Citizen Participation in the Law -Making Processes of Local Governments: A Study of Selected Local Levels of Karnali Province

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Abstract

Democracy and citizen participation are interrelated. The article attempts to explore a state of citizen participation in local government law-making processes of Karnali Province to address the research questions: How do the citizens influence the law-making processes of local government? Why are the obstacles remaining in the citizen participation? How can the citizens be best participated in law-making? The key informant interviews and discussions were administered to collect information under a phenomenological research design. It found that the elected and non-elected elites having been dominating the law -making processes of local government. The elected representatives are controlled by the de facto decision-making. The citizens are ignored during the pre-legislative and legislative phases of law-making. The civil society organizations are beyond the process of empowering the local communities in terms of their access and control over the law-making processes of local government. These civil society organizations seem to sub-ordinates to the local elites for their vested interests. The unequal power relations created by the patriarchy and the caste system have sidelined the women and Dalits from the mainstream of law-making. It is suggested to lead advocacy initiatives for community empowerment to change unequal power relationships subsisted for generations in the society. The more empowered citizens participate in the decision-making of governance.

Keywords: *citizen participation, deliberative democracy, law-making, local government, representative democracy*

Introduction

Citizens in the majority of West European nations have increased their influence on policymaking in recent decades. According to Cain et al. (2006), numerous nations have acquired expertise in participatory budgeting, citizens' advisory committees, and collaborative governance. From a democratic standpoint, citizen participation is seen as an important component of democratic decision-making and democratic citizenship. More specifically, deliberative and participatory democrats contend that citizen participation improves democracy(Michels & Graaf, n.d.). Questions are also being raised about representative democracy. Numerous actors interacting in complex decision-making processes and the waning role of political parties in representation (e.g., declining voter turnout and rising electoral volatility) have sparked debate about the legitimacy of democracy and prompted calls for more ways for citizens to participate (Cain et al., 2006). Theoretically, participatory and deliberative democrats argue over the role of citizen engagement

in democracies. We outline the key justifications for citizens' direct political engagement as proposed by theory, though they are by no means comprehensive. According to participatory democratic theory, citizens become disenfranchised from politics when decision-making authority is delegated. They believe that citizen participation is essential to democracy. The foundation for views on participatory democracy was established by Rousseau, whose belief that every citizen's involvement in political decision-making is essential to the operation of the state, is where this viewpoint gets its start. Participatory democracy theorists of today emphasize that involvement should extend beyond political decision-making to include spaces like the workplace and local communities (Barber, 1984). Barber contends that overzealous liberalism has weakened our democratic institutions, increased voter cynicism, and alienated individuals. Large segments of the population never cast a ballot, whilst politically engaged voters primarily take part by choosing representatives who carry out the actual work. According to participatory democrats, there are various purposes for participation in a democracy. First, there is the educational function: if citizens take part in public decision-making, they may become more capable and civil. The integrative function of participatory democracy is its second purpose. People who participate feel more like members of their community and public citizens. They could therefore feel more personally accountable for public decisions. Thirdly, a more legitimate decision-making process is facilitated by participatory democracy. Rousseau maintained that in order to create rules that are acceptable to everyone, participation is crucial(Michels & Graaf, n.d.). There have been many discussions about how the inclusion of citizens in institutional channels of citizen participation affects social movements. Social movements in Latin America have interacted with the government in a number of ways since democratization. Examples of democratic innovation include policy councils, citizen assemblies, and participatory budgets. Democratic innovation is characterized as institutional innovations created specially to boost and enhance public involvement in political decision-making (Smith, 2009). They are regarded as a democratic innovation since they are a part of the transition from decentralized, society-led governance by common people, including social movements, non-governmental organizations, private citizens, and individuals, to hierarchical, state-led governance through an official regulatory framework. According to Polletta (2013), these developments demonstrate the desire to discover fresh approaches to involving the public in political decision-making(Lima, 2019). The ramifications of a deliberative democratic viewpoint on the location and participants of politics are examined by Douglas Chalmers. He contends that the norm of "rule by the people" has been replaced with "rule by all those affected," which has significant ramifications for decision networks' operation and participants. He highlights the necessity of defining citizenship more broadly and contends that incorporating "quasi citizens" into the legislative and policymaking process is essential to an efficient and valid policymaking process(Ercan & Dryzek, 2015). Although political scientists generally agree that political discourse among the general public should not influence political decision-making, they also agree that people should discuss politics in order to stay informed and foster goodwill. This skepticism was challenged by deliberative democratic theory, which (a) demonstrated how political discussions among citizens already have weight in constitutional

democracies' legislative processes; (b) contended that the ability of citizens to use their public voice to influence policy and hold policymakers accountable provides a sound procedural basis for democratic government; and (c) asserted that the government will make better collective decisions when citizens engage in exchanging and requesting explanations with their government and each other (Habermas, 1992). The weak public sphere gives way to the strong public sphere as the venues of deliberation become more formal and institutionalized—citizens form interest groups and civic organizations in an effort to sway the actions of those with actual decision-making authority—where legally recognized political leaders render legally binding decisions. Both the strong and weak public spheres provide information to one another, and discussions both inside and between them have varying impacts on political decisions. Additionally, new institutional developments have made it harder to distinguish between the strong and weak public spheres by giving regular people more power to make legally binding decisions("Deliberative Democracy and Political Decision Making," 2019).

Amid the contending perspectives, participatory projects are designed to empower citizens. Furthermore, a range of beneficial democratic outcomes, including inclusiveness, civic virtues and skills, discussion, and legitimacy, are claimed by theories of participatory democracy, deliberative democracy, and social capital. Participation by citizens is typically regarded as an essential component of democracy. Many theories contend that the quality of democracy is improved by citizen participation(Michels & De Graaf, 2010). Participatory conceptions of democracy put the active participation of citizens at the heart of democratic theory, arguing that democratic institutions designed in this way can lead to more effective and legitimate governance. Many various types of participation are featured in these stories, which contrasts with the prevalent perception of democracy, and especially western liberal democracy, as being largely manifested through the lens of electoral politics. In addition to more overtly "political" actions like unplanned protests, volunteer labor, or participation in workplace decision-making, participatory democratic parties value citizen participation in both formal processes like committee hearings, consultations, and participatory budgeting sessions(Dacombe & Parvin, 2021). Contrary to this, however, the idea of democracy as the rule of "the people" is seriously compromised when the popular will is largely fabricated. A genuine connection between the will of the people and the policies of elected officials is necessary for democracy to be legitimate. The fact that this "folk theory of democracy" is a folk theory shows how pervasive this normative expectation is, despite some criticizing it as empirically naive (Hendriks, 2016). When leaders manipulate public opinion, the normative causal arrow goes in the incorrect direction. Meritocratic autocracies or even more completely autocratic systems will have a better case for legitimacy if modern democracies are unable to generate significant processes of public will creation (Nabatchi et al.)(*17_Summer_Daedalus*, n.d.). It is generally accepted that the core of participatory democracy is local government systems. Given the transfer of authority from the federal level to the local level, residents interact directly with their elected government through local elections. The new local government structures in South Africa were implemented against this backdrop in an effort to spread democracy to the general populace. But because local government structures are typically characterized by slow service

delivery and a failure to garner community participation, they have fallen short of expectations. It is argued by diZegera(1988) that when organizational patterns are integrated into the social structure, participatory culture is evident. This specifically refers to the organizational culture and practices that are typically connected to participatory democracy. The way that participatory democracy aims to transcend formal democracy sets it apart. Since participatory democracy aims to actualize democracy, it is a substantive form of democracy. A question that has to be answered is whether substantive democracy is a suitable or even feasible "normative standard" of democracy(Mathekga, 2006). The public is given a say in the formulation of policies through participation. According to Fishkin (2009), a voice is skewed if certain societal segments, demographic groups, or popularly held opinions are excluded. How these movements interacted with the government was a crucial issue that surfaced in relation to the poor's involvement in decision-making processes, particularly for those residing in slum areas. Although they were conceived as a possible way to hold states accountable and include the impoverished in decision-making processes (Avritzer, 2009), a number of studies discovered that when movements fail to establish a meaningful relationship with the state, they typically have limited success in terms of long-term positive effects and enhancements in the lives of the participants and the larger community (Rodgers, Beall, & Kanbur, 2012)(Lima, 2019). According to Fung and Wright (2003), in order for the subordinate groups in these societies to engage on an equal basis, there must be a "power gap" between them and the dominant groups that must be bridged or at the very least significantly reduced. To compensate for the power disparity that subordinate groups would normally experience, this can only be accomplished by establishing some countervailing power in their favor. Numerous methods are suggested by theory and practice for generating this opposing power(Osmani, n.d.). Instead of the ideal form of political will that assumed a single actor, a complex system of interests and wills was used... Though they lost their extensive reach and, most importantly, their legibility, the regulations did not vanish. Although society has not stopped "willing," it has learned to communicate its desires in more subdued ways. According to Rosanvallon (2006), civil society does have a "politics," but it is a quiet and covert one that is the outcome of several discussions in low tones and covert decisions that are never publicly totaled(Hoppe, 2011).

The prevailing ideology of the caste system recognizes Dalits as the lowest social class. Hindu culture is mentally split into vertical and segregated groups because caste hierarchy-based sentiments of superiority and inferiority are so deeply embedded. The social fabric of Dalits is being destroyed as a result of society being pushed into a hierarchy. Consequently, Dalits are weakened and compelled to bow to their community's social and political systems. One indication of the subordination is the dearth of offices and leadership roles in local administrations. Non-Dalits hold a significant number of decision-making positions in a range of organizations, such as social groups, political parties, and municipal governments. Dalits' standing as participants in local governments does not simply have no bearing on decision-making processes. The symbolic representation of Dalits in all areas of life will not alter their subjugation in local politics(Bk, 2023).

Although direct democracy has gained popularity, it is still far from meeting deliberative democracy's requirements. Initiative and referendum procedures provide individuals with a lack of knowledge about policy issues, a limited selection of policy solutions, faulty standards for selecting such answers, and little chances to consider those options before making a decision. The direct model and deliberative democracy have similarities and differences. Although we will provide a more detailed description soon, deliberative democracy is essentially a form of self-government that cares as much about the caliber of its internal discussions as it does about the allocation of formal power. Deliberation is a thorough analysis of an issue and the development of a well-reasoned solution following a period of inclusive, respectful diversity consideration(Gastil & Richards, 2013). Having reviewed the literatures, the study attempts to focus the following research questions:

1. What is a state of citizen participation in law-making process of local governments?

2. Why are the citizens excluded in the participation?

3. How are the citizens less heard in decision-making?

Methodology

The study followed a phenomenological research design based on the study of citizen participation following a law-making process of Birendra Nagar Municipality and Chingad rural Municipality in Surkhet district of Nepal. The primary sources of information were collected from the locals selected; besides, the secondary sources of information were collected from the cooked sources like journals, books and reports. The sources of information were transcribed and interpreted.

Thematic Analysis

The Law-making Process at Local Government

Nepal has been embarking on the road to a federal system of governance. The state powers are constitutionally divided among the federal, the provincial and the local levels. The local governments entertain the legislative powers in the affairs of local development consistent to the central and provincial laws. There are three stages in the law-making processes of local government: The pre-legislative, legislative and post legislative ones. The study has addressed the law-making process of Birendra Nagar Municipality and Chingad Rural Municipality in Surkhet district. The acts pertaining to education, agriculture, environment and senior citizens were selected for a study.

During pre-legislative phase, the needs of the local communities were not assessed through the participation of local citizens. The doomy of the law was used to make a law by the elected elites and the bureaucrats. The concerned stakeholders were not invited to the discussions prior to drafting a law. It was also applicable to the draft of acts relating to environment, agriculture and senior citizens. A handful elected and non-elected elites were responsible to the development of a preliminary draft. A. Rana (2021) remarked that the needs of the local communities are not

discussed while development of drafts of different laws by the municipalities. By citing the constraint of time, they skip the necessary steps of law making through enhancement of active participation of different citizens. The civil society organizations seem to be the weak in terms of critical awareness against the exclusionary practices of local government while making laws (personal communication, September 11, 2021).

During legislative phase, the deliberations and discussions need to be organized among the concerned stakeholders of the local governments. Among the elected representatives, a few politically powerful representatives manipulate the provisions of the act in line with their interests rather than the discussions. The women, the Dalits and the weaker sections of society do not have a chance to make a comment on the acts through discussions based on their experiences. The elites do not perceive them as the leaders. The practices of the proposals of amendment on the bills are yet to be incorporated practically. The reason is that the weaker sections of society do not have strengths to challenge the provisions written for limited affluent in the society. M. Nepali (2021) explored that the locals were not invited to the discussion while making an act on agricultural promotion. The farmers and local producers were ignored in the meetings. Only the leaders of political parties and a few elected representatives were invited to the discussions. The issue of women and Dalit participation in discussions and deliberations seems to be remote. The exclusionary practices by elected elites are around the corner (personal communication, October 13, 2021).

Eventually, the citizen participation in the law-making process of local government is still the issue. The citizen participation is being entertained by the elected elites. The roles of civil society seem to be inadequate in terms of community empowerment to ensure their participation in the law-making. The civil society organizations are not free from the de facto decisions of their own political parties. The civil society organizations and political parties have inalienable connections to perform their interests in local matters of development. R. Paudel (2021) mentioned that both the civil society organizations led by Dalits, women and non-Dalits are not beyond the party politics. They talk about the issue politics orally, but are motivated by the party politics in the issues of local matters. That is why, the civil society organizations have to be empowered and sensitized for community empowerment in the society. The empowered citizens ensure their participation in -law making (personal communication, October 14, 2021).

Dahl (1994) argued that in order to preserve the sustainability of the democratic process, democratic institutions in nations would need to be strengthened in light of the growing likelihood of a growing democratic deficit. In order to keep delegation from effectively turning into a complete and irreversible loss of power, stronger democratic institutions would offer whatever democratic oversight may be viable over the authority granted to global decision makers. Although it is difficult to predict what shape they would take, they might involve new and improved institutions for improving citizens' comprehension, discussion, and informed engagement. Political theory that aims to create a substantive kind of democracy based on public justification through discussion is known as "deliberative democratic theory" (more on this later). Deliberative

democracy, which is defined as more than democracy as a political system but also more than "discussion-based" democracy, requires that citizens debate as reasonable equals in order to legitimately exercise authority and to change the preferences and intentions of citizens (Cohen and Rogers 1992). Deliberation is the process of making decisions through conversation among "equal, free, and reasonable" individuals. According to Benhabib (1996), a discussion is regarded truly deliberative when all participants are treated equally and have the same freedom to question and intervene on the subjects being discussed. Crucially, the interventions' arguments should be based on "reasons acceptable to others" (Cohen, 1996). All individuals impacted by the collective decision must also be included in the deliberation process. Voting and other forms of aggregative decision-making are inevitable in real-world deliberative democracy, the authors acknowledge. As Jon Elster notes, equal and free persons can make decisions collectively without resorting to "deliberative democracy," and debate can be coupled with voting or negotiating(Melo & Baiocchi, 2006).

Deliberative democracy places high demands on our political equality standard. Active engagement in an argumentative and persuasive discourse is required of all participants in the deliberative process. In such a process, the participant is asked to create and convey justifications for her desired group outcomes in order to persuade others to support them. Her ability to influence the group's decision-making process will be compromised if she is unable to do this duty successfully for whatever reason. Because of this failure, her objectives and interests will probably not be taken into consideration during the democratic process. The basic idea that democratic outcomes are the result of equal citizens' interests is also broken by this. Besides, for example, fair Deliberative Proceduralism maintains that individuals should have an equal or at least fair opportunity to present their arguments and justifications before casting their votes, but it makes no claims regarding the epistemic value of democratic deliberation. Rather than being based on personal preferences or interests, the impartiality is based on people's beliefs or arguments. The method expressly incorporates the reasons as seen by the voters; nonetheless, this idea does not require reference to any specific independent criterion. Its validity stems from the procedure's neutrality among people's beliefs and arguments, regardless of the result's propensity to be correct by independent standards(Bohman et al., 2015).

The global problem of marginalization has a detrimental impact on society everywhere. It is a social process that drives a person or group of people to the outskirts of society. Rather than being a single, static concept, the idea of marginalization has several dynamic components. The term "marginalization" is synonymous with the concepts of social exclusion and inclusion. A significant portion of the Dalits and lower castes still depend on outside assistance to survive. A significant portion of the population is prevented from participating in the process of growth due to global marginalization. The issue of marginalization is complex, with many factors contributing to it. Business capitalism, imperialism, urbanization, industrialization, globalization, and associated social transformation movements have all contributed to the intellectual and social expansion and reconfiguration of marginalization, a continuous process. Dalits are marginalized, which affects

every part of their existence and infringes upon their fundamental rights, which include civic, political, economic, social, and cultural freedoms. Dalits are perceived as a marginalized group in society by nature(Medhi & Bezbaruah, 2022). "Groups of city dwellers may be excluded from all that the city has to offer on the basis of race, class, religion, income, gender, national origin, sexual orientation, or other characteristics," claims Sassen (2005). It is advantageous to conduct studies on social exclusion in neighborhoods. Most people's lives unfold in their neighborhoods, where they interact, clash, and reconcile in close proximity. According to Parks (1984), "the simplest and most basic form of association with which we have to do in the organization of city life is based on proximity and neighborly contact(*PDF*, n.d.)." In Hindu society, which is rife with caste, the cow is actually revered and respected more than Dalit people. Ambedkar noted that although the Dalits are members of the Hindu faith, they are not members of the Hindu society due to the long-standing caste prejudices that have made them socially and physically isolated. Caste-based discrimination and exclusion are fundamentally structural in nature, denying equitable opportunity, especially to the underprivileged Dalit populations in a variety of fields. All human rights standards are broken by discrimination and exclusion based on caste. India's caste system-based socioeconomic discrimination is unprecedented in human history. It is impossible for an outsider to comprehend the level of the discrimination and exclusion that the upper castes and some dominant caste groups perpetrate against these marginalized communities. Every caste is enclosed within its own borders based on graded inequality because casteism rejects the idea of human equality in every way(Mandal, 2010).

A State of Citizenship and Issues

Community is created by political equality, and societies are united by working together to achieve common objectives. That valuable resource of social capital is created in this way. The participation of equals is implied because this entails horizontal linkages. Political engagement establishes the legitimacy that democracy depends on, including voluntary compliance with the government, acceptance of election results by the losing party, and adherence to the law without continual police supervision. Because they were chosen by the people (or at least a greater portion of the people) through the proper processes, laws or election results that one may not support are worthy of respect. By participating, everyone can learn about politics, democracy, and their own needs and preferences. This is known as political participation. Similar to equality in education, equality in political activity is important. Equal protection of interests: People who use their political voice, whether through voting, speaking out, or other means, are more likely to have their wants and preferences taken into consideration by government policy. Political voice thus stands for a broad ability to accomplish a variety of objectives. A fundamental form of equality, as noted by Amartya Sen, is equality in such universal skills. Equal consideration of each citizen's needs and preferences is a prerequisite for democracy. The key to that equal consideration is this instrumental component of political equality: the capacity to influence the government to take notice of one's demands and preferences(Verba, n.d.). The Caste-Based Discrimination and Untouchability (Offence and Punishment) Act, 2011 is the main law which has criminalized

CBDU. Criminal (Code) Act 2074 (2017) has also further strengthened actions against it. To date, the Dalit Empowerment Act has only been enacted by the provincial government of Province 2. The Constitution of Nepal, mainly the preamble and Articles 18 and 42 (Right to Equality and Right to Social Justice), provide that the socially backward and indigent KhasArya shall have the right to participate in the state bodies on the principle of proportional inclusion. But according to their population, the KhasAryas, Nepal's largest and most dominating caste group, are promised more than full proportional representation under Article 84 of the Constitution. Accordingly, when choosing representatives for the House of Representatives through a proportional election process, Nepal's electoral law has given KhasArya mandatory first-ranking priority. The spirit of the Constitution's preamble and fundamental rights, which seek to grant affirmative action to those communities that have suffered historical injustices, is thus incompatible with it. The Constitution's Article 40(1) guarantees the Dalit group the right to political participation in all state bodies in accordance with the proportional inclusion principle. The election law at the local level has ensured Dalit women a seat on local ward committees. The Dalit group is well-represented at the local level, with 6,567 women serving as ward members. Nevertheless, this representation is only ceremonial and hasn't resulted in Dalit women's effective involvement in local decision-making(Pariyar & Foundation, 2022).

Discussion

Fung and Wright (2001) contend that successful institutions have: (i) a practical orientation to specific issues that concern citizens; (ii) forms of bottom-up participation where those directly affected must participate in the deliberation on solutions; and (iii) deliberative solution generation such that decisions must be made according to principles of equal access, voice, and impact on outcomes. These findings are consistent with the international literature on effective and democratic forms of participatory governance, which suggests that institutional design matters. They add that in order for participation institutions to be effective, they must have the authority to make actual choices, and that in order for this authority to be effective and long-lasting, the state must support it. This paradigm is referred to as "empowered participatory governance" by Fung and Wright. Along with issues of institutional design, a number of writers point out that political backing from elected officials is crucial, particularly for the launch of new institutions (Silva, 2011). Not only is political will "from above" crucial, but so is the popular mobilization of citizens "from below" into these new arenas, particularly among previously underrepresented groups. The history of state-society relations is crucial in this case, as is civil society, in order to establish a broader framework that supports institutional innovations (Cornwall & Coelho, 2007; Mohanty, Thompson, & Coelho, 2011). In conclusion, Gaventa et al. (2007) state that "working both sides of the equation" of state-society relations as well as well-designed institutions and a high degree of cooperation between state and society actors are necessary for effective participatory governance(Piper & Von Lieres, 2016).

The unequal influence on political bodies' decisions and the unequal results of those decisions are referred to as political inequality. This inequality is a subset of power inequality and is evident in

the political processes of many political institutions. It is also a feature of stratification and democracy (Dubrow, 2015). Disparities in how political resources are distributed structurally are referred to as political inequality. This term makes it clear that one group has more or less access to political resources. According to Dahl (1996), political resources include anything that can be used to affect political decisions, including social and psychological elements, a position of authority, a network connection or action, or political participation. Low political party involvement, the precarious socioeconomic and educational standing of the Dalit community, and unsuitable government policies have all contributed to the entrenchment of Dalit inequality in politics. According to Bhattachan et al. (2008), inclusion statistics for several political parties reveal that Dalit involvement in central committees is lower than in local committees. Political inequality is linked to Dalit people's socioeconomic and educational status, which is generally precarious. Notwithstanding recent modifications to election law that encourage greater Dalit participation in politics, the government's approach to addressing this issue is insufficient and ineffectual. The current Dalit situation in politics, along with its connection to caste discrimination, is thus brought to light. Additionally, it demonstrates the intricate role that caste discrimination plays in contributing to Dalit inequality throughout a range of domains, including politics(Bishwakarma, 2017).

The ideology, system, and structure of caste govern how people interact in Nepali society. However, the dominant caste groups, who hold power, ignore or shushed the prejudices, humiliations, and injustices that the caste system has produced. The caste system has put the lives of the lower caste groups in danger by abusing their labor, human rights, and abilities while denying them equitable and inclusive representation, access to decision-making, and justice. The previously excluded, especially Dalits and people of other identities, have been further marginalized by these caste inequities, which have permeated every facet of society and the state. They have yet to find genuine, meaningful representation and involvement in democracy and nation-building. In addition to the discrimination that currently exists, there are hurdles related to ethnicity, culture, religion, vernacular, and regional variation(Pariyar & Foundation, 2022).

Many factors can lead to societal marginalization. The primary causes are income, gender, and caste. Caste-wise, a group of people could be stigmatized as untouchables. The Dalit community is one such minority, whose members are ostracized and perceived as untouchables by members of the upper caste. Social justice, equality, and opposition to tyranny, prejudice, and financial exploitation are all overtly proclaimed in Dalit literature. Either Dalit community members wrote it, or it was written specially to capture the social, historical, and cultural facets of Dalit groups(Medhi & Bezbaruah, 2022).

Caste has been observed to be a recurring element of Indian social life and to still determine an individual's socioeconomic standing. In addition to determining socioeconomic status, caste is viewed as a structural issue in society that impacts the state-sponsored entitlements for the underprivileged and disenfranchised. Internal caste discrimination is a predicted type of discrimination that undermines development and humanitarian aid initiatives. Caste-affected

social groups are marginalized because of systemic injustice and human rights violations. Due to caste inequality, Dalits often do not receive development, education, or health facilities, which further marginalizes them(Pankaj, 2019). One major obstacle to Nepal's progress is the empowerment of the Dalit. Although caste prejudice was intended to be eradicated by recent modifications to the Constitution and the New Civil Code, it still exists in practice. Traditionally and historically, Dalits have faced social, economic, and political discrimination and oppression as members of the "untouchable" and "lower-caste" groups. Nepal has guaranteed Dalit women's representation at the municipal level because of the affirmative clauses in the new election legislation. The elected Dalit women leaders' rightful function to elevate the voice of the impoverished has been undermined by the pervasive informal "defecato" decision-making processes(Chandrika, 2023).

According to Barbara Harriss-White and Aseem Prakash, the rights and obligations of citizenship do not always align with the universal standards that a liberal democratic state's constitution upholds. In particular social, political, and cultural circumstances, they are formed. Members of specific social groups may experience economic and political exclusion (even though they share the rights of political citizenship) due to their sociocultural identity as well as their low economic standing. Dalits are excluded politically and economically due to the domination of the dominant caste group, precarious livelihood, inability to participate in Panchayats, and lack of involvement in decision-making. According to Saith (2001), "the majority of the population in developing countries would be considered socially excluded" if they were excluded from social security programs(Pankaj, 2019).

Some of the "upper" castes' customs, such not touching or sharing water with those who were once known as "Untouchables" and are now generally referred to as Dalits, are referred to as untouchability. These acts are not only forbidden to both groups of people, but they are also frequently supported by ideas of purity and similar ideals. It is challenging to enumerate all of the traits that would fully characterize an Untouchable. There are numerous exceptions to the usual accounts that describe this class using pollution/purity, both inside and outside of it. The following is one category that is more inclusive: According to Dealege (1999), the untouchables in Indian society are "(1) economically dependent and exploited, (2) victims of many kinds of discrimination, and (3) ritually polluted in a permanent way(Sarukkai, 2009)." In the world's greatest democracy, untouchability—which is advised and practiced as part of the ancient caste system—is flourishing. A complicated institution, the caste system is based on countless Hindu concepts such as pollution, purity, and social divisions into jatis, varnas, and dharmas. The caste system continues to dominate the dominant social structure and is evident in a number of spheres of social interaction, both explicitly and covertly (Sooryamoorthy, 2006).

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number of spheres of social interaction, both explicitly and covertly (Sooryamoorthy, 2006). Ambedkar and Gandhi held diametrically opposed positions on the Untouchables issue. Gandhi, for whom Hinduism and the caste system were unavoidable, thought that untouchability was a sin in Hinduism that needed to be changed by Hindus. Ambedkar advocated for the eradication of caste from Hinduism and condemned both Hinduism and the caste system(Keer,1990)(Sooryamoorthy, 2008).

The goal of the deliberative process is to reach a consensus and a shared understanding, or at the very least, agreement. Critics contend that this limited understanding of debate is not only impractical but also excludes underprivileged groups that might not have the necessary skills and motivation to participate in such a logical conversation. Feminists and difference democrats contend that debate should include various modes of communication, such as rhetoric, emotions, testimony, or storytelling, in addition to polite and rational discussion. They support a communication method that is more "agonistic" and more sensitive to the demands of marginalized communities. The precise definition of a desirable and successful deliberative process is falling behind due to the lack of consensus over its definition. Jane Mansbridge (2003) said a few years ago that "political theorists are currently only gradually working out what the criteria for good deliberation should be(Baechtiger, n.d.)"

Negotiations that use mutual reasoning rather than force to achieve a desired result are known as deliberative negotiations (Mansbridge, 2009). According to respondents' observations, the UNFCCC performs poorly in this regard. A number of people said that the process is a give-and-take where the best result is one that makes everyone dissatisfied. This frequently leads to lowering goals to the lowest common denominator by identifying the most adaptable language (also known as "constructive ambiguities") that all sides can accept(Dryzek & Stevenson, 2011).

The interaction between citizens and political institutions is reflected in the range of deliberative behaviors. The foundation of representative democracy for almost a century has been political parties (Dalton 2019). As "channels of expression (…) an instrument, or an agency, for representing the people by expressing their demands," parties are crucial in modern democracies (Sartori 2005). Political parties provided the means by which the aspirations of the sovereign people were expressed, conveyed, and carried out through the process of political representation (Mair 2013). Contrary to this, Political parties saw significant changes as a result of the public's critical attitudes toward representative democracy, including declining party membership, diminished voter mobilization ability, and new rivals who openly questioned the stability of the established party systems (Ribeiro 2022). A portion of the explanation was linked to significant advancements in politics, economics, society, culture, and technology that have gradually weakened their ability to represent the preferences of their constituents (Kriesi 2019). Some concerns over the parties' capacity to fulfill the function of mediator between the state and society as well as their intentions for post-industrial and postmodern society arose on this basis (Ignazi 2020). Organizational transformations and the power dynamics between the top leadership and the

fundamental organizational units were the main topics of other hypotheses (Kenig 2018)(Gherghina et al., 2023).

The "small d" democrats, who are ideologically devoted, believe that citizen participation is always beneficial, regardless of whether it results in better governance. Simply being a "citizen" implies having the ability to vote in public elections. Others view engagement not as an end in and of itself, but as a means. Local participation is typically restricted to carrying out choices rather than making them, and it is only valuable for those with more technocratic views if it directly promotes efficient administration without running the danger of open confrontation. Participation is important to the majority of pragmatic politicians, regardless of their ideological stance. Since institutionalized responsibility is not always convenient for people in positions of power and active engagement can be unpredictable, they typically favor controlled mobilization. The only way that elected officials typically view participation as beneficial is if it makes their supporters stronger and their rivals weaker. From a lower perspective, many citizen participants are similarly instrumental, devoting their time and effort only when observable outcomes are anticipated, whilst for others, the right to participate is a matter of principle that justifies risking their life for. It is also easier to comprehend reform opponents when one understands the distinction between methods and aims. While some opponents of accountability may back down only to fight again later, others may do so out of principle or because it is convenient to give in to widespread reform forces(*qt37n4n3sm_noSplash_cc9d3f9c228b7b6a1e3df1c025ca6fce*, n.d.).

The councilors, who represent the community in the council, hold meetings with the chiefs, their rabbinate, and other community members to inform them of the councils' plans. This is what is supposed to happen, but it isn't because no report of the meeting with a list of attendees has been submitted to the council as evidence of community decision-making. Furthermore, the council has not established any procedures to monitor council members on this crucial matter that promote local growth and democratic decision-making. Stakeholders are invited to the council chambers for consultation meetings. The majority of people invited to these sessions are government officials, chiefs, councilors, and quarter heads. Nevertheless, there is no evidence that a community representative told the people about the choice that was made during the consultations. Additionally, all of the materials (attendance list) that were sent to the team lacked inclusion and gender awareness(Christian Bate Godwill, 2024). Feedback from our discussions inside the Councils indicated that engagement takes place both at the community and council levels through special meetings and local council sessions when there is an increasing need in a particular area of the municipality. Through chiefs and quarter heads, the council is able to determine the population's top priorities. The council staff occasionally visits the community to learn about its needs, involving women and youth leaders. However, there is no field report or list of attendees to support the existence of this model of involving citizens in development projects that affect them. Key stakeholders who are thought to be representatives of the community's voice attend the council consultation sessions and committee meetings on a regular basis. Due to the fact that the majority of attendees on the attendance sheet were men, it was determined after a thorough review of the

2020 and 2021 budget documents that these sessions were not inclusive or gender responsive. It was discovered during the budget sessions that the other members are merely observers and that only the councilors have the ability to vote. We could infer that those on the attendance list are not directly involved in the budget session(Christian Bate Godwill, 2024).

Acknowledgements

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