an election drawing the local bodies into the election process will elevate their status considerably. Partaking in the elections to the highest office in the country will contribute to the self-esteem and sense of responsibility of these representatives. Secondly, if we allow representatives of a large number of microscopic minorities including sub-castes, who can hardly elect a person of their own community either to Parliament or the State Legislative Assembly to partake in the election process, this will lend greater representativeness to the presidency than what currently exists. Once representatives of local bodies are included in the Electoral College, the vote share of non-partisan persons will increase since Panchayats are constituted on a non-party basis in most of the States. Political parties that do not have the strength to elect MPs and MLAs, but may still have pockets of influence, will also find this proposal attractive.

There are large number of third sector organisations and activist groups fighting for a number of issues of direct concern to the people. These groups often work in close relationship with the Panchayat. Hence including members of local bodies in the electoral process will go a long way in accommodating the interests of these non-party social formations. Further, if the local bodies are given voting powers in the election of the President, the State governments would be forced to hold regular elections to the bodies.

If we include the local bodies, the total vote value may have to be divided among the three levels of representatives equally. One-third of the total value of the votes should be assigned to the local bodies leaving the other two portions to the Centre and the States. Whether all the members of the three-tier Panchayats and urban bodies should be brought into the process or not also needs to be decided. Discussion on representing the local bodies should take place without giving an impression that it is aimed at elevating the status of the presidency. One reason why such a proposal would not find favour in many circles is the legitimacy that the President would gain and the fear that it would upset the power equation in the parliamentary system. This proposal will certainly add to the legitimacy of the presidency. But, more than that, it ensures balanced representativeness.

BRINGING the local bodies into the election process will certainly disturb the current electoral equations and therefore may not find favour with the established political parties. For people of Union Territories, isolated islands and microscopic minorities, bringing the local bodies into the system will contribute to national integration, at least in symbolic and effective terms. This will also establish an inter-governmental linkage in elections starting from the village upwards. The Seventythird and Seventyfourth Amendments have added a new dimension to our federalism suggesting the need for such linkages between different levels of government in an event like the presidential election.

It is not impossible for a country that is serious about expanding the presidential electoral base to come up with ways and means of doing it. Modern technology can often come to assistance in this regard. Panchayats are expected to function as self-governing institutions. It is illogical to exclude the elected representatives, who are closest to the people, from the presidential election. ■