

WOMEN'S PARTICIPATION IN PANCHAYAT

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INTRODUCTION

The word panchayat is derived from the word pancha panchasvanusthitah, has references in to the existence of Grama Sanghas or rural communities. The institution of Panchayati Raj is as old as Indian civilization itself. It was in existence since ancient periods, having an effective control over civil and judicial matters in the village community. The Rigveda, Manusamhita, Dharmashastras, Upanishads, Jatakas and others, refer extensively to local administration, i.e. the panchayat system of administration. In the Manusmriti and Shantiparva of Mahabharata, there are many references to the existence of Grama Sanghas or village councils.

The earliest reference to panchayat is derived from the word Pancha, that refers to an institution of the five (pancha panchasvanusthitah) is found in the Shanti-Parva of Mahabaratha, pancha and panchavanusthitah are semantically close to panchayat. A description of these village councils are also found in Arthashastra of Kautilya who lived in 400 B.C. Arthashastra gives a comprehensive account of the system of village administration prevailing in his time.

Self-governing village communities characterized by agrarian economies existed in India from the earliest times. It is mentioned in Rigveda that dates from approximately 200 B.C. The village was the basic unit of administration in the Vedic period. The most remarkable feature of the early Vedic polity consisted in the institution of popular assemblies of which two namely 'Sabha', and the 'Samiti' deserve special mention.

In the course of time, village bodies took the form of panchayats that looked into the affairs of the village. They had the powers to enforce law and order. Customs and religion elevated them to the sacred position of authority.

In the Mouryan period, the village was the basic unit of administration. Villagers used to organize works of public utility and recreation, settle disputes, and act as trustees for the property of minors. But, they had not yet evolved regular councils. The village council appeared to have evolved into regular bodies in the Gupta period. They were known as Panchamandalas in central India and Gramajanapadas in Bihar.

These bodies negotiated with the government for concessions and settlement of disputes. The inscription of Chola dynasty shows the construction and functions of the village assembly and their executive committees. The village administrations were performed by the elected representatives forming village council

Throughout these phase of time, the participation of women from ancient time to the present time has not been a matter of constant affair. In some period, women played equal role with men while in other times, women were deprived from participating in the affairs of governance. However in modern period, the scenario gradually began to change impacted by many factors.

The 73rd Amendment is one of the land mark judgment which brought many women into Indian rural governance processes. It heralded a new era in decentralised governance processes in India by bringing women into positions of decision-making and power in local grassroots level governance. Though the progressive 73rd Constitutional Amendment has created a pathway for women to come into the public sphere, if we look at the status of women and their participation in self-governance systems, both are still low, and sometimes elected women are merely figureheads. Though the amendment aimed at bringing more women into politics, many States have amended State Panchayati Raj Acts. They have introduced new laws and norms, due to which many deserving candidates from marginalised section have been debarred from participation in grass root politics thus

making the women to be the greatest sufferers. On the other hand, many unwilling women are forcefully brought into the political space of grassroots (by their families) due to these norms and criteria. (Please see box 1 for 73rd Amendment and its salient features) In Collaboration with United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), Society for Development Alternatives (Development Alternatives- DA) has undertaken a study "Advocating for Change: Promoting Women's Participation and Leadership in Local Governance" to understand how State specific norms are impacting participation of women in local governance processes in the States of Haryana, Rajasthan, Chhattisgarh, Gujarat, Karnataka and Maharashtra.

GENERAL PICTURE

Two provisions that seriously impede the election of women representatives are the minimum education norm and two-child norm. The education norm is debarring many women from contesting elections in Haryana, Chhattisgarh and Rajasthan. Due to the education norm, there are many vacant posts for Sarpanches which are reserved for Schedule Caste and Schedule Tribe women. As is reflected through these numbers of vacant seats, there is a story of exclusion behind them, especially of the most marginalised sections of society—women who fall at bottom of the caste and class ladder. The second criteria -Two Child Norm gravely affects the political participation of dalits, adivasi, and the poor. Many studies from Rajasthan and Chhattisgarh show that the two child norm has resulted in disqualification of people from marginalised groups, especially women from marginalised groups thus negating the political participation and empowerment of women which was intended by the 73rd Amendment of the Indian Constitution. The norm is a deterrent in building young leadership in the political arena as is visible in Rajasthan and Chhattisgarh. The younger women from socially excluded communities are worst affected because they were in their prime reproductive age when the norm was enacted, whereas those who were older generally had their children born before the stipulated cut-off date

Among other norms, the 'no-confidence motion' is a power given to the Panchayat members to move any motion in Panchayats. There are notable variations across States regarding this practice. The requirement that candidates must own a functional toilet has debarred almost 47 per cent of India's population* from contesting elections (Source: Census 2011). To contest an election, the candidate must, in their election affidavit, attach a picture of their functional toilet. According to 2011 census data, more than 29 per cent households in rural areas have no permanent residence – the homeless surely cannot own a toilet – 27 per cent of the households have grass or thatched roof homes, 38 per cent have mud floor homes and 25 per cent live in single room accommodation. Even if one were to take the figures of the States at face value, the toilets still have open drainage with no underground sewage system to take care of human excreta. More than 13.7 per cent households do not have drainage facilities and almost two out of three houses have open drains in rural areas. From the field level discussion in six study States, it has come out that many candidates tried to violate the toilet norm by showing wrong photographs. In the Swachh Bharat Mission guidelines, it has been clearly mentioned that toilet have to be sanitary toilets, ignoring the fact that pit latrines and septic tanks are also counted as functional toilets, where excreta is removed as compost (during the time of evacuation of the filled pits). As one of the norms, all candidates must get the clearance forms from three agriculture-cooperative banks, electricity offices (for electricity dues), local police stations (against criminal charges), which could require a candidate to spend a huge amount of money and time. For some families, collecting all these clearance certificates is entirely impossible and for some women, the cost incurred for procuring the same is too much. In Chhattisgarh, a contestant has to show that he/she has been not being charged with encroaching on government land and nor should have any government dues.

ROLE OF MEDIA REPORTING

Media can play a pivotal role in changing scenario of grassroots governance and bring positive changes through awareness building, positive and active reporting on their work and in this way enhance more women into political

space. The way the media portrays women and addresses issues of special concern to women, has a major impact on women's participation in politics. Even more important than the amount of media coverage devoted to women is the quality of such coverage. The media often perpetuates stereotypes of women in their traditional roles rather than conveying a positive image of women as political leaders. This chapter tries to analyse secondary data on media reporting on women in Panchayats. In the context of this work, efforts are done to understand the quality of media coverage devoted to women's participation in Panchayats. The quality of media coverage can have a major impact on the advancement of women as candidates and as voters" (see Ukrainian Women's Fund, 2011, pp.17-18). Here in this chapter, the data and content gathered from different news sources (print and online) are put in themes and the treatment of these themes is done according to story hooks, frequency, language, space being provided, location in the print, time of publishing, so on and so forth.

GENDER BIAS AND DISCRIMINATION

The newspapers and online media have covered many news and stories on gender biasness and how patriarchal mindsets are affecting women to come and participate in local governance system. National news and online platforms have analysed the prevailing situation of the State's women leaders as how un-empowered they are despite the 50 per cent reservation. In Rajasthan, Karnataka and Maharashtra, local media has covered the stories on how women Sarpanches are affected by the 'no confidence motion'. Media reports have also covered the issue of proxy Sarpanch⁹. The husbands conducts all meetings, take all the decisions and the women leaders only sign the papers. Such news items are seen to be covered in many national and regional dailies. The regional dailies have analysed the reason behind proxy Sarpanch with specific case stories or feature articles. In an online platform called "Digital journal", a news article provided example of biasness "Besides bias at home, the women village heads also complain about non-cooperation from their male colleagues in the Panchayat¹⁰." The article written by Stella Paul, published in 2013, talked about the gender biases faced by tribal in Chhattisgarh Panchayat

"In India, women village heads face gender bias, discrimination". The report highlighted the State of women in the rural society and the perspectives of political parties and their leaders following the 33 per cent and 50 per cent reservation of seats for women in all the tiers of the local governance system. The newspapers and online platforms tried to analyse the general feeling on the puzzlement of women coming into the public space. Many articles tried to analyse the reason behind why women are not able to come forward as active members of the system. The Hindu and The Indian Express tried to analyse policy level issues on women reservation bills and how newly elected members will face difficulties as most women are not habituated to the political doldrums. On the other hand, if they overcome the initial hiccups and take advantage of the reservation policy, the political parties and the male family and party members made it difficult for them, this point has been covered in many national dailies.

MAJOR FINDINGS

This study has been a continuous learning process and it has overviewed vast literature that covers Panchayati Raj, State Panchayati Raj policies and how these State policies and norms have impeded women to come into politics and grassroots governance processes. The study has tried to look at the issues, aspects, dynamics and outcomes of policy measures taken by the six study States. The study has thrown light on many unexplored and unsaid issues like, how a woman candidate can be strategically removed from political participation by passing a 'no confidence motion', how women candidates have to show their husband's and father in law's clearance certificates of loan repayment from co-operative banks, etc. to contest Panchayat election and what consequences and implications it has in their participation. It has captured variety of situations across the States, across villages and blocks in six States of India. The study tried to look at State-wise policies and norms on Panchayati Raj. For that, number of secondary researches and reports, newspaper articles were referred. Though 73rd Constitutional Amendment has opened the doors for women to come into active politics but as we all know Panchayats is a State subject and States have made many policy level changes

which have created a new level of hindrance for women who wanted to come into politics. Our secondary data analysis shows that there is a need to bring change at policy level and States need to relook at the policies and norms for bringing women to grassroots governance and in active politics. The case stories collected during the studies show that the experienced women who have been participating and contesting election in grassroots governance are now debarred because of education criteria, two-child norm, having functional toilets, etc. Though these norms affect both men and women but impact is more on women because of societal norms and other issues, and this is more pronounced in case of women from the marginalised sections of the society. If a woman cannot participate in Panchayat election due to low level of education, it is not her fault and she is the victim of societal mindset, infrastructure gap, and poor economic situation and so on. Any woman has the right to contest election if she is a part of Indian Democracy. A norm or policy should not debar a less educated woman from her democratic rights of contesting election as compared to the women who got the opportunity to study because of higher social and economic status.

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