Elected Women Representatives in Panchayats: Path for Effective Political Participation

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Background

A core need of good governance is gender equality which the Constitution of India guarantees. This is supplemented by India’s ratification of Convention of Elimination of All forms of Discrimination and as a participant of the Beijing Action Plan in 1995. This framework assures women’s equality in all spheres including political. Women demanded equal power in decision making and political representation. Though the demand was not met, it remained a part of the struggle to enhance women’s right. In 1972 the revival came with the Towards Equality Report. The Committee recommended one-third reservation for women at the Panchayat level but took more than two decades to achieve. The pressure from the women’s movement was consistent and finally in 1993 the 73rd Constituional amendment was made to provide affirmative action in the field of local politics.

The Indian government has enacted the 73rd amendment to the Constitution in 1993 for the reservation of a minimum of 33% seats within Panchayats for women in order to democratize and engender the local governance. This process has a clear purpose to impact issues that concern women’s empowerment and promote gender equality and social justice. It is a process that promotes and sustains the ability of women to fully participate in the governance and development process, enhances their ability to raise critical questions about inequity and collectivize without fear and pressure and ensures gains from the services.

In Odisha, the first comprehensive law for the establishment of the rural Government at the village level was enacted in 1948 through the Orissa Gram Panchayat Act. This legislation prescribed constitution, power and functioning of Grama Panchayats. In 1955 a new system named Anchal Sasan was introduced over and above the Panchayat system. It had both elected and co-opted members. Women were co-opted members from Panchayats, Municipalities and Notified Area Councils (NACs). This structure was changed to a three-tier Panchayati Raj system (Orissa Panchayat Samiti & Zilla Parishad Act in 1959) on the lines of Balwantrai Mehta Committee Report of 1957.

Women participation in Pre 73rd amendment period

With the objective of reforming the Panchayati Raj system in the state, the Government of Odisha in 1991 under the Chief Ministership of a very gender sensitive and visionary leader Biju Patnaik passed three
important Acts- Orissa Gram Panchayat Samiti Amendment Act, Orissa Panchayat Samiti Amendment Act and Orissa Zilla Parishad Act1. The most significant was the reservation for women including those belonging to Scheduled castes (SC) and Scheduled Tribes (STs) in all the levels on rotation basis. This was the first time a political reservation became a reality in India. Besides one third reservation for women in the Panchayats, the post of the Vice Chairperson was reserved for a woman if the Chairperson in the Panchayat was not a woman. This was a tremendous boost to women’s decision-making power.

73rd Constitutional Amendment

The most radical feature of the 73rd Amendment is that it reserved 33% for women so the Orissa Gram Panchayat Act was amended in 1994 and 1995 to meet the requirements of the amendment. It empowered the State Government to establish and constitute the Gram, the Gram Sasan, the Gram Sabha, the Palli Sabha and the Gram Panchayats. In 2012 the Government of Odisha declared 50% seat reservation for women in the three tiers of Panchayati Raj system. By amending the Panchayat Laws, the Bill also provided reservation of the seats and offices of chairpersons for two terms (10 years) instead of a single term.

Women’s representation in the three levels of Panchayat system has been always more than the reserved quota (it was 35% in 1997, 36% in 2002, 36% in 2007 and more than 50% in 2012).

Study on Women Panchayat Members

Sansristi, a research based organization in Odisha, conducted a study related to elected women panchayat members of Gajapati District. The study was done in 129 panchayats in 7 blocks of the district covering 975 members (463 women and 512 men). Gajapati was selected as it has a predominantly tribal population, and changes mandated by the Constitution (73rd Amendment Act) have been superimposed on the tribal systems of community planning that have existed previously. The district has a good sex ratio even though there is low education status. The sex ratio of the district is 1,043 females to 1,000 males, and Child Sex Ratio stands at 967 females to 1000 males (2011 data). There is disparity in literacy levels, with 65.58% for men and 43.59% for women. The study was conducted just prior to the 2012 elections.

Marital status:

In terms of marital status there was little gender differentiation. More than 90% of the male and women elected panchayat members covered in the study were currently married. However there were some women who were divorced and separated. The high proportion of married women as elected representatives flags the inherent gender issues particularly the reproductive role. Motherhood is a natural consequence of marriage and the constraints that it brings in is reflected in the narratives of the women Sarpanchs. They have expressed that child care is an essential role that mothers have to play and it is here that the family’s support become vital.

Occupation before being elected:

Women Sarpanchas who stood for elections ranged from being an ASHA worker or ANM, President of a NGO, SHG President, teacher, agriculture worker and home makers. The survey revealed that the vast majority of them were not PRI members earlier. But 5.6% of the women were ward members earlier. The previous experience and exposure as a PRI member is definitely an enabling factor for the current performance.
Reasons for contesting elections:

Women as expected were more motivated by others. Support from political parties come third after support from family and community in case of women elected members. Most of the elected women responded as being forced by village people as the reason behind being a ward member, followed by being asked by village elders. Interested to work for development is the reason for most of the males though. It is interesting to note that self interest is the reason for more men than women. Personal motivation as a cause is however lower than being forced/asked by the village people.

The socio cultural context of the area (mostly rural based) is such that women are still not able to exercise their own interest/choices and have to go by the guidance of the elders. Of course, this is facilitating factor for it at least pushes the women to join the political process. But there are some exceptions wherein women have emphatically stated that it was their own decision to contest.

Women Related Issues in Panchayat meetings:

Discussion on women-related issues raised in the last three Gram Panchayats (GP), meetings revealed that most of the issues prioritised were in the context of available schemes for women such as Widow Pension and Indira AwasYojana. Schooling of girls is also a topic of discussion. Issues such as domestic violence, dowry, sex selective abortions, girls marrying at an early age seem to be far away from the agenda of the GP.

It was observed that PRIs at all levels have not yet become spaces to discuss and deliberate on women’s issues, though a substantial proportion of PRI representatives are approached individually to deal with these problems. This highlights a glaring gap between people’s concerns and expectations of Panchayat members, and the role and institutional mandate that the panchayats are currently pursuing.

Violence in women's lives:

Due attention was paid to domestic violence in women’s lives and lives of elected women Panchayat members and continuance of violence against them. The findings in Gajapati is that 28 per cent of GP members reported that domestic violence is raised by community women in meetings. Men led in reporting even on issues of child marriage (14.8% men/ 13.3% women respondents said this). Whether GPs consider domestic violence as an important issue, 66.2 women and 55.9 men agreed and on reporting to GP there was a substantial decline with 33.3% men agreeing and 22.7 women in agreement on reporting. On the awareness of rights over body whether women should tolerate violence to keep family together 13.2% women and 26 % men agreed while a high 33.8 women agreed partially to it. On the issue of whether outsiders should intervene on perpetuation of domestic violence 20.01% woman and 24.4% men agreed on intervention.

Women GP members themselves reported domestic violence used against them. This remains a key constraint in the functioning of the Panchayat System.

Training:

More members who reported that the training equipped them for their GP role have higher education levels, suggesting a possible reason why women GP members who are less educated (than their male counterparts) are more likely to be dissatisfied with the training. Over 48 per cent men and and 30 per cent women reported
that education has helped them function effectively. Training and education are perceived as unmet needs, as overall education levels are low. Trainings need to meet the demand of women who have no or limited exposure to education; these need to go beyond information to include a focus on concepts of social and gender justice.

Training programmes are structured and provide knowledge on their roles and schemes. This narrow learning process with no pedagogic input keeps women outside the learning process. Many may attend but the process of transfer of information has no social setting and thus operational problems and how to deal with them is left out. Gender is not mainstreamed, so what is required is a two track system with a specific focus on women in the teaching modules and mainstreaming in all modules. There are also gendered issues such as child marriage, domestic violence, declining sex ratio which need a forum for discussion with male members but is not paid attention, thus keeping gender biases in tact.

Desire to recontest:

Due to rotation of seats in many cases it could be that women stood for elections only once in a life time with five years being too short a time for empowerment in leadership role expected as a Sarpanch. This has been rectified with the Government extending the rotation to two terms in the 2012 amendment. However the study showed that women GP members reported increased self confidence as a result of being an elected member. The proportion reporting enhanced status in their family was also high, nearly 70 per cent. Gains in the ability to make decisions, including financial decision in the household were reported by similar proportions and improved status within the community is reported by a high proportion of women members.

Many myths were broken. It was observed that women’s decision to re-contest was not influenced by their age. It was noticed that the higher the education the higher the desire to stand for elections in the future. The decision to re-contest elections was dependant on interrelated factors. Both male and female GP members who had stated that they entered into politics due to pressure from or desire of others were least likely to report that they would stand for elections the next time around. Thus, self-motivation alone and support from others was a significant factor contributing to an increased aspiration to stand for elections. Men who reported no involvement of the family were significantly more likely to want to re-contest than those who reported family involvement. Women who reported that their status in the family and/or community improved or that they gained self-confidence because of being a GP member were significantly more likely to state that they would stand for elections again, as compared to those who report no or very little change.

Constraints

The study findings reaffirmed that women elected representatives face varied gender specific constraints. As more and more women find their place in this local governance system it is imperative that Governments pay attention to their lower education levels, division of labour, patriarchal norms that create biases and violent spaces both in private and public spheres. More important is the violence at the work place.

Many women reported that they were ignored by the Government Officials especially the Executive Officers. Most issues which are raised are far from the reality of the situation they come from where girl child and honour killings exist, where reproductive health issues and education of the girl child takes a back seat. If the Panchayat system finds no space for these
issues then it becomes a governance which has a structure but no substance.

The existing two child norm as a disqualification criteria for Panchayat members in Odisha is a drawback and has a gendered impact. The norm affects those who have children after 1994 and is based on the wrong notion of Family Planning. India is a signatory to the International Conference on Population and Development which emphasized on population, sustainable development and good quality reproductive health care system and people’s right to decide the number of children and their spacing. This was announced in the 1998 Reproductive Health Programme of 1998 and National Population Policy (NPP) of 2000. The two child norm therefore goes against the NPP and the force used during the emergency is an indicator of what happens when there is State intervention. Disqualification of women panchayat members when they have little or no control over their bodies in a patriarchal system works against their fundamental rights. The practice of hiding children, forced abortion affects both mother and child. It is therefore important that it be removed as it has been in many other States.

Conclusion

Whilst the Panchayat System has opened up for political and decision making spaces for women and their increasing confidence is highlighted in this study. With the assurance of two terms, women’s capabilities and capacity will increase. With support from communities, women will be able to deliver the good governance required. Their reproductive health needs have to be met as well their training needs. Monitoring and evaluation are needed to understand if the training is achieving the desired objectives. Sustained capacity building of women not only after being elected but much before that in schools, in community is the need of the hour. Addressing issues of domestic violence in public spaces such as the panchayat will go a long way in its prevention and prohibition. Sexual harassment of elected women at workplace is a serious violation which needs urgent attention. Effective political participation by elected women is only possible when these barriers and challenges are addressed in a committed way. The path towards substantive empowerment of women through participation in decision-making bodies such as the Panchayats have to be not only sensitive and responsive to the needs of women in general but more so of the elected women representatives. Overall there has to be an enabling climate and conducive environment which facilitates the efficient and effective participation of women rather than the path being full of barriers. Thus recognition of the barriers is a significant step towards its removal. The grass root people’s representatives, half of whom are women, have to be equipped instead of just being notional.

References:

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3. Status report, ISS, N. Delhi, 2000, pp 229
4. Biju Patnaik will be remembered for his contribution to women’s rights in Odisha. Besides setting up structures he brought women activists as leaders in government decision-making.

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