

Rethinking Democratic Governance from the Margins: Insights from India's Tribal Belt

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Abstract:

The experience of the contemporary nation-state, formal institutions of vertical accountability, and majoritarian representation serve as the main foundations for mainstream viewpoints on democratic administration. However, a significant section of India's population especially the tribal communities living in the Fifth and Sixth Schedule regions experiences government from a position of structural marginality, and constitutional guarantees rarely result in meaningful involvement. This study examines what democratic administration looks like from the periphery rather than the centre, using the Pathalgadi movement in Odisha and Jharkhand and the uneven implementation of the Panchayats (Extension to Scheduled Areas) Act, 1996. In contrast to the majoritarian, procedural logic of the Indian state, the study contends that tribal self-governance organizations like as the Gram Sabha constitute an alternative language of democracy based on consensus, custom, and territorial belonging. It accomplishes this by employing a qualitative-interpretive method based on government documents, secondary literature, and comparative case studies from the districts of Sundargarh (Odisha) and Khunti (Jharkhand). The study suggests that governance structures for Scheduled Areas be refocused on real devolution rather than symbolic decentralization, placing this conflict within the framework of decolonial and deliberative democratic thought. The results have consequences for tribal governance, public administration, and the broader concept of subaltern democracy in the Global South.

Keywords: Democracy Governance, Tribal Belt, PESA, Pathalgadi Movement, Gram Sabha, Odisha, Jharkhand and Subaltern Democracy

1. Introduction:

Through regular elections and formal bureaucratic processes, democracy in its liberal-representative form presupposes a citizen who approaches the state as an individual rights bearer. The lived political experience of India's Scheduled Tribes, who make up about 8.6% of the country's population but whose relationship with the state has traditionally been structured around community, territory, and custom rather than individual citizenship, contradicts this assumption (Deep, 2020). This friction has led to recurrent protest cycles in states like Odisha and Jharkhand, where tribal people make up 22.8% and 26% of the state population, respectively. The Pathalgadi movement is the most recent and well-known of these cycles. As part of the Pathalgadi movement, which attracted national attention in the Khunti district of Jharkhand in 2017-18 before spreading to Odisha, Chhattisgarh, West Bengal, and Madhya Pradesh, large stone plaques bearing constitutional provisions, mainly Article 244 and the Fifth Schedule, were erected at village entrances. According to the plaques, the Gram Sabha was the supreme constitutional authority within the

bounds of scheduled villages, not the elected state or the central government (Wikipedia, n.d). This essay seeks to theorize the tension that develops when the administrative common sense of the majoritarian state collides with a constitutionally approved notion of local self-rule. This struggle is best illustrated by the state's response, which includes anything from accusations of sedition to the final removal of contentious tenancy changes in Jharkhand.

The tribal belt is not discussed in this article as a place where democracy is inadequate and needs to be raised to national standards. Rather, it sees tribal traditions, consensus-based Gram Sabha deliberation, traditional land stewardship, and assertive constitutionalism from below as a unique normative resource for reconsidering what democratic governance itself might mean, in line with an expanding corpus of decolonial scholarship (Banerjee, 2021). The main contention is that democratic governance is a unique political approach that highlights the shortcomings of procedural democracy and provides remedies that could enhance decentralized government throughout India. It is not merely an outlying or diminished version of central government.

2. Theoretical Framework: Governance, Democracy and the Politics of the Margin:

Governance is the collective term for the systems, procedures, and practices that allow individuals and groups to express their interests, exercise their rights, keep their word, and resolve conflicts. Democratic governance, which mandates that political and administrative power be used in an open, accountable, inclusive, and consensus-oriented manner, further limits this. The majority of the theorization of these traits, however, has come from an implicit center the individual voter, the formal party system, and the contemporary bureaucratic state. Decolonial and deliberative democratic philosophy offer a corrective viewpoint. According to research on decolonizing deliberative democracy, Western liberal formulations of deliberation are unable to accommodate the epistemically distinct, often communal, and land-centered political vocabularies of indigenous and subaltern communities, and true democratization requires listening to demands expressed “from below” rather than assimilating them into pre-existing procedural categories (Banerjee, 2022).

Parallel research on Indigenous governance in North America shows that community decision-making practices based on consensus and reciprocity can meet and even surpass the normative aspirations of deliberative democracy, despite the fact that they rarely map onto the institutional architecture that is typically used to measure deliberation (Reedy et al., 2020). Comparative constitutional theory, which contends that unelected or non-majoritarian indigenous governance bodies can have their own democratic legitimacy once democracy is seen as an exercise in collective self-rule rather than merely a collection of electoral procedures, has extended this argument (Sherwin & Ferris, 2026). In the Indian context, this idea suggests that the Gram Sabha as envisioned under PESA is not only a lower level of Panchayati Raj, but rather a structurally distinct institution of self-rule whose legitimacy derives from both legislative delegation and customary practice. This viewpoint reframes the Pathalgadi movement as a community-written, vernacular interpretation of the Indian Constitution that is democratic in spirit but contentious in its details (Xaxa, 2019).

3. Review of Literature:

Studies on democratic governance and marginality in India show that formal inclusion has not led to meaningful empowerment. Survey-based research on Scheduled Tribes and Scheduled Castes shows that these groups are still underrepresented in public institutions outside of the legislature and continue to lag

behind on nearly every facet of human development, despite a thorough legal framework (Deep, 2020). The treatment of tribal-rights activists is cited as an example of a wider democratic strain in broader assessments of Indian democracy, which reveal that already marginalized groups are disproportionately impacted by institutional degradation and administrative overreach (Varshney, 2020). Work that is specifically located in the Fifth Schedule areas complicates any simple explanation of official negligence. According to anthropological and field-based studies of forest-rights disputes, tribal societies actively contest and modify governance frameworks such as the Forest Rights Act rather than passively accepting them. Consequently, there is a continuous and controversial debate between statutory institutions and customary claims (Singh, 2021). Research on the North-Eastern tribal belt similarly reveals pre-modern roots of both direct and representative democracy in indigenous village councils, contending that consensus rather than majority vote has historically been the organizing principle of tribal political life, despite growing calls for these institutions to be reformed to include women and other marginalized groups (Haokip, 2025).

Particularly, research on the Pathalgadi movement is currently at a very advanced stage. Although local media and state administrations frequently characterized the movement as an anti-national or Maoist phenomena, foundational opinion views it as a democratic statement brought about by the state's ongoing inability to stop land exploitation (Xaxa, 2019). After 2016, the movement spread from Jharkhand to West Bengal, Madhya Pradesh, Odisha, and Chhattisgarh (EPW Engage, 2019). A thorough examination of the movement's past also connects it to the long-standing Adivasi conflicts over 'Jal, Jangal, and Jameen' (land, forest, and water) in colonial and postcolonial India. According to a field-based political analysis of the 2019 Jharkhand assembly election, the movement's cultural roots and its integration of traditional symbolism with constitutional language had observable electoral repercussions, such as the dropping of charges against demonstrators after a new state government took office (Banerjee & Priyam, 2020). By interpreting the movement as a means of empowering the Gram Sabha under both PESA and the Forest Rights Act and by following the Jharkhand High Court's subsequent judicial engagement with issues of tribal self-governance, legal-institutional scholarship expands on this analysis (Prasad & Sole, 2023).

PESA's implementation record is assessed in a parallel corpus of policy-focused research. Although PESA has established institutional channels for participatory governance, its revolutionary potential is nevertheless underutilized due to deficiencies in rule-notification, capacity, and administrative accountability, according to recent state-level assessments from Chhattisgarh (Pradhan et al., 2025). While competing state-level regulations continue to erode their legal authority in reality, a similar Odisha-focused analysis shows that Gram Sabhas have progressively gained actual decision-making power over issues like permissions for sand mining (Behera, 2025). According to an assessment of the 2025 PESA regulations, Jharkhand delayed almost 20 years to notify the regulations necessary to operationalize the Act, despite being one of the states where the Pathalgadi movement started (Sinha, 2026). When taken as a whole, this literature shows both the philosophical justification for reconsidering government from the periphery and the factual record of implementation failure that gives the Pathalgadi movement its political momentum.

4. The Constitutional and Institutional Architecture of Tribal Self-Governance:

India's constitutional response to its Scheduled Areas is based on two distinct instruments. The Fifth Schedule, which covers ten states, including Odisha and Jharkhand, gives state governors the power to regulate the implementation of general laws in Scheduled Areas and establishes Tribes Advisory Councils,

while the Sixth Schedule, which covers parts of the Northeast, creates autonomous district and regional councils with legislative and judicial powers (Deep, 2020). Since the Fifth Schedule states were initially left out of the Panchayati Raj framework of the 73rd Constitutional Amendment, Parliament passed PESA in 1996 with the express purpose of extending a modified form of local self-government to these regions while maintaining customary governance through the Gram Sabha (Ministry of Home Affairs, 1996).

The Gram Sabha has a wide range of powers under PESA, including the need for consultation prior to land acquisition and resettlement, ownership rights over minor forest produce, a consultative or approving role in the granting of prospecting licenses and mining leases, control over local money lending and the sale of intoxicants, and the ability to protect customary and cultural practices (PESA Act, 1996). In theory, this design reverses the traditional citizen-state relationship by placing the community as the primary approving authority over development interventions within its borders, as opposed to the state granting permission to the community.

In reality, this legal system has gradually and unevenly evolved into beneficial institutions. Some states, like Jharkhand, took more than 20 years to proclaim their operational version of PESA since state governments were permitted to draft their own regulations (Sinha, 2026). According to social audits carried out in numerous states, Gram Sabha approvals for development programs are occasionally recorded on paper without a real meeting, undercutting the consultative protection that PESA was meant to provide (Wikipedia, n.d.). This disparity between administrative practice and legislative entitlement is the immediate background of the Pathalgadi movement.

5. Case Study I: PESA and the Paradox of Decentralisation:

The Odisha case illustrates the advantages and disadvantages of PESA-based decentralization. Odisha just released its PESA Rules in 2022, more than 25 years after the parent Act was drafted. Later field assessments show that although Gram Sabhas have begun to have actual jurisdiction over items like sand mining approval, this authority is still challenged because state-level executive directives continue to diminish or reverse Gram Sabha verdicts (Behera, 2025). Since this override option is still available, it suggests that PESA's intended legal transfer of authority has not been accompanied by a commensurate transfer of practical control.

The nearby Fifth Schedule state of Chhattisgarh offers a useful analogous rule. Even though the state announced its own PESA Rules as early as 2011, subsequent research shows that Gram Sabha functioning is still restricted by structural factors, insufficient capacity-building, limited administrative accountability, and state-level regulations that limit the extent of autonomy that the parent Act considers (Pradhan et al., 2025). There is a pattern of formal rule notification followed by ongoing substantive weakness in a number of Fifth Schedule jurisdictions. This suggests that more than just an administrative delay, the lack is a deeper structural aversion inside state bureaucracy to give up the kind of authority that PESA formally requires. Critics point to this paradox decentralization in theory but re-centralization in practice as the source of the unhappiness that propels tribal assertion movements. Communities are left with few institutional channels to challenge development decisions that significantly affect their land, forests, and means of subsistence when statutory consultation turns into a formality rather than a useful check. One could argue that the Pathalgadi movement was an unconventional but quick reaction to this institutional space closure.

6. Case Study II: The Pathalgadi movement as Democratic Assertion from Below:

The word “Pathalgadi” comes from the Munda and Oraon custom of erecting a stone slab to commemorate an ancestor or mark a burial. This technique was repurposed as a means of constitutional knowledge and assertion starting in 2017. The Khunti district’s villagers began erecting massive stone plaques containing quotes from PESA, the Fifth Schedule, and Article 244. In certain instances, these plaques prohibited government personnel from entering the village without first gaining permission from the Gram Sabha and proclaimed the Gram Sabha to be the supreme governing authority inside village bounds (Wikipedia, n.d.). The immediate political catalyst in Jharkhand was the state government's 2016 attempt to loosen land-leasing restrictions for infrastructure and commercial use under the Chotanagpur Tenancy Act, 1908 and the Santhal Pargana Tenancy Act, 1949 amendments that tribal organizations perceived as a direct attack on constitutionally protected land rights. Even though the revisions were eventually dropped because of continuous opposition, the campaign gained momentum and evolved into a more comprehensive declaration of self-rule (EPW Engage, 2019).

Many arrests, the state’s reaction, accusations of sedition against leaders, and the local media's depiction of the movement as Maoist-influenced have all been extensively documented and denounced (Xaxa, 2019). This criminalization distorts the movement, according to Xaxa's ground-breaking study. Instead of rejecting the Constitution, the Pathalgadis engaged in an excessively enthusiastic exercise of constitutional interpretation based on provisions that legislators, administrators, and even the judiciary have historically misinterpreted or underutilized in the specific context of Scheduled Areas (Xaxa, 2019). The movement had actual political ramifications. A field-based analysis of the 2019 Jharkhand assembly election found that the Pathalgadi mobilization played a role in the fall of the state administration. It also mentions that the first thing the new administration did after taking office was to drop all of the cases that had been brought against movement members, seeing this as a symbolic conclusion to a major stage of the war (Banerjee & Priyam, 2020). Later legal-institutional literature highlights the Jharkhand High Court's continued engagement with tribal self-governance problems raised after the movement, suggesting that its impact has persisted long after the initial protest cycle (Prasad & Sole, 2023).

The movement's spread in Odisha has been more subdued but not non-existent, showing up in sporadic forms in areas like Sundargarh that have a significant Munda and Oraon population. Due to the fact that Odisha's own PESA Rules were only announced in 2022, tribal apprehension in the state has tended to concentrate more on persistent, localized contestation over mining and industrial land acquisition than on dramatic symbolic assertion. This pattern is consistent with the state's own history of displacement conflicts surrounding projects like the former POSCO steel plant in Jagatsinghpur district.

7. Comparative Analysis: Odisha and Jharkhand:

The primary points of convergence and divergence between the two study districts found in the doctorate field research design supporting this dissertation are summarized in Table 1, which is based on the documented trajectory of the Pathalgadi movement and PESA implementation in each state.

Table 1: Comparative Profile of Sundargarh (Odisha) and Khunti (Jharkhand)

Indicator	Sundargarh District, Odisha	Khunti District, Jharkhand
Constitutional coverage	Fifth Schedule Area	Fifth Schedule Area

Dominant tribal community	Oraon, Munda, Kharia, Kisan	Munda, Oraon
Onset of Pathalgadi assertion	Sporadic, post-2018, influenced by Jharkhand precedent	Epicentre of the movement; visible from mid-2017 in Khunti villages
Principal trigger	Land alienation, mining and industrial displacement anxieties	Proposed amendments to the Chotanagpur Tenancy Act and Santhal Pargana Tenancy Act (2016), later withdrawn
State response	Administrative caution; lower incidence of criminal cases	Sedition cases filed against organisers; large-scale arrests reported
PESA notification status	State PESA Rules notified in 2022	State PESA Rules substantially operationalised only after 2021
Gram sabha functional strength	Mixed; stronger in forest-rights (FRA) claim villages	Historically strong customary parha/manki-munda system feeding into gram sabha practice
Political fallout	Localised electoral pressure on land and mining issues	Contributed to change of state government in 2019 assembly election

Source: *Compiled by the Author from Wikipedia (n.d.); EPW Engage (2019); Banerjee & Priyam, 2020; Behera, 2025, Sinha, 2024.*

The comparison indicates that the degree of tribal assertion is influenced more by the timing and severity of the particular policy trigger, the responsiveness of the state administration, and the pre-existing strength of customary governance institutions than by the underlying constitutional protections, which are the same in both districts as Fifth Schedule areas. In contrast to Sundargarh's more dispersed customary institutions, Khunti's parha and manki-munda traditions of village federation seem to have given an organizational substrate that allowed the Pathalgadi assertion to grow quickly.

8. Discussion: What the Margins Teach the Centre:

This study has three implications for the broader theory of democratic governance in India and similar postcolonial democracies:

8.1 Democracy as Consensus, Not Only as Majority:

The Gram Sabha operates on a logic of consensus in its customary, rather than merely statutory, form, as opposed to confrontational majority-vote politics. Research on comparative Indigenous governance indicates that consensus-based decision-making can achieve and sometimes exceed deliberative democratic goals of inclusivity and reason-giving, even when it departs from majoritarian procedure (Reedy et al., 2020). In order to recognize gram Sabha meetings as a legitimate form of democratic practice rather than a pre-modern shortcoming that must be eliminated, public administration in Scheduled Areas would need to establish genuine space for consensus deliberation rather than treating them as a procedural box to be checked before a decision already made elsewhere is formally ratified.

8.2 Constitutional Text as as Contested, Shared Resource:

The Pathalgadi movement shows that the legal and administrative elite, who often interpret constitutional text, are not the only ones who own it. Despite having little formal legal education, communities interacted directly, if inadequately, with Article 244 and the Fifth Schedule, using constitutional language as a vocabulary for their own political claims (Xaxa, 2019). This vernacularisation of constitutionalism, also

known as constitutionalism from below, implies that governance reform should prioritize participatory legal literacy over dismissing tribal claims as intrinsically outside the constitutional order.

8.3 Decentralisation Requires Enforcement, Not Only Enactment:

Through extra-institutional assertion, communities in Odisha, Jharkhand, and Chhattisgarh eventually close the governance gap caused by statutory decentralization without imposing consequences for non-compliance (Pradhan et al., 2025). The structural incentive for movements like Pathalgadi to emerge in the first place would be diminished by strengthening PESA's practical force through binding timelines for rule notification, independent audit of gram sabha proceedings, and clear consequences for administrative bypassing of gram sabha consent.

9. Conclusion:

From the perspective of India's tribal belt, democratic administration seems more like a continuous, contentious disagreement over whose political vocabulary matters than a definitive accomplishment to be distributed from the center. When combined with the uneven record of PESA implementation, the Pathalgadi movement in Odisha and Jharkhand demonstrates that tribal communities are active, constitutionally literate participants who are pressuring the Indian government to uphold its written commitments rather than passive recipients of governance reform. The vocabulary of rights, accountability, and participation that underpins mainstream governance theory does not need to be abandoned in order to rethink democratic governance from the margins; rather, it must be taken seriously enough to extend it to the communities that have most adamantly demanded it in practice rather than just in statute. The empirical basis for the claims made here would be further strengthened by future studies that combine systematic Gram Sabha-level administrative data with ongoing field ethnography in Sundargarh and Khunti districts.

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