

Local Democracy in Brazil and India:

the role of center-periphery relations in the construction of participatory institutions

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The last decade of the twentieth century had been marked by the reemergence of forms of participation at the local level in Latin America and in South East Asia. In Brazil, after its re-democratization (1985-1988), the New Constitution introduced 14 participatory devices which led to a few thousand local health and social assistance councils and the emergence of the so called Porto Alegre experience. In Porto Alegre, tens of thousands of people gather every year in regional assemblies to elect councilors and to decide on budget priorities (Santos,1998; Avritzer, 2002; Wampler and Avritzer, 2004). The Porto Alegre participatory budgeting experience has endured for 14 years (1990-2004) and has led to more than 194 new experiences of participatory budgeting in Brazil. Participatory budgeting has been implemented in four among Brazil five largest cities, Sao Paulo, Belo Horizonte, Porto Alegre and Recife and gathered 300.000 people in 2004. Though participatory budgeting exists in the rest of Brazil its radicalized form of participation and accountability takes place in Porto Alegre, the capital of Rio Grande do Sul in which it became the only form of decision-making on budget issues.

In India, there is a system of local government that was in place since the fifties, called the Panchayat system, in which block and district level councils are responsible for the administration of the deliverance of public goods. (Chattopadhyay and Duffo, 2001). The Panchayat system was strongly reinforced by Constitutional amendment number 73, approved in 1992, which established a general framework for the functioning of local democracy in India with a three tier electoral system of participation with regular elections (Matthew,2000). Since

then, local participation has been thriving in West Bengal, Kerala and other states. In Kerala, in Southern India, after an initially restrictive law adapting the existing structure to the 73<sup>rd</sup> amendment, the Left Front electoral victory in 1996 led to the radicalization of the Panchayat structure, by transforming it into a civic campaign for decentralization and distribution of public goods to the poor. In the months following the Kerala Campaign, more than 2 million people participated in the Grama Sabhas, the Village body in charge of deliberation and control of budget issues (Franke and Isaac, 2002:54).

The Brazilian and the India experiences share one common feature, namely, the fact that forms of local participation which existed in these countries throughout their processes of nation-building and that have been thwarted in the construction of a centralized state, contributed to the resurgence and success of forms of democratic participation at the local level in the late twentieth century. In the case of Brazil, the state of Rio Grande do Sul, where Porto Alegre is located, diverted from the general process of nation-building during the 18<sup>th</sup> century. Being a frontier state in an area disputed by Portugal and Spain, Rio Grande do Sul developed a militia like culture (Love,1971) which later evolved into a civic form of participation (Baquero,1994). Throughout the nineteenth century, Rio Grande do Sul tried to secede from the Brazilian federation and in this process created a more egalitarian and participatory culture based on a better distribution of land tenure and an economy less dependent upon slavery(Vellino,1968). In the twentieth century, Rio Grande do Sul's gap with the rest of Brazil assumed the configuration of a civic culture gap (Almond and Verba,1962; Putnam,1993; Inglehart,1997; Krishna,2000). Rio Grande do Sul became the most civic region in the country already in the mid 20<sup>th</sup> century. In a moment in which in most parts of Brazil have had leisure neighborhood associations, the

Fracab – Federation of neighborhood associations - was formed in Porto Alegre with a program of a non-clientelist and egalitarian relation between the poor and the state (Baierle,1988). Rio Grande do Sul's higher level of community organization associated with radicalized political society created a different political configuration from the rest of Brazil. In 1961, the state's mobilization halted the first attempt to break with the democratic order in Brazil. In the aftermath of democratization of Brazil in 1985, Porto Alegre was the only capital in Brazil in which the local political was centered on who implements participatory politics better (Baierle,1998). This dispute is at the root of the radicalization of participatory politics in the city and the successful implementation of participatory budgeting. Between 1990 and 2004 the new form of participation engaged more than 20,000 people a year in the deliberation of the city budget priorities.

A similar statement can be made about higher levels of participation in the Indian state of Kerala. The state of Kerala formed in 1956 became the first state within the India federation which did not secede and, at the same time, did not accept Congress dominated politics. The roots of Kerala's break with the Indian state-centered politics lies in a path of political development in which religious conflicts found a more egalitarian solution with the creation of new temples to the upper mobile peasants's class (Menon,1994). The state Kerala found a more egalitarian solution to century old conflicts in India with better distribution of land and the formation of numerous education associations, both religious and secular. The result in Kerala as well as in Rio Grande do Sul, was a more civic political culture expressed in terms of the quantity of associations as well as the types of existing associations. Kerala has more associations than other India state (Varshney,2000) and Kerala has the presence of most types of associations, from

caste associations to the KSSP – Kerala Sastra Sahitya Parishad – a highly successful popular education association which increased levels of literacy in the state. The Panchayats, the Indian local democracy system, were kept out of the Indian constitution in the 1940`s due to fear that local democracy would create room for the maintenance of century old forms of village domination (Sarkar,2001). In between the 1950 and 1990, several attempts were made to introduce local democracy in Kerala. These attempts were halted by the conflict between center and periphery or between Congress Party and the CPI (M). This conflict created a healthy tendency of radicalization of local democracy legislation in Kerala. The re-introduction of the Panchayats system with its mandatory electoral format was made by a Constitution amendment in 1992. Panchayats received in Kerala`s law a more radical form of institutionalization which gave more power to Grama Sabhas, the Village body, and have showed more capacity to distribute public goods to the poor.

This article has three parts. In part one, I will show that the tendency of centralization throughout the formation of the national state in Brazil and India created a conflict with the more egalitarian and participatory regions. I will inquiry into the conditions that allowed India to centralize and remain democratic and the conditions that thwarted democracy in Brazil throughout most of the twentieth century. I will show that the main difference lies in the role that constitutionalism played in binding different social groups and political factions in Indian politics. Yet, I will show that both in the democratic path adopted by India or in the anti-democratic path adopted by Brazil there was no room for participation at the local level up to the late eighties.

The second part of this article will deal with the role of civil society in the transformation of participatory traditions into civic traditions. I will analyze this process for both Brazil and India. I will argue that there has been a stronger participatory tradition in Rio Grande do Sul and Kerala that generated strong civil society organizations in both regions. I will show that civil society is stronger in both quantitative and qualitative aspects. I will also argue that in both regions, Kerala and Rio Grande do Sul, a synergy between civil and political societies is at the root of the new participatory forms.

The third part of this paper shows how rivalry within political society and the existence of different left factions in regions such as Kerala and Rio Grande do Sul explains the radicalization of participatory designs compared to other regions in the same countries.. The existence of groups within political society which had an interest in enhancing participation associated with civic support allows the implementation of successful forms of participation. Thus, participatory democracy is linked to three elements: the way minorities are integrated in constitutional arrangements; the way civil society proposes participatory designs and interacts with political society and the concentration of the political dispute on the left around the issue of participation.

#### Political centralization, traditions of participation and local democracy: understanding the formation of a participatory culture

Brazil and India have had overlappings and diversions in their political paths in the twentieth century. Both countries constructed a centralized and developmental state in the late thirties, in the case of Brazil, (Weffort,1979; Santos,1987) and in the late forties in the case of India (Kohli,2001). Both states controlled the economy by sponsoring state-run enterprises (Baer,1982

Schneider,1994), constituted a strong political tradition at the center with national political parties (Hasan, 2002; Kothary, 2001) and repressed forms of institutionalized participation in the periphery. Yet, the results were sharply different as far as the political system is concerned. India became a well established democracy with a very short episode of state of emergency during the seventies (Chaterjee,1997) whereas Brazil passed through 36 years of authoritarianism in the aftermath of two democratic, one in 1937 and the other in 1964. In this section of this paper I will analyze both developments attributing to successful Constitution-making in India the roots of the difference between the two cases.

The independence of India has been both a systemic and a political process. Systemically speaking, independence in India meant, first of all, the separation of two countries – India and Pakistan – and, thus, the establishment of new political and territorial entities with international frontiers. It also meant, in the case of India, the establishment of a new political center from which the legitimacy of political actions emerged. Politically speaking, independence involved a systemic process according to which, 565 princely states over which the British exercised control and active interference, without assuming sovereignty had to decide on joining the new state. (Chaterjee,1997). States also needed to be reconfigured. Some provinces were redesigned to incorporate new regions and make a province more homogeneous. This was the case of the state of Kerala that will be discussed below: it emerged from the fusion of the Travancore and Kochin with the Malabar region forming a state of Malayan speakers in 1956 (Matthew, 2000:147). The main process within nation-building in India was not a systemic process but rather a political one, which had as its center a constituent process which determined three issues: (1) a form of political inclusion which allowed the country to broadly incorporate excluded masses into the

political process; (2) a form of settling the relationship between center and periphery, which allowed regional diversity to express itself locally without challenging the center; (3) a political process through which a broadly based political party was able to incorporate political opposition and to transform external into internal challenges. The Party of Congress (Kothary,2002) has been able to both lead the constitution making process and to settle political disputes playing a central role in the stability of Indian democracy.

India's independence can also be considered a process of transition to democracy because it led to the introduction of the suffrage in the country. At no time, did the British accept the idea of the universal access of adult males and females to the vote.<sup>1</sup> The 1935 Government of India Act established a franchise which did not exceed 10% of the population. In addition to that, it established a sort of federal arrangement in which the princely states sovereignty offset the drop of popular sovereignty conceded to the Indian population (Sarkar, 2001:28-30). From 1928 on, the nationalist response to British rule has been the demand for a Constituent Assembly elected by the popular suffrage. (Sarkar,2001:28). The Indian Constitution-making process had to answer not only to the nationalist project of breaking with British rule but also with the mobilizations and ethnic turmoil and political clashes that preceded Indian independence. The Indian Constitution-making process was a compromise among two main political groups<sup>2</sup> and

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<sup>1</sup> I am departing here from an interpretation of the literature which attributes the establishment of democracy in India to the British and Anglo-Saxon heritage. This argument seems to be flawed on both an analytical and comparative perspective. Comparatively, it is unable to explain the failure of democracy in the remaining ex-British colonies of South East Asia. Analytically it tends to ignore many facts on the ground such as the capacity of India to establish a multicultural democracy and the specific nature of its federal structure. I am also departing from a line of analysis that sees only continuity between the British and the Indian constitutional tradition. On the argument on the specificity of India democracy, see Kohli,2001; Dasgupta,2001 and Chatterjee,1986.

<sup>2</sup> The Indian Communist party could be considered a third position with a particular conception on democracy and nation-building. Some of its positions derived from its particular insertion in the Southern region of the country and trade-union mobilization it managed to assemble there. Though the communists

their corresponding claims. The first compromise was on the issue of regionalism and sub-national government. (Dasgupta,2001:53). Many Congress leaders who used to advocate a centralist tradition moved inside the Constituent Assembly to a more federalist or autonomous view in their attempt to hold the country together. In this debate, the issue of the Dalits also played an important role, because granting local powers to the provinces and accepting a communitarian interpretation of political autonomy would also mean accepting century old local hierarchical practices that led to sheer political exclusion (Sarkar,2001:45). However, as it became clear that secession would be inevitable due to the ethnic conflicts emerging throughout the country members of Congress, particularly those defending a more communitarian Hinduist legacy, tried to re-introduce the debate on centralization. The result of the above debate was a balance in the Indian constitution between federalism and centralization. The central government according to the Indian Constitution received the attributions of rationally re-organizing the colonial inheritance out of which emerged the actual 28 states.

Local autonomy was also kept as a principle introduced into the founding law as states were allowed to keep their original languages, and as new states were drawn according to linguistic and cultural traditions. In regard to local democracy, the Panchayats form of local deliberation was originally taken out again by the suggestion of the Dalits` s leadership which feared the form of exercise of power at the local level. In the end, local democracy or the Panchayats law was included as a non-mandatory provision in the section IV of the Indian Constitution with the following formulation: “The state should take steps to organize village Panchayats and endow them with such power and authority as may be necessary to enable them to function as units of

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were more radicalized in terms of local participation they also were willing to commit democracy in order to keep the country together. (Rao,2003).

self-government.” (Matthew,2000:5). Thus, it is possible to see the first element of compromise in the drafting of the Indian Constitution, a compromise between the attempt to keep the country together, the need to avoid transforming Hinduism into the only cultural tradition and need to have a center strong enough to build the new state and to preclude the continuance of local forms of political domination. The results were several compromises in the issue of center and periphery that acquired the ability of holding the country together.

The second issue that became central in both the process of breaking with colonial rule and establishing an autonomous democratic tradition was the issue of political and social inclusion. The Indian National Congress, as it was pointed out above, made adult male suffrage one its central aims still in the late twenties. Yet, the Constitution-making body was elected indirectly by the assembly members that were elected in 1946 and did not represent more than 10% o the population (Sarkar, 2001:35). The issue of adult suffrage became contentious at the very moment in which the Constituent assembly gathered putting different political groups on different sides. The Indian Constitution-making process was initiated by an eight point resolution that claimed that “all power would be derived from the people” but declined to enter into the specifics of its enforcement. When asked if the resolution would entail universal voting rights, Nehru argued that the republican nature of the form of government included the suffrage by definition. It was up to the Dalits leadership, which have had a very ambiguous positions vis-à-vis decentralization and local democracy, to assume a strong hand in relation to universal suffrage (Sarkar, 2001: 37). In the end of the debate, due to the insistence of the Dalits leadership the suffrage was adopted in article 326 of the Constitution. Again, we can see a fundamental conflict in the deliberation process on the issue of political inclusion. Differently from the debate on local democracy and

the relationship between center and periphery in which the main concern was to meet local diversity in order to keep the country together, in the debate on the suffrage the concern of giving full political rights to the excluded social majority became the main issue. Again, a balance was found in the sense that a very large electorate which would eventually decide to move away from Congress Party was formed and did exercise its voting rights.

Constitution-making in Brazil played a smaller role than in most of the late development countries. Up to 1988, Brazil has had at least three<sup>3</sup> constitution-making processes in the twentieth century and each one of them was either non-democratic (1937) or written under severe corporatist constraint (1934 and 1946). The main aim of the Brazilian constitution-making process was systemic, that is to say, it aimed at triggering a process of economic modernization which meant a centralist political model. The 1930 Revolution seek to substitute the slow process of modernization under the control of the rural oligarchies, under way in Brazil since independence, by a fast process of development coordinated by the state. It represented the first moment in which the balance of forces in Brazil shifted away from the privatist forces constituted during the colonial period (Leal,1946; Franco,1974; Graham,1994), and went to urban and industrial sectors. Two main programs were triggered, a program of economic development centered around state agencies and state run enterprises (Baer,1966; Schneider,1992; Holston,1993); a program of state modernization which created a centralized public administration. Both aims were completely systemic and were in tension with social and political inclusion.

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<sup>3</sup> I am not considering as a constitution-making process the constitutional amendment of 1967 made by the authoritarian regime. On the Brazilian authoritarian regime constitution-making process see Skidmore,1980.

The 1930 revolution established forms of social control based on state intervention in politics through both the ministry of labor and the ministry of justice (Barbosa,1980). It also initiated a process of authoritarian breakdowns whenever they were needed from the point of view of both political stability and economic development. The transformation of economic development into the main pillar had one major consequence, the failure to implement a rights based conception of modernization (Santos,1979; Alvarez, Dagnino and Escobar,1998) and its substitution by conception of modernization based on the distinction between modern and non-modern actors. The whole process of rights granting was from the 30's on based on this differentiation. Modern actors, labor and the middle class would be entitled to rights, civil, political and social whereas peasants, poor urban dwellers and other non-modern actors were excluded both from the process of modernization and from the process of rights granting associated with it. The result was that both peasants and poor urban dwellers were kept out of the emerging political order and Brazil saw the emergence of a segmented conception of rights granted by the state. Those who belonged to the modern economic sectors were acknowledged as such by the state and were entitled to rights, in particular social rights (Santos,1979; Santos,1993). Yet, the vast majority of the population was excluded from basic social services and urban infra-structure (Caldeira, 2000; Avritzer, 2002) in spite of the huge process of economic development. The political and social consequences of this conception were dire. Socially speaking, the process of urbanization and cities growth in Brazil took place without any regard for new social services for the poor. Health was selectively provided only for those integrated in the formal labor market (Arouca,1991), access to education was not universalized until 1971 (Draibe,1991). Most Brazilian cities grew without any attempt to provide spaces for the poor population (Caldeira,2000). Treated water

access or sewage coverage were unevenly provided even in the South and Southeast of Brazil, the wealthiest regions of the country. As a result Brazil experienced one of the higher rates of economic growth in the world from 1930 to 1980 without being able to provide its population with a form of social inclusion or a rights based conception of citizenship. Politically speaking, Brazil did not provide its population with a form of political inclusion due to the slow growth of the suffrage which in 1960 was still below 10% (Nicolau,2004). Congress has been disempowered either through clientelism or authoritarianism. In both cases, it did not provide the country with a perspective of political inclusion. This process only came to an end when the economy stagnated in 1980 and the Brazilian authoritarian regime collapsed in 1985. In this sense, modernization rather than constitution-making established the main political and economic dynamics in Brazil between 1930 and the 1988.

Thus, we can summarize the difference between Brazil and India throughout the twentieth century in the difference in the way social and political inclusion has been weaved in the constitutional pact. Though India was poorer than Brazil and had in the second half of the twentieth century a worse economic performance, its Constitution provided the population with a perspective of social and political inclusion. The suffrage grew constantly and represented a perspective of social inclusion. Politically speaking the Congress Party represented a broad coalition which transferred the political opposition from outside the party to inside (Kothary,2002). Brazil on the contrary did not create the mechanisms for political inclusion and had to face populist assaults to the elitist pact. This has led to the breakdown of democracy and accentuated political exclusion.

However, both cases, the democratic and the anti-democratic precluded political participation in the periphery of the national state. The Indian case precluded participation because it could not allow a political opposition to prosper in an almost one party system. In addition to that political participation was a discourse that the Congress Party cared about. Thus, local participation did not prosper in Kerala during the first CPI (M) administration due to its incompatibility with the main political pact. (Matthew,2000). In Brazil, Rio Grande do Sul remained in tension with the central government in the postwar period. Social policies and state and civil society relations acquired a more progressive configuration in Rio Grande where levels of literacy and social well being were higher than in the rest of the country. In 1961, Rio Grande do Sul resisted to a coup attempt and consolidated itself as a more civil state within the Brazilian federation. Thus, both cases, the Indian and the Brazilian implied in either one party forms of political inclusion, as it has happened in India in which there was no space for participation outside Congress Party arrangements, or authoritarianism at the center which precluded local politics as it has been the case in Brazil. In two next sections of this paper I will show how Brazil moved to a participatory constitutional arrangement and how India moved to a participatory Constitutional arrangement.

#### Democratization, Decentralization and the emergence of institutionalized participation in Brazil

Democratization in Brazil and democratic de-centralization in India changed the relationship between center and periphery in both countries. In Brazil, the end of the authoritarian regime took place between 1985 and 1988 as authoritarian power-holders released control of political power and the new government called for a Constituent Assembly. In the constituent assembly, center-periphery relations were discussed not only in terms of administrative attributions. On the

contrary, they mainly involved urban and public policies whose decentralization was demanded by civil society actors and social movements formed during the last phase of the authoritarian regime (Whitaker,1994).

The democratization moment in Brazil was also a moment of change in associative propensity (Coniff,1975). Only during the last period of the authoritarian regime took place a new process of constitution of a democratic civil society (Avritzer,2000) that would place Brazil in an intermediary position in a comparative rank of associative propensity.

Table 1: Membership in voluntary associations in selected countries

Country	Participation rate
Iceland	90%
Sweden	85%
United States	71%
Brazil	43%
Mexico	36%
India	13%

Source: Prakash and Selle,2003:6

Brazilian civil society re-organized itself during the democratization period around two issues: the issue of property and access to urban land in large Brazilian cities (Holston,1991) and the issue of access to health and other public services (Sader,1988). The issue of access to property and property legalization are at the origin of the housing movement in the city of Sao Paulo, a

city which grew without providing property access to the poor. In other parts of Brazil, such as Porto Alegre, the issue of the legalization of state land occupied in the fifties would be even more pressing (Baierle,1998). In both cases, as well as in the case of Belo Horizonte, the issue of the relationship between legal and illegal cities, an issue not tackled by the development state and whose administration by the authoritarian regime was catastrophic would emerge in the early seventies. Neighborhood associations will tackle this issue in the last moment of the authoritarian regime.

A second issue that would play a strong role in the reorganization of Brazilian civil society would be health policies for the poor. The origin of the movement was the transfer of large amounts of poor people to new city areas that was not followed by the extension of social services. This was the case with health facilities in Belo Horizonte, São Paulo and other Brazilian cities. In spite of the fact that São Paulo 's population increased by 4,6 million between 1970 and 1981 only four new health centers were created in this period (Jacobi,1985:346). This issue was thematized by the emerging movement for the improvement of health condition in the east zone of São Paulo in the late seventies. In São Paulo, the poor population with the help of professionals in health services took advantage of an old city law which assigned to commissions the role of checking the quality of city services and established a committee for the Eastern zone of São Paulo. This has led to the successful creation of health councils in the eastern zone of the city (Sader,1988:276) and was the beginning of the health care movement in Brazil which went national in 1981. Thus, the first change in the path from authoritarian centralization to participatory de-centralization was caused by the emergence of social movements in large Brazilian cities which resisted the policy of the authoritarian regime for the local level.

These movements emerged in most capitals of the South and Southeast of Brazil but Porto Alegre was the city in Brazil in which the re-organization of neighborhood associations went further. Porto Alegre, as well as the other Brazilian cities above discussed, experienced repression of its emerging neighborhood associations during the authoritarian period. FRACAB, the city federation of neighborhood associations, was taken over by politicians linked to the ARENA, the support party of the authoritarian regime, and many local neighborhood associations were closed (Baierle,1993; Abbers,2000:38). The re-organization of the neighborhood movements in Porto Alegre takes place in a similar way to its re-organization in São Paulo and Rio de Janeiro: new neighborhood associations are created in the late seventies claiming the right to public goods and access to city services. Yet, two major differences took place in Porto Alegre and differentiated the emerging neighborhood movement there from the one existent in the Southeast of Brazil: Porto Alegre returned to its previous tradition of a city wide umbrella organization which did not exist in São Paulo and which existed in a very particular way in Rio de Janeiro.<sup>4</sup> Second, though FRACAB is taken over in the late seventies by the PMDB, the opposition party to authoritarianism, a drive for a new type of umbrella associations is triggered in 1983 and leads to the creation of UAMPA. UAMPA in the moment of its emergence represented no more than one third of the neighborhood associations in the city, yet, it already emerged proposing the participation of neighborhood associations in budget issues (Avritzer,2002). Thus, the re-organization of center-periphery relations in Brazil took place

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<sup>4</sup> Rio de Janeiro's politics during the last phase of the authoritarian regime has to be differentiated from the politics of other Brazilian cities. In the congressional format that elections for the executive assume in Brazil it was almost impossible for the opposition to win elections. Only in Rio de Janeiro the PMDB won elections before the restoration of direct elections for governors in 1982. Yet, this was the result of the incorporation of clientelism by the opposition through a movement called chaguismo. The re-organization of Famerj, the federation of neighborhood associations, was part of this movement. (Boschi,1987).

through a civil society sponsored social movement which challenged on the spot the authoritarian regimes proposal for the organization of the cities and public policies. Only, in Porto Alegre, due to its previous tradition of civic organization this movement claimed a re-organization of the existing form of participation and distribution of public goods. Yet, until a re-organization of the place of city politics within the federation during the constituent assembly no proposal for institutional participation could have emerged in Brazil.

During the Constituent Assembly, Brazilian civil society was energized and the constitution-making format allowed for the “so called popular amendments”. Brazilian new civil society actors, in particular, urban social movements, health care, education activists and environmentalists were able to propose significant institutional innovations in the area of urban re-organization, health care and social assistance. The Constituent Assembly led to a meaningful amplification of citizen participation in government at several levels. In regard to health care organization, the Constituent Assembly decided for universal access, organized in the territory. Health posts and preventive medicine were finally established at the local level in Brazil. In addition to that, the control of health policies would involve the participation of civil society associations. Law 8.142 enacted in 1990 introduced health councils nationwide. At the municipal level, Article 29 of the 1988 Brazilian Constitution, addressed the organization of municipalities, indicating that municipalities should adopt laws that open access to the public decision-making venues. Such laws should incorporate the following principles: “the cooperation of civic associations in city planning and the possibility of popular initiative in legal projects of interest to the city population.” Thus, civil society organization led to a change in constitution-making pattern. The new 1988 Constitution, known today as *Constituição Cidadã*, Citizens

Constitution, expressed the transition in Brazil from a economic modernization pact to a pact of political and social inclusion.

A third element was essential in the success of civil society actors at the Constituent Assembly, the way reformists from political society influenced the drafting of Brazil's new constitution. In this process the newly formed P.T. (Workers Party) played a key role. The origin of the Workers Party political project was social movements' claim for the autonomy, breaking with the tradition of fusion between state and society defended by the Brazilian Communist Party. A new conception of the political started to be exercised by the P.T. after 1985. It was a conception according to which the political has two dynamics. One is a societal dynamic linked to social movements and the other is the institutional dynamic of democracy. The place in which this new conception expressed itself better was at the Constituent Assembly. The P.T. allied itself within the Constituent Assembly with important social movements and was successful in introducing participatory legislation in the areas of city organization, environment, health and education. The P.T's general support for participation differentiated it within Brazilian political society and created within the left field, in which the PT was not a majority until the mid 90's, a healthy race on who better sponsored popular participation. It was in the context of a new participatory legislation that Olívio Dutra was elected mayor of Porto Alegre, in 1988, and introduced participatory budgeting as the policy for deliberation on the distribution of public goods by his administration. Participatory budgeting emergence is the result of structural characteristics present only in Rio Grande do Sul at that point, such as the way these structural characteristics generated a strong neighborhood movement in Porto Alegre, the arrival of the PT to an administrative position in the city, the new legal infra-structure of participation generated by the

1988 Constitution and the claim for participation which emerged in the first 30 days of Olívio Dutra's administration. The initial design of participatory budgeting was the result of a negotiation among these actors. Table 2 below synthesizes each of the main actors which made a proposal for the institutional organization of the PB and the format it acquired in the early nineties.

Table 2:

	original proposal for participation	final design
neighborhood associations	direct deliberation at the local level. Participation of members of community associations.	regional assemblies with individual participation
legal infrastructure	Constituent Assembly introduces citizen participation as a principle	Porto Alegre charter participation as its first Principle
Workers Party (PT)	popular council at the city level	Regional and thematic assemblies elect councilors coordinating body.
Local Administration	concentration of claims on the CRC	CRC becomes part of participatory budgeting structure

Yet, design did not guarantee the success of the Porto Alegre experiment.<sup>5</sup> Initial rates of participation within Porto Alegre varied from region to region but were in general low. Different rates of participation demonstrate that some regions of the municipality were more likely than other regions to participate in the initial stages. The reason is attributable to the associative tradition of each region. Table 3, below, illustrates that participation began at moderate levels

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<sup>5</sup> I am here taking issue with a very popular version of participatory theory proposed by Fung and Wright. The authors in their important book defend the central role of design in participation. Porto Alegre as well as Kerala show an interrelation between design, participatory traditions and the availability of civil society organizations. See Fung and Wright 2003.

Porto Alegre's neighborhoods and regions with strong traditions of community organization, but that participation in regions without a previous tradition of association began at low levels and only rose after PB had been successfully institutionalized (Wampler and Avritzer, 2004).

Table 3: Participation by selected regions for selected years

	Region	1990	1992	1994	1996	1998
Regions with strong associative traditions	Leste	152	510	339	623	710
	Lomba	64	569	575	973	638
	Partenon	75	1096	661	809	805
	Cruzeiro	181	297	494	649	604
Regions with weak associative traditions	Navegantes	15	165	135	495	624
	Nordeste	33	276	350	682	906
	Restinga	36	369	1096	763	1348
	Centro-Sul	101	591	352	1513	1461

Source: Municipal Administration of Porto Alegre, Center for Community Relations (Porto Alegre, 2000).

In 1992, we can already see moderately high levels of participation in regions characterized by relatively strong traditions of community organization. Participation increases in these regions between 1992 and 1998 but it increased more rapidly in regions that had weak traditions of community organization. Yet, the more robust increases in participation occurred in regions with weak levels of associative traditions. Thus, we can see that a correlation between civil society organization and political societies will explain the rise of participation in Porto Alegre. Civil society organization accounts for the initial levels of participation and political society's will to

implement the program caused the demonstration effect. This effect broadened participation to areas without previous tradition of social organization.

A second issue that is important in regard to participatory budgeting is the effectiveness of the deliberative process. Participatory budgeting involves decisions on discretionary spending, the 10%-15% of the budget that includes new infrastructure projects. Porto Alegre managed to take effective deliberation on this portion of the budget. When we compare Porto Alegre with three other large capitals that implemented participatory budgeting, São Paulo, Belo Horizonte and Recife in both absolute and per capita terms, we see a difference in implementation, even though Porto Alegre had the smallest annual budgets of the four municipalities.

Table 4: Investment Expenditures on Participatory Budgeting Projects, 1996-1998

	Porto Alegre	Belo Horizonte	Recife	São Paulo
Total Expenditures Per capita (USD)	375	7	16	30

Source: PGU, 2004

Table 4 clearly indicates that Porto Alegre is far more successful than Belo Horizonte, Recife or Sao Paulo in implementing projects selected through PB. Porto Alegre's higher level of spending indicates that PB has carved out a significant space in the policymaking process. Decisions made in Porto Alegre resulted in concrete shifts in who got access to resources as well as the level of resources. Thus, participatory budgeting is the result of the Brazilian process of democratization and the changes in the Brazilian constitutional pact as well of its impact in the country's region which developed the most democratic tradition. It took advantage of the new legislation which emerged in the Constitution-making process as well as of the productive overlapping of a tradition of democratic associations in the South. In no other region of Brazil

participatory budgeting produced the same impact on deliberation as the one it has had in Porto Alegre. Civil society presence associated with a specific proposal for participation which emerged within emerged in the Workers Party account for both initial levels of participation and the effectiveness of the deliberative process. This is what account for the difference between Porto Alegre and the other capitals that have implemented PB.

### Democratization, decentralization and the emergence of participatory institutions in India

The level of organization of Indian society is a contentious issue. Its point of departure has to be the acknowledgement that on a comparative basis India has less associations than Brazil, as table 1 above shows. It is possible to see that compared to Brazil, India has one fourth of the membership in voluntary associations in Brazil and also ranks lower to other South American countries such as Mexico and Peru. However, this empirical finding is very far away from explaining which are the available forms of civic participation in India and how they vary within the country.

Recent studies for India show two different kinds of variations in its civic infra-structure: the first variation is quantitative and is linked to regional differences. Table 5 below shows the number of associations in selected Indian states and their variations. It shows that the number of associations do not vary according to economic development but rather according to varying cultural traditions. In this regard, membership to one or more associations in Gujarat or West

Bengal is lower than in less developed states such as Kerala or Orissa.<sup>6</sup> Yet, it remains a caveat in the literature why such variations take place as well as which are the associations and social movements that play a role in democratizing local politics.

Table 5: Participation in associations in Five Indian states

State	Membership in at least association
Kerala	50%
Orissa	46%
Gujarat	32%
Uttar Pradesh	4%
West Bengal	21%

Prakash and Selle, 2003.

When we focus on the state of Kerala we can see that it has a slightly higher number of associations as the average affiliation in Brazil. In this sense, Kerala should be differentiated from other parts of India in terms of participation in associations. Blomkvist (2003) asked in a comparative survey the question “Have you actively participated in associations during the last five years?” The response shows a differentiation in participation between Kerala and the other states in which the question was asked. Kerala ranked first in terms of participation with 51% of the respondents answering that they did. In Orissa 46% of the people answered positively to the question, in Gujarat, 32%, and in West Bengal, only 21%. Thus, the first conclusion that we can point out in relation to civic participation in India is that although India may rank low in international comparative terms vis-à-vis participation, the data has to be disaggregated by region to understand important sub-national differences. In the case of Kerala and Orissa participation is high if it is compared to other parts of India.

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<sup>6</sup> It should be noted that membership in associations cannot play the role of the sole indicator of societal organization. Membership in formal associations is low in India (Krishna, 2000:4). Yet, we cannot take low level of individual membership as the same as low levels of participation. Informal membership in associations is important in India and also in Brazil.

It is important to point out that it is not participation per se that matters when we discuss civic life as I have showed to the case of Porto Alegre with its strong presence of neighborhood associations. The type of participation also matters. Kerala differentiates itself from other regions in India not only because it has more participation. Orissa and Gujarat have also higher levels of participation than the Indian average. Kerala differentiated itself due to some types of associations in particular educational associations. KSSP has played a role in the development of more trust and less violence in the settling of conflict, a tendency that as we showed in chapter 2 above has already had a strong tradition in India during the first half of the twentieth century.<sup>7</sup> Thus, we can trace a comparison between Brazil and India in regard to membership in voluntary associations. Brazil has had for a long time a low associative propensity that changed during the democratization process. Today, Brazil ranks in an intermediate position in a global associative ranking. India, on the other hand, ranks low in the same ranking with wide state variations. The reason why Brazil has changed faster is very likely its higher levels of urbanization that make affiliation in capitals more influential in the country numbers. Both Rio Grande do Sul in Brazil and Kerala in India have higher levels of affiliation to associations and also a qualitative differentiation in terms of the types of associations. The issue would be how associations affect local democratic bodies.

Village bodies, taking the form of Panchayats, existed in India for a very long period. They had both judicial and police power. Caste also had their own councils to give them a code of social

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<sup>7</sup> Varshney in his important book on different civic traditions in India points out the importance of reading rooms in Kerala for the development of a more participatory and civic tradition. He traces back this tradition to the early twentieth century and shows that ethnic violence is diminished in these cases. (Varshney,2002:130).

conduct (Mathew,2000:3). A provisional governor of India called Indian villages “little republics” due to their participatory form of decision-making. The institutionalization of Panchayats has not been an easy step in spite of the introduction of local democracy format into the basic law. India’s politics in the fifties and sixties was based on the need to preserve a centralized national state as it has been showed above. At the same time that the first attempt to introduce local democracy was taking place in India, the Communist Party reached power in Kerala just after the re-organization of the three regions – Malabar, Cochin, Travancore (the last two, formerly princely states) – in one state. In 1957 the CPI won the elections for the assembly without reaching a majority. Congress had 37% of the votes and won 43 seats but the CPI emerged as the head of a majority coalition with 60 votes (Rao,2003:130). The CPI led government headed by Nambudiripad established a commission to propose administrative reforms (Isaac and Franke,2002:16). Following the recommendation of the Committee the Kerala Panchayat Bill was introduced in the assembly in 1958 without being enacted into law. According to the law initiative there would be” ... a comprehensive district council that would coordinate the functions of both the Panchayats and the Assembly...” (Isaac,1998). Before any serious action in the direction of local democracy could be taken the legislative assembly was dissolved in 1959.

Thus, we can see the difference between Brazil and India in the way local democracy was tackled in the fifties and sixties. In both countries there was a tension between center and periphery which expressed itself differently due to the different natures of constitutional pacts. Rio Grande do Sul in Brazil expressed support to a more egalitarian path of nation-building by supporting a left wing party (PTB) which otherwise has had very limited support naitionwide.

Rio Grande do Sul also expressed opposition to the breakdown of the constitutional pact in 1961. Yet, it could not practice an alternative form of democratic participation at that point. The Indian case is slightly different because the center itself was not radically opposed to the move in the direction of local democracy still in the fifties. Yet, at the local level, there has been a dispute that ended with the defeat of the proposal of participation made by the communists in Kerala. This dispute on how to make local democracy work did not come to an end in the fifties. On the contrary, it continued with the political forces in Kerala arguing for two tiers Panchayats and for the coordination of local bodies with some form of municipal organization.

It was only in the 90 that there was enough corrosion of Congress Party control over central power to allow the emergence of a truly broad experience in local democracy. This experience began by the setting up of parliamentary commissions in charge of proposing mandatory legislation at the constitutional level to implement local democracy. The first attempt in this direction was in 1989 and it has led to the 64<sup>th</sup> amendment that was eventually defeated in the upper House (Kumar,2002:6). A second bill was proposed and again defeated in 1990. Finally, the current Panchayats law was approved in 1992 and ratified by all states with the exception of West Bengal. It is interesting again to point out that the second round of legislation involved again conflicts between center and periphery and between Congress and the CPI. It is also interesting to point out that Namboodiripad, the historic leader of the CPI in Kerala, was member of the commission in charge of changing national legislation. The 73<sup>rd</sup> amendment was approved in 1993 with 4 differences in relation to previous forms of local participation: 1. recognition of Grama Sabha or a village body of electors. This institutional device is a response to concerns that emerged already at the Constituent Assembly that local bodies will be controlled

by the elderly and upper caste representatives and will create room for the continuance of century old forms of domination. The transformation of villages into electoral bodies with mandatory elections every five years had played the role of offsetting local power with electoral democracy; 2. the establishment of reserved seats for women with the Panchayat institutions. Again, we may see an element of equality that emerged in the India public sphere already in the late nineteenth century in operation. 3. Constitution of state finance commission to discuss the financial needs of local bodies. This is essential for every participatory policy. It gives it effectivity and helps to establish a relationship between deliberation and effectivity. 4. Last, but not least Reservation of seats for the scheduled castes and tribes in accordance to their share in the population. Again, it is possible to see a response to the Dalit's leadership in the legislation.

Thus, again it is interesting to compare the institutionalization of participatory legislation in Brazil and India. In Brazil the institutionalization of participation required the defeat of an authoritarian modernization project and its substitution by a democratic project that involved decentralization and a new pact between the Union and the states. In India though local participation remained contentious from the fifties to the eighties, only when Congress Party grip over the political system was overcome participatory legislation emerged at the national level. In the two cases, more participatory regions remained in tension with the central government though in different ways. Rio Grande Sul was the state that tried harder to stick to the Constitutional Pact of 1946, yet, it could no longer make a difference in 1964 when the democratic breakdown took place in Brazil. Kerala disputed with the center in the fifties and in the seventies the implementation of a more participatory policy but was defeated twice. Both

regions, championed participation once a new Constitutional Pact in favor of participation emerged.

The state of Kerala enacted its Panchayats Legislation in 1994 through the Kerala Panchayat Raj Bill. It was a very restrictive form of legislation given the long path of participatory initiatives existent in the state. The government proposal made by the Congress Party ruling alliance was significantly amended at the select committee giving Grama Sabhas a much stronger power and centrality in the participatory process (Ramachandran,2000:155). Grama Sabhas or ward level assemblies were the focus of the dispute on the final format of the legislation. They have emerged as a contentious point in every dispute from the fifties to the nineties (Isaac and Franke, 2002:45). In the moment of the establishment of the Panchayat legislation in Kerala the issue surfaced and Kerala enacted an administrative design that is different from almost every other state in this regard. Its Village Panchayats have both more attributions and large number of population involved. The attributions of Kerala's Panchayats are mainly budgetary (which resemble the Brazilian participatory budgeting institutions) though they are also a place for gathering information. The budgetary attributions of the Grama Sabhas are "... to know about the budgetary provisions, the details of the plan outlay, item wise allocation of funds..." (Vijayanand and Issac,2000:157). The other attributions of Grama Sabhas are mainly to prepare lists of beneficiaries of welfare policies. In Kerala, differently from other Indian states a village Panchayat involves many Grama Sabhas or ward level assemblies. The consequences are mixed both in terms of participation and representation of minorities and places the burden of participation on a very high level of mobilization.

When we compare the Village Panchayat which emerged in Kerala with the institutions which emerged in the rest of India we can see that the issue of size and therefore of mobilization capacity comes to the forefront. In Kerala the Village Panchayat average components of the political body exceeds 20,000 people and in West Bengal it exceeds 17,000 peoples whereas in other states with lower participatory traditions the average number of components is around 2,000 people. Table 5 below compares average number of components of Village Panchayats in selected states:

Table 5 Village Panchayats Components in Selected States

State	Total number of Panchayats	Average Number of Electo Village Panchayat
Kerala	991	15,700
West Bengal	3,341	11,500
Karnataka	5,640	4,075
Gujarat		
Orissa		
All India		

Source (Mishra,2002).

It is possible to see that in Kerala the tradition of participation led to a radicalization of the role of the Village institution, an act that shows that Panchayats in Kerala play both the role of local democracy institution and a duality of powers institutions. If the logics of local democracy would alone prevail, Village Panchayats would have smaller size increasing the likelihood of participation. Yet, by ignoring the scale issue, which can be seen as driven by the attempt to give real power to a participatory institution of considerable size, the CPI and Keralan civil society posed upon themselves two burdens: the burden of mobilization, on the same level of smaller institutions, in spite of the issue of scale and the burden of mobilizing the excluded sectors, in particular women and scheduled castes on a significant level.

The first election for Village Panchayats in 1995 when Kerala was still governed by the Congress Party showed positive results in terms of both participation and inclusion compared with other states with similar levels of associative life. Table 6 below compares number of electors, women participation and scheduled castes participation in Kerala and other selected states. What we can see from the data on table 6 is that the mobilization format assumed by Panchayats in Kerala made it relatively more difficult to achieve a much higher level of participation with the exception of the participation of minority groups.

Table 6: General participation in Village elections in Selected States

States	General participa	Women participation	Scheduled classe participation
Kerala Year 1995	10270	32,94%	12,23%
Gujarat Year 1995	123570	33,35%	3,84%
Orissa Year	81077	35,27%	9,12%

Source:Matthew,2000

Thus, again we can see that the conflict between center and periphery and the way it generated a conflict between specific sectors within political society determined both the institutional design of Kerala's Panchayats, and the levels of participation in the first elections. We can explain the lower turn out in Kerala by three factors: design; the requirement of a high mobilization capacity and the fact that political society was not ruled by a mobilization party such as the CPI. The Kerala's design increased the cost of participation but also gave Panchayats a higher weight in local politics. The burden was placed upon those in favor of participation to mobilize in order to

achieve significant turn out and representation of minorities. Another feature of the Kerala's institutional design is that information and education become variables in the process and this is so because the KSSP is at hand to mobilize the poor and participate actively in the campaign. Those features can be seen in the participatory design which emerged as the Left Democratic Front won elections and ignited the "People's Campaign for Decentralized Planning".

After the CPI (M) led Left Democratic Front was elected in Kerala in March 1996, it launched to a Campaign on decentralized planning based on the attempt to retrieve Grama Sabhas or the Village Council. Grama Sabhas or Village Councils has been a disputed institution in India since the Gandhian period. They have been left aside in most of the discussions on decentralization in the fifties and the sixties. Tough the retrieval of the institution was important, average participation was low (Isaac and Franke,2000:46). The "People's Campaign" started from Grama Sabhas as a local institution assigning to it three roles: they gather at least twice a year and they receive a detailed financial account on the status of the project being developed by the Village Panchayats . What is interesting in relation to Grama Sabhas in that the levels of participation in these assemblies which require more mobilization than the Village Assemblies is almost as high. Table 7 shows the level of participation in Grama Sabhas in selected regions of Kerala:

Table 7: Participation in Grama Sabhas in Kerala in 1996

Selected region in the state of Kerala	Participation as a percent of the votes	Women participation	Scheduled classes participation
Thiruvananthapuram	11,25%	35,01%	17,61%
Alappuzha	14,12%	31,49%	4,12% <sup>9</sup>
Ernakulan	8,38%	20,26%	14,58%
Kozhikode	15,32%	26,76%	n.a.

Source Isaac and Franke,2002.

<sup>9</sup> There are sharp variations in the percent of scheduled castes within the regions in Kerala. In Thiruvananthapuram and Ernakulam participation was above the average percent of individuals belonging to scheduled classes in the region. In Alappuzha it was below.

Thus, we can again compare participation in local democracy in Kerala and Rio Grande do Sul. In both regions a radicalized design emerged as both a civil and political society demand, as UAMPA demanded regional assemblies in Porto Alegre and CPI (M) demanded ward assemblies in Kerala. In both regions the radicalized design worked because political society could count upon previous forms of social organization. This is what explains higher levels of participation in some regions of Porto Alegre and higher levels of participation in some regions in Kerala. In both regions the design created a burden in terms of the participation of the non-mobilized sectors and had to be overcome through political will. In the concluding remarks of this paper I will propose a comparative framework to understand the emergence and consolidation of participation.

#### Conclusion: participatory democracy and center/periphery relations

The above analysis on participatory budgeting and Panchayats in Brazil and India leads to three conclusions on the operation of participation: the first one is that tensions between center and periphery triggers a competition on the establishment of local democracy and later on its format. In the case of Brazil this tension led to Rio Grande do Sul's reaction against a democratic breakdown during the 60's. In the case of India the tension between center and periphery manifested itself in the process of nation-building as both Congress Party and Dalit representatives thwarted the idea of local democracy. In both cases, as it has been showed above, both regions championed local democracy once it became institutionalized at the national level

because the tension between center and periphery created a cultural potential that participatory sponsors could later draw upon.

A second important feature of local democracy expressed is that its emergence depends upon the existence of tradition of participation and civil society organization. Both Rio Grande do Sul and Kerala have has, as it was showed above, participatory traditions that diverted from the main stream tradition of Brazil and India. They diverted both in quantity and quality. Rio Grande do Sul and Kerala have not only more associations but also key types of associations that helped participatory democracy. In the case of Rio Grande do Sul, a tradition of more horizontal relations in the organization of neighborhood associations was formed still in the fifties. In the case of Kerala, the smaller influence of caste and the presence of educational associations such as the KSSP have to be stressed out. In both case, these associations were key to the emergence of a more radicalized version of participation as well as in the effectiveness of the participatory arrangements.

A third conclusion is that a healthy dispute by different groups within political society on who will sponsor local democracy helps its implementation. In the case of Brazil, this dispute was on the deliberative nature of participatory institutions. All the leftist groups within the left political field in Porto Alegre favored participation. Yet, the deliberative nature of participatory institutions was the issue which separated the PDT from the Workers Party. UAMPA, the umbrella organization for neighborhood associations took advantage of the dispute which in the end led to a radicalized version, with deliberation taken at the regional level. In India the dispute between Congress Party and CPI (M) played a similar role. CPI (M) tried to radicalize the design

of participation counting with KSSP support. Yet, the watershed between Congress and the CPI (M) was around the level of mobilization expressed in the role of the Grama Sabha institution. Grama Sabha meant that local democracy would not only assume a representative function at the local level but will also play the role of an institution of participatory democracy which would have an impact on accountability and deliberation. Thus, what we see in Kerala as well as in Rio Grande do Sul in Brazil, is that a tradition of mobilization plus an internal differentiation within political society leads to a radicalization of a participatory institutional design. This radicalized design makes participation dependent upon the willingness of the ruling coalition to carry it out. The explanation of the specific conditions for the emergence of participation is important to show that the important attempt to expand participation is not dependent exclusively on design but also on the presence of actors and cultural traditions willing to carry it out.

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