

Participation of Women in *Panchayat Raj* Institutions: A Step towards Inclusive Governance

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Abstract *The 73rd and 74th constitutional amendments opened up the governance structures in Panchayat Raj Institutions and urban local bodies to women, by reserving 33 percent of the seats for them. In fact it was the first step towards gender inclusive governance. Though India has had a long tryst with Panchayats, women were not represented in these governing bodies for centuries. In fact it was the state of Karnataka that took the lead in setting special spaces for women in PRI institutions. It was the Karnataka Zilla Panchayat, taluk Panchayat Samiti, Mandal Panchayat and Nyaya Panchayat that paved the way for the 73rd and 74th constitutional amendments. The entry of women into power politics that was facilitated by the 73rd and 74th constitutional amendments no doubt gave them a voice and visibility in the decision making process, but the path of power was strewn with many hurdles that included a change resistant patriarchal value system, the reluctance on the part of male politicians to share power and interference of male members of their families. But many women PRI members have taken the initiative to introduce proactive measures that have especially tried to address issues that are of special relevance to women. This article brings to light the need and significance of a gender inclusive governance policy and how it could empower women.*

Key Words

Panchayat Raj, Inclusive Governance, 73rd and 74th Constitutional Amendments, Women's Empowerment

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INTRODUCTION

The whole world is witnessing a revolutionary change in the pattern of governance, aptly described by academicians and activists as democratic decentralization. The most visible symbol of this process of decentralization is the breakdown of gender hierarchies. The doors of democracies are opening up for women in different parts of the world in different proportions and ways. Experiments of redistribution of power are happening across the world. India has been witness to such a revolutionary change and has attempted to establish a model that is globally replicable.

In the true sense of the term democratic decentralization means that opportunities are created for meaningful participation by different groups in a given society. Development is possible only when political institutions become inclusive (Acemoglu and Robinson, 2012). Democratic decentralization also envisages redistribution of political power. In human societies characterized by racial, caste, gender and class hierarchy power is also generally concentrated in the hands of the elite. This system perpetuates itself and keeps the marginalized and vulnerable communities in a constant state of dependence. Though democracy is projected as a participatory system of governance giving ‘voice’ and ‘visibility’ to people, their participation to a large extent is limited to casting their votes in elections, but the leaders are generally from the advantaged groups, the most excluded group being women.

If democracy is to assume real meaning it should make way for inclusive governance.

In theory democracy ensures the right of equal participation to all groups in a society. But in reality many groups are excluded from the governance process. What then is inclusive governance? It “represents the extent to which Governance Institutions provide ‘space’ to overcome the systematic exclusion of disadvantaged groups seeking to participate in decision making, affecting them” (Making democracy Real Dialogue, 2013). This is especially true of vulnerable sections in our society, among whom women are in the fore front. Women constitute nearly half the population of the world and a system of governance that does not include them and issues that are relevant to their lives is no true democracy.

Women’s Political Participation as a Gateway to their Empowerment

A real democracy can emerge as an inclusive system only when it gives equal access for participation in the decision making process to all groups. An inclusive system of governance is one that gives meaningful representation to voices that have hitherto been deprived of access to opportunities for change or development. Representation again is not one of mere tokenism, but actual participation in the decision making process, not just in politics, but all social institutions. This is especially true of women. It is being increasingly realized that “one of the important steps in deepening democracy and democratic governance is to ensure a better representation of women in politics. More women in politics across the world, inclusive of Africa, are presumed to assist in ensuring that gender lenses are applied to governance and in so doing, transform the lives of women on the continent. From Mexico in 1975 to Beijing in 1995, a lot of progress has been made for the

advancement of women but one area which demands more scrutiny is the political representation of women” (Council for the Development of Social Science Research in Africa, 2012).

The last two decades have witnessed the whole world debating the concept of women’s empowerment and their political participation is definitely one of the parameters for deciding the state of their empowerment. What then is women’s empowerment? The United Nations Guidelines to Women’s Empowerment (popin@undp.org) identifies the following five components to describe a state of empowerment, these being:

- Women’s sense of self-worth;
- Right to have and to determine choices;
- Right to have access to opportunities and resources;
- Right to have the power to control their own lives, both within and outside the home;
- Ability to influence the direction of social change to create a more just social and economic order, nationally and internationally.

If we examine the extent of political participation of women in democratic governments at all levels of governance, it becomes evident that they fair very poorly on all the five indicators of empowerment cited above. Low representation of women in political institutions is a ubiquitous feature of all societies. Though political participation is recognized as a basic human right in the Universal Declaration of human Rights no society has given them their due (see Batliwala, 2014). It is this realization that was the driving force for the emergence of the idea of giving them special representation, to begin with in local governments. India stands out as the harbinger of this idea because almost three decades ago, the country saw the opening up of these special opportunities in rural local self-government, with the state of Karnataka taking the lead. With this move democratic decentralization got a new meaning.

Panchayat Raj, the rural local self government has a long history in India. The state of Karnataka has been a key player in ushering a system of people centric rural governance. But women were not given an opportunity to contest elections until the Karnataka *Zilla Parishad, Taluk Samiti; Mandal Panchayat* Act 1983 was passed. But at the national level women’s entry into local governance happened only in 1993-94, with the 73rd constitutional amendment.

As a backdrop to the discussion on the need and relevance of the participation of women in rural governance, in the section that follows a brief description of the history of *Panchayat Raj* in India and Karnataka is presented.

Panchayat Raj in India

India's experiences with grassroots level governance dates back to early *vedic* times (1200 BC). In almost every village in India, village bodies called *Sabhas* oversaw administration of villages that came under their jurisdiction. Over a period of time these *Sabhas* were transformed into *Panchayats*, a council of five persons. Until the arrival of the British, the *Panchayats* were the supreme power centres in India's villages.

The situations of *Panchayats*, however changed with the onset of the colonial rule. The British were not really keen on preserving the autonomous character of these institutions. They thus treated *Panchayats* as a revenue collecting mechanism. In spite of local resistance and the pressure on the colonial government to democratize village level institutions, the British were not in a mood to vest these institutions with absolute powers. A power structure based on hierarchy that was the hallmark of colonial political institutions was also imposed on village *Panchayats* by the British.

It was not until 1870 that the British considered the establishment of a local self government. Mayo's Resolution of 1870 and Lord Rippon's efforts in 1882 to democratize local institutions are seen as milestones in the history of local self government in India. By 1907 the stage was set for the emergence of rural level local government with the appointment of Royal Commission on Decentralisation. It was actually Mahatma Gandhiji who set the tone of the nationalist point on the *Panchayats* when he declared that village *Panchayats* would almost enjoy the status of self governments which could take care of local needs.

The Montague-Chelmsford Reforms made local self government a 'transferred subject' under the schemes of diarchy. Though there were constraints in the way of applying this principle in all the provinces of British India, it was seen that even as early as in 1925 at least eight provinces had passed the *Panchayat* acts and in the following year, six native states had also passed the Act. The idea of *Panchayat* formed an integral part of the freedom movement. Gandhiji viewed *Panchayats* as the true representatives of people because their support came from the grassroots. Soon efforts were made to transform local bodies as true representatives of the people. However, due to the outbreak of

the Second World War in 1939 not much headway was made. In fact the period between 1939-46 did not witness any positive developments in the development of local self government.

Panchayats in Independent India

It was in the year 1952 that the Government of India launched a comprehensive programme of community development popularly known as CDP. This programme however could not make much headway because of limited people's participation. The Balwant Rai Mehta Committee constituted to review the structure and functions of CDP had suggested that a set of institutional arrangements be put in place for ensuring meaningful people's participation in local governance. This resulted in the creation of a three-tier-system of PRIs to organize and manage rural development activities. In 1959, Rajasthan became the first state in the country to establish *Panchayat Raj* and soon other states followed. In the true spirit of democratic decentralization that was advocated by the Balwant Rai Mehta Committee, all the states had passed the *Panchayat Acts* and created three structures namely Village *Panchayats* at the base, *Panchayat Samitis* in the middle and *Zilla Parishats* at the apex levels.

The constitution of the Ashok Mehta Committee in 1977 paved the way for a new thinking on the concepts and practices associated with the PRIs. The Committee which recommended far reaching changes in the functioning of *Panchayats* with a focus on transforming the quality of rural life proposed a structure consisting of *Zilla Parishat*, *Taluk Samiti* and *Mandal Panchayat*. Other significant developments envisaged by the Ashok Mehta Committee were the inclusion of *Panchayat Raj* in the Constitution and participation of political parties in elections. Reports of the GVK Rao Committee (1985) and LM Singhvi Committee (1986) set the stage for making the district as the basic unit for planning, holding regular elections to PRIs and allocating more financial resources to *Panchayats*.

It was the 73rd constitutional amendment that set the stage for far reaching changes in the *Panchayat Raj* institutional set up. The reservation of 33 percent seats for women was a landmark decision that led to the inclusion of women who were kept away from participating in the political decision making process for centuries. Women for the first time got an opportunity to direct the course of events envisaged for rural development.

Panchayat Raj in Karnataka

Karnataka has been a pioneer in local self governance. Its tryst with *Panchayat Raj* dates back to the 19th century. As early as in 1860 ‘local fund’ and ‘local fund committees’ were constituted in every district. Following the reorganization of states in 1956, the Mysore Local Boards and Village *Panchayats* Act came into being. Under this Act, village *Panchayats* at the village level, *Taluk* Development Boards at the *taluk* level and District Development Councils for each district were constituted. While village *Panchayats* and *taluk* boards had elected representatives, councils were mere advisory bodies comprising of government officials of development departments. Most of the rural development work and schemes were channelized through *taluk* boards and even village *Panchayats* were under the control of *taluk* boards. This system continued till 1983.

In order to decentralize administration further, a new act known as the Karnataka *Zilla Panchayat, Taluk Panchayat Samiti, Mandal Panchayat* and *Nyaya Panchayat* Act came into being in 1983. This Act was designed in the light of the Report of the Ashok Mehta Committee. The new act interlinked *Mandal Panchayats* (village level) with *Taluk Panchayat Samitis* (*taluk* level) and *Zilla Parishads* (district level). In the new system, only *Mandal Panchayats* and *Zilla Parishads* had elected bodies. *Taluk Panchayat Samitis* remained as coordinating institutions between *Mandals* and *Zilla Parishads* and worked under the *Zilla Parishads*. Also, in the new setup, *Zilla Parishads* were entrusted with more powers and functions. They almost functioned like the governments of the districts. Most of the development activities of the state were executed or carried on through these *Zilla Parishads*. Nearly 80 percent of the total development expenditure was earmarked for *Zilla Parishads*. Except major and medium irrigation works, all other development works were entrusted to the *Parishads*. It was actually this Act which paved the way for women’s reservation and served as the curtain raiser to the 73rd and 74th constitutional amendments.

73rd and 74th Constitutional Amendments: The Key to Inclusion of Women in Governance

The 73rd and 74th amendments that were incorporated into the Constitution of India heralded the era of a gender inclusive system of governance. In fact both rural and urban local bodies came under Part IX of the Constitution of India, 43 years after India became a republic. The two were passed in 1992 and they formed part of the Indian Constitution in 1993. Besides opening up the governance structure to groups that were hitherto virtually excluded from politics, the 73rd and 74th amendments created the space for reservation of one-third of the total number of seats in rural and

urban local bodies for women. It also laid down that one-third of the seats reserved for SCs and STs and chairpersons at all levels are to be reserved for women.

The 73rd Constitutional Amendment Act, 1992 provides reservations for women in PRIs in two ways. First, it opened up not less than one-third of the seats for direct election in each of the three tiers to women and second, it reserved one-third of the positions of chairpersons for women. Besides conferring constitutional status to *Panchayats*, which they had previously lacked and also reserving one-third of the spaces for women in PRI institutions, the amendments also paved the way for reservation of seats for scheduled castes and scheduled tribes.

It is true that the Constitution of India vide Article 14 confers the right to equality, and in this sense women have equal access to political power. But experience has shown that conferment of equal opportunities does not always translate into equal utilisation of these opportunities. Women in most places did not come forward to contest elections either because of traditional barriers to their participation in public spaces or because they were not allowed to do so by their families or male aspirants for political power. The use of muscle and money power in politics also acted as constraints. Prior to the 73rd and 74th constitutional amendments the scenario vis-à-vis democratic politics was that women faced several handicaps in contesting for positions of power. These include “routine exclusion from effective decision making to physical violence against women representatives. There are also structural obstacles relating to the design of *Panchayat Raj* institutions, such as the role of the bureaucracy or the provisions for no-confidence motions or the two child norm. Another type of structural limitation is that relating to the local structures of dominance-including patriarchy, caste and class-issuing in exclusion, tokenism and surrogate representation” (HDRC, 2000:34). It is the realization of these constraints to women’s participation in democratic politics that led to the enactment of the 73rd and 74th constitutional amendments, which finally paved the way for their entry into mainstream politics.

In spite of wide spread doubts being expressed by those who were opposed to the idea of redistribution of power, which was hitherto concentrated in the hands of men, the 73rd and 74th constitutional amendments opened the doors of the political decision making mechanism to women, for the first time in the history of power politics. With the Union Cabinet of the Government of India, on 27 August 2009, approving 50 percent reservation for women in PRIs, women got a share in governance equal to their numbers in the country’s population.

Women and *Panchayat Raj*

Even before the passage of the 73rd and 74th constitutional amendments, which laid down that 33 percent of the spaces in rural and urban local bodies, respectively must be set apart for women, there were a few instances of women who had participated in village bodies. But this was a privilege enjoyed by women of upper castes and land owing families. Also, only one or two places used to be given to these women. Neither did they have visibility nor were their voices heard.

When the question of giving special representation to women in the political decision process emerged, opposition to the idea stemmed from two sources. The first was from patriarchal forces that were simply not ready to accept women as their co-partners in power politics. They expressed doubts about women's capacities to handle political responsibilities and justified their stand by stressing on women's lack of experience in the area.

The second reason for opposition came from those quarters, which were already enjoying power and was not ready to give it up. Setting apart one-third of the seats for women in PRIs would mean that so many men would not be able to lay their claim to these seats. Reservation for women would also mean redistribution of power, a situation for which they were not prepared.

It was also widely felt that if one-third of the seats in PRIs were reserved for women, enough number of women would not come forward to contest these elections. But "these fears have been found unfounded and on the whole nearly five million women candidates file nominations to contest for one million posts. This means on an average there were five women candidates contesting every seat. What is even more remarkable is that some women managed to win general seats defeating rival men or women candidates. In Karnataka for example, 44 percent women have been elected to the *Panchayats*. That is, 11 percent unreserved seats have been won by women defeating rival men and women candidates" (Baviskar and Mathew, 2009:13-14).

What Difference do Women make if they are given Special Spaces in *Panchayat Raj* Institutions?

This question has often been raised both in the political and public domain. Giving special representation to women does not mean that men should not be involved in activities or formulation of policies meant for women's empowerment. It is also not to be interpreted that men are insensitive to issues of gender. Affirmative action that brings more women into political spaces is simply a

matter of social justice that has long been denied to them. Also, there are areas, where women who have personally experienced the pains of violence, deprivation and denial can work with a better sense of involvement, for changing the lives of other women, in particular and entire communities, in general. When women come to power, they are more likely than men to address such necessities as creation of drinking water sources close to their homes, repairing community resources such as school buildings or bridges, demanding the functioning of an effective public distribution system and provision of health care facilities. Such issues as girls' education, safe motherhood, female foeticide, creation of community infrastructure have also been addressed by women *Panchayat* members in different parts of the country.

One of the strongest threats to women's empowerment has been the alcoholic addiction of men. Alcohol has disrupted families, led to violence against women and affected the health of women. However, the number of liquor shops in India's villages is increasing and women have borne the brunt of alcoholic addiction of men. They are victims of a double edged sword in the sense that they have to work both within and outside the home to support and sustain their families. Often, they are forced to give up their earnings for supporting the drinking habits of male members of their families. This problem has never been seriously addressed by policy makers either in local bodies or at state and national level. But women have taken the lead in combating the liquor lobby, which is one of the forces dictating power politics in the country (Indian Express, May 11, 1999).

The inclusion of women in local governance has definitely engendered governance. Some of the ways "in which women, through PRIs, are changing governance are evident in the issues they choose to tackle; water, alcohol abuse, education, health and domestic violence. Women also express different values. Women value proximity, whether it be to a drinking water source, a fuel source, a crèche, a health centre, a court of justice or an office of administration. The enormous expansion of women's representation in decentralized government structures has highlighted the advantages of proximity, namely the redress of grievance and (most important of all) the ability to mobilize struggle at a local level where it is most meaningful. Thus women are helping to radicalize local government" (Jain, 1996).

When women participate in decision making bodies in local self government, their participation is not just limited to their interest in personal or familial matters. They tend to include in their agenda issues that are important for the development of their respective villages. Such decisions tend to enhance the quality of life of entire neighbourhoods. A classic example is that of a Meitei

woman *sarpanch* in Manipur “who does all the work herself and has successfully completed several development projects for the *Panchayat* such as repairing roads, construction of *panchaayt ghar*, cleaning the village ponds and renovating the school building” (Baviskar and Mathew, 2009:14-15).

Another case is that of 35 year-old Shushma Bhadu one of those rare progressive women from rural Haryana, “who has chosen her own future by entering public life. Elected in 2010 as the *sarpanch* of the *Dhani Miyan Gram Panchayat* in Fatehabad district, she is a true revolutionary, both in her thinking and practice. In a state that is known to reject the girl child, Bhadu has managed to make her village a ‘model’ when it comes to women’s rights and the survival of daughters. This Class Seven dropout has also zeroed in on education in addition to ensuring greater access to water and sustainable livelihood for her people. Another community heroine is Nayana Patra, 45, a ward member from Dhenkenal district’s *Baraun Gram Panchayat*, Odisha, who, with the support of other women, has devised an innovative way to reduce liquor consumption in the region. By imposing a fine on those found drunk, she not only managed to discourage such unsociable behaviour, but also got funds to build toilets in the village”(www.wfsnews.org).

FUTURE CHALLENGES

Success stories of women who have conquered many hurdles in exercising their power are many. However, we cannot rest on these achievements. The provision of reservation for women per se does not mean that the goal of gender equality is reached. The fear that the entry of a large number of women into mainstream politics would upset power equations even today stand as the greatest obstacle to their entering the portals of decision making bodies. Though political parties affirm their commitment to gender justice in their election manifestos from time to time, they have failed to translate it into action. Irrational reasons are put forward to deny women their rightful position in politics.

There is a tendency in the male dominated political set up to belittle women’s achievements and glorify their failures. One often hears about women PRI members being remote controlled by male members of their families or political parties, and functioning as mere dummies. It is also true that in many *Panchayats* women have failed to exercise their democratically acquired rights, and have allowed themselves to be overpowered by male family members or bureaucrats. But this situation cannot go on forever.

Gender discrimination has a history of centuries, but the history of affirmative action is only a few decades old. To bridge this gap is not an easy task. But concerted efforts must be made to sensitize them to the nuances of power politics by helping them to overcome inhibitions and culturally imposed barriers. It is here that media and civil society can play a meaningful and vital role.

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