



Participation of Women in the Panchayati Raj

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Abstract: Article 243D of the Constitution of India provides for not less than one-third reservation for women out of total number of seats to be filled by direct election and number of offices of chairpersons of Panchayats. However, as per the information available with the Ministry, 21 States namely, Andhra Pradesh, Assam, Bihar, Chhattisgarh, Gujarat, Haryana, Himachal Pradesh, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Odisha, Punjab, Rajasthan, Sikkim, Tamil Nadu, Telangana, Tripura, Uttarakhand and West Bengal, have made provision of 50% reservation for women in Panchayati Raj Institutions in their respective State Panchayati Raj Acts. In respect of remaining States, Constitutional provision as prescribed in Article 243D applies. 'Panchayat', being 'Local Government', is a State subject and part of Seventh Schedule of the Constitution. Accordingly, all Panchayat related matters, including representation of women in Panchayat systems, are governed by the respective State Panchayati Raj Acts and rules, subject to the provisions of the Constitution. However, Government has been encouraging increased involvement of women in the functioning of Panchayats through active participation in the Gram Sabha meetings for preparation of Gram Panchayat Development Plans and various schemes being implemented by the Panchayats. This Ministry has also issued advisories to the States to facilitate holding of separate Ward Sabha and Mahila Sabha meetings prior to Gram Sabha meetings, enhancing the presence and participation of women in Gram Sabha and Panchayat meetings, allocation of Panchayat funds for women centric activities, combating the evil of women trafficking, female foeticide, child marriage etc. Article 280 (3) (bb) of the Constitution of India provides for the Finance Commission to make recommendations regarding the measures needed to augment the Consolidated Fund of a State to supplement the resources of the Panchayats in the State on the basis of the recommendations made by the Finance Commission of the State. Accordingly, to improve the functioning of Panchayati Raj Institutions, including women related activities; funds have been recommended by Central Finance Commissions successively.

Keywords: women, panchayati raj, constitution, funds, participation, local government, plans.

Introduction

The Women's Reservation Bill or The Constitution (108th Amendment) Bill, 9 th March, 2010, is a bill passed in the Parliament of India which says to amend the Constitution of India to reserve 1/3 of all seats in the lower house of Parliament of India, the Lok Sabha, and in all state legislative assemblies for women. The seats were proposed to be reserved in rotation and would have been determined by draw of lots in such a way that a seat would be reserved only once in three consecutive general elections.

The Rajya Sabha passed the bill on 9 March 2010.^[1] However, the Lok Sabha never voted on the bill.^{[2][3]} The bill lapsed since it was still pending in Lok Sabha and the Lok Sabha expired during this two times in 2014 and 2019. In 1993, a constitutional amendment was passed in India that called for a random one third of village council leader, or sarpanch, positions in gram panchayat, to be reserved for women.^[4] There is a long-term plan to extend this reservation to parliament and legislative

assemblies.^{[5][6][7]} It was very well concluded by the spokespersons of women empowerment that in traditional societies all over the world the three major factors were responsible for the poor position of the female counterparts. Firstly women did not have a right to own property in most of the ancient contemporary societies. Secondly they were also disallowed to participate in public or political life and the third factor responsible for the backward condition of women was their non participation in legal system either as a judge or as a lawyer or even as a petitioner. Once the problem was diagnosed campaigns started all over the world to educate women to the optimum and to ensure their participation in public life. Their political role was to be determined now through political awareness and participation. The political participation of women was ensured through various Acts and regulations but due to the second grade status of women counterpart in traditional Indian social system, it gave birth to another problem and that was women as proxy participant for their male counterparts particularly in politics. It has been seen that even after so many significant changes in the status of women in Indian village; the condition of women is still the same in many remote areas. They are going out to work and contributing in their family income but the gender discrimination is still there. Women have contributed to civilization equally in all walks of life across time and space. But still their socio-economic and political positioning with respect to the male counterparts has always been a matter of debate and concern. However the reservation of 33% of the total seats in Panchayat for women brought a revolutionary change. In this paper an attempt has been made to examine the impact of 33 percent reservation in local body elections on empowerment of rural women and also the problems faced by them. India took an important step towards deepening democracy when it passed the 73rd amendment in 1993. One of the important features of this amendment was to give reservations to the SCs, STs and women. The amendment states that 33% of the gram panchayat seats (in some states the reservation for women has raised from 33% to 50%) and 33% of the sarpanch (the elected head of the gram panchayat) seats should be reserved for women. Every gram sabha gets a female sarpanch by rotation and the gram sabha is reserved for a female sarpanch after every 10 years. This was indeed a crucial step considering the low status of women in India and their consequent low participation in the public life.

Women empowerment refers to the process by which women acquire due recognition at par with men, to participate in the development process of the society through the political institutions. Above all, empowerment is the result of participation in decision-making. Also they are more accurate to take in decision making process being more patient than men. Women today are trying to realize their position in the society. They have become increasingly aware of gender inequalities in every sphere of life and are seeking the ways to fight them.

The mention of the word 'Sarpanch' generally brings to mind an image of an elderly white haired man, probably with a turban and a big moustache, holding in his hands a stick and in his gaze the fear filled respect of an entire village. Rarely does the image of a woman ever come to mind. Following women sarpanches are the perfect examples of rocking rural India :

1. Arati Devi (sarpanch at Ganjam district in Orissa) Former investment banker and MBA holder Arati Devi started a major literacy campaign for women in the panchayat where only signatures would be recorded for official applications, instead of thumb impressions.
2. Meena Behen (first woman Sarpanch in the small village in the district Vyara, Gujarat) Their village has an all-women Panchayat board. In their village, women were never allowed to go outside their houses. They were not even allowed to talk in front of men or in their presence. They can never be leaders, was the reaction of many people in Meena's village including the women also, says Meena Behen. But she kept on going and did better every time. Being an all-woman Panchayat board, the issues that women and children face come out easily in the open now. Pregnant women found it really difficult to go to the hospital so they built roads for easy accessibility. Under a Government scheme they have built over 30 houses in their village.
3. Chaavi Rajawat (the youngest female sarpanch of Soda village, Rajasthan) Chhavi Rajawat, (incidentally a young, first woman Sarpanch in India with an MBA degree) makes her village India's

first IT enabled village. There is a technology education lab in the village. There are also online postings of birth and death certificates, besides posting land records online. "Most youth in the village are unemployed, as they don't have higher education due to absence of a college. We want to change that with e-education," says she. After becoming the Sarpanch of the village, she has implemented many projects successfully i.e. rain water harvesting, she has brought better water, toilets facilities in most of the houses, paved roads, solar power, and a bank to her village. She is an inspiration to many and is the face of the young and modern India yearning for change.

4. Sushma Bhadu (sarpanch from three villages in Haryana- Salam Khera, Chablamori and Dhani Miyan Khan) Sushma Bhadu has gained popularity for improving the dwindling education and sex ratio levels of her villages. But she is more popular for the "lifting" of her 'ghunghat' in 2012 with the backing of her mother-in-law and her husband. Dhani Miyan Khan has a zero dropout rate at the village's only school. She also makes sure that every child in the village attends school.

5. Radha Devi (sarpanch of a village in Rajasthan) Despite the Right to Education Act, 1000s of children across Rajasthan do not go to school. Women sarpanch leaders stepped in to make sure that this trend turn around and girls attend school. Taking the help of local NGOs and SHGs, Radha Devi confronted the school authorities in her village and convinced parents into sending their kids back to schools.

6. A sixty year old woman sarpanch - Rajkala Devi (the first woman sarpanch (village head) of Hingwada Gram Panchayat in Alwar Distric of Rajasthan) India has been an inspiration for women to participate in local politics. On being elected she has addressed a host of key issues in her village like women education, availability of Below Poverty Line (BPL) ration cards, road construction and access to safe drinking water among others. "My focus is on girls' education. I really believe that the village can only be progressive if girls are educated," she says. She frequently visits the Anganwadi Centres to ensure that the children get proper meals and that there are sufficient teachers "For five years I will stay as Sarpanch and in these five years I will ensure that all women get justice," Rajkala says.

Discussion

The country's first-ever, 'Balika Panchayat', has started in five villages of Gujarat's Kutch district. The initiative aims to promote the social and political development of the girls and ensure their active participation in politics. The Panchayat has started in Kunaria, Maska, Motagua, and Vadsar villages of the Kutch district. This initiative has been taken by the Women and Child Development Welfare Department of the Gujarat Government under the 'Beti Bachao Beti Padhao' campaign. The Ministry of Women and Child Development is also planning to begin the girl panchayat across the country. "Balika Panchayat" is managed by people in the 11-21 age group and its main objective is to promote the social and political development of the girl child and to remove the evil practices from the society such as child marriage, and the dowry system. The main objective of panchayat is that the girls should move forward in politics. In Balika panchayat, the member is nominated just like Gram panchayat. Quotas are explicit requirements on the number of women in political positions. "Gender quotas for the election of legislators have been used since the late 1970s by a few political parties (via the party charter) in a small number of advanced industrial democracies; such examples would be like Germany and Norway". Andrew Reynolds says there is "an increasing practice in legislatures for the state, or the parties themselves, to utilize formal or informal quota mechanisms to promote women as candidates and MPs". The statistics surrounding quota systems have been examined thoroughly by academia. The European Court of Human Rights decided its first female quota case in 2019, and as of December 2019, one male quota case is pending with the court. In Zevnik and Others v Slovenia, the court expressed its strong support for gender quotas as a tool to increase women participation in politics

Types of quotas include:

- Sex quota systems: institute a "critical value" below which a government is deemed imbalanced. Examples of such critical values include 20% of legislators or 50% of politicians.

- Legal quota systems regulate the governance of political parties and bodies. Such quotas may be mandated by electoral law (as the Argentine quota law, for example) or may be constitutionally required (as in Nepal).
- Voluntary party quota systems may be used by political parties at will, yet are not mandated by electoral law or by a country's constitution. If a country's leading or majority political party engages in a voluntary party quota system, the effect may "trickle down" to minority political parties in the country (as in the case of the African National Congress in South Africa).

Quotas may be utilized during different stages of the political nomination/selection process to address different junctures at which women may be inherently disadvantaged:

- Potential candidacy: sex quota systems can mandate that from the pool of aspirants, a certain percentage of them must be female.
- Nomination: legal or voluntary quotas are enforced upon this stage, during which a certain portion of nominated candidates on the party's ballot must be female.
- Election: "reserved seats" may be filled only by women.

Quota usage can have marked effects on female representation in governance. Stronger quotas are estimated to increase the number of women elected to parliament by about three times as compared to weaker quotas. In 1995, Rwanda ranked 24th in terms of female representation, and jumped to 1st in 2003 after quotas were introduced. Similar effects can be seen in Argentina, Iraq, Burundi, Mozambique, and South Africa, for example. Of the top-ranked 20 countries in terms of female representation in government, 17 of these countries utilize some sort of quota system to ensure female inclusion. Though such inclusion is mainly instituted at the national level, there have been efforts in India to address female inclusion at the subnational level, through quotas for parliamentary positions.

With quotas drastically changing the number of female representatives in political power, a bigger picture unravels. Though countries are entitled to regulate their own laws, the quota system helps explain social and cultural institutions and their understandings and overall view of women in general. "At first glance, these shifts seem to coincide with the adoption of candidate gender quotas around the globe as quotas have appeared in countries in all major world regions with a broad range of institutional, social, economic and cultural characteristics".

Quotas have been quite useful in allowing women to gain support and opportunities when attempting to achieve seats of power, but many see this as a wrongdoing. Drude Dahlerup and Lenita Freidenvall argue this in their article "Quotas as a 'Fast Track' to Equal Representation for Women" by stating: "From a liberal perspective, quotas as a specific group right conflict with the principle of equal opportunity for all. Explicitly favoring certain groups of citizens, i.e. women, means that not all citizens (men) are given an equal chance to attain a political career". Dahlerup and Freidenvall claim that even though quotas create theoretical imbalance in opportunity for men and that they necessarily break the concept of "classical liberal notion of equality", quotas are almost required to bring the relation of women in politics to a higher state, whether that is through equal opportunity or just equal results. "According to this understanding of women's under-representation, mandated quotas for the recruitment and election of female candidates, possibly also including time-limit provisions, are needed".

The introduction of gender quotas in the electoral process has spurred controversy from politicians, resulting in resistance to the acceptance of quotas in the political realm. The mobilization of women in politics has been hindered by means of preserving male political survival, and to avoid political interference with male power and domination.^[94] Moreover, the implementation of gender quotas has caused the male candidate population to decrease in order for their female counterparts to participate, and this is commonly referred to as the "negative sum," and this can result in a more qualified male being rejected to allow a female politician to participate.^[94] Nevertheless, this notion of "more

qualified" remains unclear and is too often used as an oppressive tool to maintain the status quo, namely, excluding women. Indeed, we can only use proxies to predict future performances. For example, research has since long proven that the use of SAT scores in the U.S. for university admission favours privileged classes which can receive extra training before the test, while less favoured classes could have succeeded as much or even more once in college. The problem of proxies is even worse in the case of women, as this is added to the cognitive bias of Homophily, which lead men already in power to favour other males to work with them. Furthermore, in the case of Argentina, which is currently mandated for a 30% female party at each level of government, saw the introduction of the 'quota women'; females that were less experienced, and only elected due to the legal requirement of quotas. The introduction of the 'quota women' has triggered what political scientists refer to as a 'mandate effect,' where quota women feel obligated to represent solely the interests of the female public. Moreover, in order to preserve male political survival, "domination techniques" have been utilized to both exclude and delegitimize female representation in politics, and this can be depicted in the case of Argentina, where it took several elections to gain 35% of female representatives. With the increase of female representation in Argentina, issues that were rarely discussed before became paramount in debates, such as "penal laws, sexual assault laws, and laws on maternity leave and pregnancy... sexual education, [and] emergency contraceptive."

Substantive representation contains two distinct parts: both the process and outcome of having female politicians. Substantive representation based on the process is concerned with the gendered perspective, themes that female representatives discuss in political debates, and the impact they have on the creation of bills. Likewise, this process also includes the networking between women in government and female organizations. Substantive representation by outcome relates to the success of passing legislation that enables gender equality to both public and private issues. Moreover, substantive representation as process does not always result in substantive representation by outcome; the implementation of gender quotas and female representation does not directly instigate an influx in legislation.

Critical mass theory has correlations with both substantive representation as process and substantive representation as outcome. Critical mass theory suggests that once a certain percentage of women representatives has been reached, that female legislators will be able to create and enable transformative policies, and this has the potential to place pressure on quota women to act on behalf of all women. Reaching a critical mass eliminates the pressure of maintaining the status quo, to which minorities are forced to conform to avoid being labeled as outsiders by the majority. One paramount criticism of critical mass theory is its attention to numbers, and the understanding that quota women are to represent women collectively. Furthermore, the representation of women as a collective group remains controversial, as "[if] she is a white straight, middle-class mother, she cannot speak for African-American women, or poor women, or lesbian women on the basis of her own experience anymore than men can speak for women merely on the basis of theirs."

Results

Women's informal collectives are crucial to improving the standard of living for women worldwide. Collectives can address such issues as nutrition, education, shelter, food distribution, and generally improved standard of living. Empowering such collectives can increase their reach to the women most in need of support and empowerment. Though women's movements have a very successful outcome with the emphasis on gaining equality towards women, other movements are taking different approaches to the issue. Women in certain countries, instead of approaching the demands as representation of women as "a particular interest group", have approached the issue on the basis of the "universality of sex differences and the relation to the nation". Htun and Weldon also bring up the point of democracy and its effects on the level of equality it brings. In their article, they explain that a democratic country is more likely to listen to "autonomous organizing" within the government. Women's movements would benefit from this the most or has had great influence and impact because of democracy, though it can become a very complex system. When it comes to local government issues, political standings for women are not necessarily looked upon as a major issue. "Even civil

society organizations left women's issues off the agenda. At this level, traditional leaders also have a vested interest that generally opposes women's interests. Theorists believe that having a setback in government policies would be seen as catastrophic to the overall progress of women in government. Amanda Gouws says that "The instability of democratic or nominally democratic regimes makes women's political gains very vulnerable because these gains can be easily rolled back when regimes change. The failure to make the private sphere part of political contestation diminishes the power of formal democratic rights and limits solutions to gender inequality".

Affirmative action both corrects existing unfair treatment and gives women equal opportunity in the future. Moreover, the impact that gender representation can have on politics cannot be emphasized enough. In their noteworthy paper on examining the effects of female leadership in the times of crisis, Bruce et al. show that women as mayors in Brazilian municipalities had a negative, sizable and significant impact on the number of COVID-19 deaths and hospitalizations per one hundred thousand inhabitants. It is interesting to note that the effect of women in power in Brazil was stronger in pro-Bolsonaro strongholds, who became infamous for his beliefs of not wearing a mask and being skeptical of vaccines.

In addition to the points raised above, Supriya Garikipati and Uma Kambhampati conduct an analysis to determine if there is any significant difference between COVID-19 pandemic being handled by women as compared to men. Their findings show that COVID-death related outcomes are better in countries which are led by women across all the 194 nations. They even find that testing rates per hundred thousand people are significantly higher in countries led by women, and still report fewer cases than countries led by men. They also reacted quicker by imposing a lockdown faster. While it can be said that women handled the COVID-19 better, that may not mean that they are better leaders than men. However, the pandemic is an extremely effective indicator of handling a crisis situation that any leader must know how to handle; which is an arena women have outperformed men in, especially during the COVID Crisis.

Conclusions

Chhavi Rajawat was the Sarpanch of her village Soda, 60 kilometres (37 mi) from Jaipur. Though holding an elected post, Chhavi is not affiliated to any political party. The Panchayats are officially supposed to be non-partisan and Panchayat elected representatives thereby, do not fit into the bracket of mainstream politics.^[1] She has been reported to be the youngest person to hold the office of sarpanch.^[2] Rajawat left her corporate job and city life to help develop rural India. She became the Sarpanch (Head of a Village) of Soda, a village sixty kilometers from Jaipur, Rajasthan. Her grandfather Brig Raghubir Singh had been Sarpanch of the same village 20 years prior to Chhavi's elections. She is very good in meeting with people and she is taking a lead in development of Soda village. After becoming the Sarpanch of the village, she has implemented many projects successfully i.e. rain water harvesting, toilets facilities in most of the houses, etc.^[7]

The Times of India, a leading English newspaper in India, credits her as the changing face of rural Rajasthan.^[1]

On 25 March 2011, Rajawat made a well-received address to delegates at the 11th Infopoverty World Conference held at the United Nations.^[8]

On late President of India APJ Abdul Kalam at the Technology Day function at New Delhi.^[9]

Chhavi Rajawat was honoured "Young Indian Leader" by IBNLive.^[10]

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