

**PANCHAYATS, WOMEN AND CIVIL SOCIETY :**

**A CASE STUDY OF HARYANA**

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This dissertation entitled “Panchayats, Women and Civil Society : A Case Study of Haryana”, submitted in partial fulfillment for the M. Phil. Degree of this University has not been previously submitted for any other degree of this or any other university and is my original work.

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We recommend that the dissertation be placed before the examiners for evaluation.

  
( RAVINDRA K. JAIN )

SUPERVISOR

  
( M. N. PANINI )

CHAIRPERSON

TO MY MOM AND DAD

WHO ALWAYS GAVE ME

EVERYTHING I WANTED

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# **CHAPTER 1**

## **INTRODUCTION**

## INTRODUCTION

The focus of this chapter is two-fold: firstly, to provide a brief overall view of this piece of research, and secondly, and more importantly, to delve into the issue of the dichotomy (or confluence) between the state and the civil society in order finally to arrive at the opinion of this author that panchayats are more a civil societal institution rather than merely being a decentralized organ of the state.

The status of women in India has been dismal, considering an adverse sex ratio of only 927 women for every thousand of men (1991 census), a very low female literacy rate (less than 40%), and a multitude of social, economic and political processes that are grossly unfair to women and deny them their due share in the social order. In such a scenario, it has been argued that a greater participation by women in the political processes of this country, which also happens to be the world's largest democracy, will bring about a significant uplift in their status. Various steps in this direction have been contemplated and taken by the government, the most significant one, in terms of its reach and effect, being the enactment of the Constitution (73<sup>rd</sup> Amendment ) Act, 1992. This Act provides for, *inter alia*, a reservation of one third of the seats at all levels of local government for women. Thus women have been sought to be brought into a direct

participation in the decision making process at a level that is immediately relevant to them.

The present study might be deemed as a case study which seeks to obtain an insight into the question whether this measure of reservation of seats for women in panchayatiraj institutions (PRIs) is a worth while effort or not in the direction of improving women's status. This has been done indirectly through an appraisal of the status of women in women-dominated (in terms of membership of local bodies) districts of the state of Haryana prior to the implementation of the Panchayati Raj Act. The status of women, in the absence of field work and hence any primary data, has been estimated through some select indicators of women's status, such as female literacy rate, female student enrolment ratio in primary classes, couple protection rate etc. These indicators have been proved to be valid in a number of other studies. Thus, it has been argued that if women enjoy a better status in districts where female leadership in panchayat bodies is greater even prior to implementation of the 73<sup>rd</sup> Amendment Act, then it definitely is a positive and effective step to provide reservation for women in these bodies.



Chapter 2 of the study will look into the concept of Panchayati Raj, its history, development, and functioning. It will specifically highlight the Act as applicable to the state of Haryana.

Chapter 3 deals with the status of women in India, both historically as well as in contemporary times. It also looks at the issues of the participation of women in policy making processes, their empowerment through Panchayati Raj and in particular, the impact of the 73<sup>rd</sup> Amendment Act, 1992 on the status of women.

Chapter 4 will comprise the empirical part of the study. It incorporates data on the status of women in different districts of Haryana, vis-à-vis the number of women leaders in local bodies. It also consists of the interpretation of the data regarding the correlation between the above two variables viz. the number of women panches/sarpanches and the indicators of the status of women in Haryana.

The final chapter concludes the findings of the study, along with overviewing the strengths, weaknesses and steps for the improvement of Panchayati Raj to the benefit of women.

## **Panchayats: State or Civil Society?**

Looking at panchayats from different perspectives, it may be argued either that they are an institution of the state, or that they fall within the sphere of the civil society. But before delving further into the argument, we must have a clear understanding of the twin concepts of 'state' and 'civil society', in terms of their meaning, history, dichotomy and congruence.

### **STATE:**

State is the apparatus of rule or government within a particular territory. It is an organization which successfully upholds a claim to binding rule-making over a territory, by virtue of commanding a 'monopoly of the legitimate use of violence' within the territory<sup>1</sup> However, only in extreme circumstances do states depend on the actual use of violence or physical coercion. If it attempts routine coercion *power deflation* may set in, according to Parsons<sup>2</sup>, using up its resources and threatening its survival. Thus political legitimacy is crucial

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1. *Collins Dictionary of Sociology* (2<sup>nd</sup> Ed.) 1995;p.650

2. *Macmillan Student Encyclopedia of Sociology* ; 1983 ; p.45

for the state's survival. The first states appeared around five thousand years ago in the Middle East and elsewhere, probably as the outcome of the activity of redistributive chiefdoms, or of the warfare which led to conquest and class domination<sup>3</sup>. Whereas most forms of premodern state had only *subjects*, modern states have *citizens*, i.e. full members of political communities increasingly enjoying the right to vote, the right to stand for office, freedom of expression, welfare rights, etc. It has been quite difficult to identify the boundaries of the state. Older administrative perspectives see the state as a clearly defined set of institutions with official powers. Others, including Marxist theorists such as Gramsci and Althusser, question the distinction between the state and the civil society<sup>4</sup> and argue that the former is integrated into many parts of the latter. For example, Althusser maintains that civil organizations such as the Church, schools and trade unions are all part of the *ideological state apparatus*. Many parts of the civil society are given institutional access to the state and play a role in the development of public policy. The state also funds a number of groups within the society, which, although autonomous in principle, are dependent on state support.

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3. Collins, *op. cit.*

4. Marshall, G. (ed.) : (1994) *The Concise Oxford Dictionary of Sociology*; p.507

In addition, the boundaries of the state are continually changing, for example through privatization (transferring responsibilities from the civil service to private contractors) and the creation of new regulatory bodies<sup>5</sup>.

### **CIVIL SOCIETY :**

This is an old concept in social and political thought that has recently been revived in social scientific debates. Traditionally, up to the eighteenth century, it was a more or less literal translation of the Roman *societas civilis*<sup>6</sup>. It was thus synonymous with the state or ‘political society’. When Locke spoke of “civil government”, or Kant of *burgerliche gessellschaft*, they both meant simply the state, seen as encompassing the whole realm of the political<sup>7</sup>. Civil society was the arena of the politically active citizen. It also carried the sense of a *civilized* society, one that ordered its relations according to a system of laws rather than the autocratic whim of a despot. The core meaning of civil society according to Ralf Dahrendorf (1996:237) is the “criss-crossing network” of

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5. *op. cit.*

6. Krishan Kumar : “Civil Society”, in Kuper, A. & Kuper, J. (eds.) : (1996) *The Social Science Encyclopedia* ;p.89

7. *op. cit.*

various non-state institutions: families, religious groups, trade unions, clubs, market boards etc.<sup>8</sup> Civil society depends on civil liberties such as the freedom of speech, of assembly, of association, of the press etc. The emphasis is on this social web's independence of the state. It represents a separate sphere of human relations and activity, differentiated from the state but neither public nor private, or perhaps both at once, embodying not only a whole range of social interactions apart from the private sphere of the household and the public sphere of the state, but more specifically a network of distinctively 'economic' relations, the sphere of the market-place, the arena of production, distribution and exchange<sup>9</sup>. From a historical point of view, we might see that the current usage of 'civil society' or the conceptual opposition of 'state' and 'civil society', has been inextricably associated with the development of capitalism

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8. Dembowski, H. : "Courts, Civil Society and Public Sphere", in *Economic and Political Weekly*, Vol. XXXIV No.1 & 2, Jan 2-8 / 9-15,1999 ; p.67

9. Wood, Ellen M. "The Uses and Abuses of Civil Society", in *The Retreat of the Intellectuals: Socialist Register*, 1990 ; p.61

Charles Taylor has distinguished between three different senses in which civil society can be identified in the European political tradition<sup>10</sup>.

1. In a minimal sense, civil society exists where there are free associations, not under the tutelage of state power.

2. In a stronger sense, civil society only exists where society as a whole can structure itself and coordinate its actions through such associations, which are free of state tutelage.

3. As an alternative or supplement to the second sense we can speak of civil society wherever the ensemble of associations can significantly determine or inflect the course of state policy.

Partha Chatterjee finds it useful to retain the term civil society for those characteristic institutions of modern associational life originating in the western societies that are based on equality, autonomy, freedom of entry and exit, contract, deliberative procedures of decision-making, recognized rights and duties of the members, and such other principles<sup>11</sup>.

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10. Chatterjee, P. : (1994) *The Nation and Its Fragments : Colonial and Post-Colonial Histories* ;p.228

11. Chatterjee, P. : "Beyond the Nation ? Or Within ?", in *Economic and Political Weekly*, January 4-11, 1997; p. 31

In modern England, the birthplace of capitalism, the early usages of the term ‘civil society’, far from establishing an opposition between civil society and state, conflated the two. This conflation of state and *society* represented the subordination of the state to the community of private property holders, which constituted the political nation<sup>12</sup>. However, with a more advanced and more highly developed market mechanism, it was the same English conditions that made possible the modern conceptual opposition between the two. It is to Hegel that we owe the modern meaning of the concept of civil society. In the ‘Philosophy of Right’ (1821)<sup>13</sup>, Hegel argued that civil society is the sphere of ethical life interposed between the family and the state. Following the British economists, Hegel sees the content of civil society as largely determined by the free play of economic forces and individual self-seeking. But civil society also includes social and civic institutions that inhibit and regulate economic life, leading by the inescapable process of education to the rational life of the state. So the particularity of the civil society passes over into the universality of the state.

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12. Wood, *ibid.* p.61

13. Kumar, *op. Cit*

Marx, though acknowledging his debt to Hegel, narrowed the concept of civil society to make it equivalent simply to the autonomous realm of the private property and market relations. 'The anatomy of civil society,' Marx said, 'is to be sought in political economy'<sup>14</sup>. This restriction threatened its usefulness. The concept of civil society now became redundant since the economy or simply *society* – seen as the effective content of the state and political life generally – supplied its principal terms. In his later writings Marx himself dropped the term, preferring instead the simple dichotomy of 'society' and 'state'. Thus the concept of civil society fell into disuse in the second half of the nineteenth century.

It was Antonio Gramsci, in the writing gathered together as the 'Prison Notebooks' (1929-35), who rescued the concept in the early part of the twentieth century. Gramsci, while retaining a basic Marxist orientation, went back to Hegel to revitalize the concept. Indeed he went further than Hegel in detaching civil society from the economy and allocating it instead to the state. Civil society is that part of the state concerned not with coercion or formal rule but with the manufacture of consent<sup>15</sup>.

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14. *op.cit*

15. Kumar, *op.cit*



By the same token, it is also the arena where the hegemony of the state is challengeable. Gramsci conceptualized the state as the ‘political constitution of civil society’<sup>16</sup>. In the radical decades of the 1960s and 1970s, it was Gramsci’s concept of civil society that found favor with those who attempted to oppose the ruling structures of society not by direct political confrontation but by waging a kind of *cultural guerrilla warfare*<sup>17</sup>.

Thus we observe that the concept of civil society has been vigorously revived, increasingly enamouring a significant number of political theorists and activists. The origins of this recovery of civil society, as Neera Chandoke points out, have two main reasons, both of them political<sup>18</sup>.

The first reason is the reaction to the ‘overreach’ of the state in East Europe. The discourse emanating in this part of the world positioned itself consciously against Stalinist states, which had pulverized civil society by either absorbing them or by crushing them<sup>19</sup>. The attempt to reanimate civil society, was, therefore, a direct and conscious challenge to the policy of these states.

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16. Chandoke, Neera : (1995) *State and Civil Society : Explorations in Political Theory*; p.24

17. Kumar, *op.cit*

18. Chandoke, *ibid.* p.27

19. *ibid.* p.28

The second reason of the recovery of civil society in political theory is a profound dissatisfaction with the 'developmentalist' state in the post-colonial world. The aftermath of the people's movement of 1989 in China saw scholars discussing the resurgence of a nascent civil society (Gold, 1990; Nathan, 1989; Burns, 1989; Whyte, 1992)<sup>20</sup>. Analysts of the movement located the social base of the protest in the civil associations of small entrepreneurs, think tanks, and in literary journals. They suggested that the insufficient development of these institutions had led to the failure of the protest movement. African scholars have begun to speak of the indispensability of civil society in ensuring democratization<sup>21</sup>.

In the Indian case, the meaning if not the terminology of civil society, has been widely used to delineate the upsurge of popular movements against the state. It is realized, that this upsurge is connected to what Kohli, borrowing from the phraseology of the Trilateral Commission, calls the 'crisis of governability'<sup>22</sup>. Pressures from within both the state and the society have contributed to the emergence of personalized rule, ineffective government, and

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20. *op.cit.*

21. *op.cit.*

22. *op.cit.*

violence and corruption in public life. This crisis of governance is the result of the weakening of a normative commitment of the leaders to 'institutional constraints on personal power',<sup>23</sup> as well as the result of the increasing demands from a variety of politicized social groups.

Rudolph & Rudolph similarly locate the crisis of governability in India, in the emergence of new demand groups that place extreme pressure on the polity<sup>24</sup>. Attention has consequently shifted from the state and its institutions to its relations with society, and the challenges mounted by social groups to the polity.

Civil society in India is seen by most theorists as a fluid association of social groups which are based on caste and kinship linkages, or on religious mobilization as much as on voluntary associations. Another conceptualization of civil society is that of a conglomeration of protest movements which challenge the unjust and inequitable Indian state. According to Omvedt, the predominant feature of Indian politics by the late 1980s had become the "new social movements"<sup>25</sup> of women, dalits and low castes, peasants, farmers, and tribals as

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23. Kohli, in Chandoke, *op. cit*

24. Rudolph, L. & Rudolph, S. (1987) *In Pursuit of Lakshmi : The Political Economy of the Indian State*; p.186

25. Chandoke, *ibid.* p.29

well as ethnicity-based struggles for autonomy or independence. Civil society represents in much of Indian thinking a non-state domain of protest and challenge. As against the centralizing tendencies of the Indian state, the conceptualization of civil society as a plural sphere of social and political forms strengthens the spirit of democracy. And conceptualized as a series of cultural practices that accepts diversity, dialogue and respect for each other, civil society strengthens the spirit of tolerance. Rajni Kothari's remark in this context may be quoted at length here:

“ The creation of civil society with us becomes the task facing leaders of diverse social and cultural entities – in cooperation and communion with each other, drawing upon available and still surviving traditions of togetherness, mutuality and resolution of differences and conflict – in short, traditions of a democratic collective that are our own and on which we need to build in a changed historical context. This is the basic political task facing Indians – the creation of a civil society that is rooted in diversity yet cohering and holding together”<sup>26</sup>.

The focus on civil society arises from a general agreement that since the consensual model represented by the Nehruvian state has exhausted itself, the solution to India's political, social and cultural problems lies in a politically conscious society.

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26. Kothari, in Chandoke, *ibid.* p.29

Civil society can in one sense thus be identified with democratization and liberalization but it is a far more comprehensive and deeper concept than democracy. Democracy can, and often has, be reduced to rituals and staged political events. The concept of civil society on the other hand, embraces an entire range of assumptions, values and institutions, such as political, social and civil rights, the rule of law, representative institutions, a public sphere and above all a plurality of associations, which are indispensable as the preconditions of democracy. In both East Europe and the post-colonial world the concept in its resurrected form has posed a challenge to the 'top-down' notion of society-state relations. The attempt to postulate the centrality of civil society is tied up with hopes of democracy and political liberalism. Civil society thus emerges as the space of implicit freedom and it has become the critical concept for the project of radical democracy drawing its inspiration from Gramsci and from Habermas ( Laclau, 1990; Mouffe, 1992)<sup>27</sup>.

Civil society is thus conceptualized as a space where people can pursue self-defined ends in an associated area of common concerns. It is a space that

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27. Chandoke, *ibid.* p.30

nurtures and sustains its inhabitants rather than controls them and their relationships. It is an arena in which modern man legitimately gratifies his self-interest and develops his individuality<sup>28</sup>. Civil society is also the sphere where the rational self-determining individual enters voluntarily into social relationships with others. The value of these relationships rests on the fact that they are based upon reasoned calculations that no human being can achieve his goals without the help of others. This realization brings individuals together in areas of wide-ranging common concerns – economic, social but primarily political. Civil associations pave the way for political associations. It is through civil society that the potential excesses of the centralized state in democratic societies can be controlled. It is a necessary constraint on the powers of the state.

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28. Pelczynski (1988), in Chandoke, *ibid.* p.34

## **Gandhian Critique of Civil Society :**

Having seen the positive aspects and the desirability of the strengthening of civil society, we must also consider some of the major criticisms of the concept of civil society, the foremost and the most fundamental of them being that by Mahatma Gandhi, contained in most profundity in his early work 'Hind Swaraj', written in Gujarati in 1909 and published in an English translation in Johannesburg in 1910 after the original edition was proscribed by the Government of Bombay.

Through this text Gandhi's relation to nationalism can be shown to rest on a fundamental critique of the idea of civil society<sup>29</sup>. On the surface, it is a critique of modern civilization, 'a civilization only in the name'<sup>30</sup>. In dealing with the question of India's subjugation to the British, Gandhi tries to locate the sources of Indian weakness rather than putting the blame on British avarice or deceit. And the failure is found not in the realm of culture but of morality. It is not because Indian society lacked the necessary cultural attributes that it was unable to face up to the power of the English. It is not the backwardness or lack of

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29. Chatterjee, P: (1986) *Nationalist Thought and the Colonial World: A Derivative Discourse ?*, p.85

30. Gandhi, in Chatterjee, *op.cit.*

modernity of India's culture that keeps it in continued subjection. For Gandhi, it is precisely because Indians were seduced by the glitter of modern civilization that they became a subject people. And what keeps them in subjection is the acceptance by leading sections of Indians of the supposed benefits of civilization. Fundamentally, Gandhi attacks the very notions of modernity and progress and subverts the central claim made on behalf of those notions, viz. their correspondence with a new organization of society in which the productive capacities of human labor are multiplied several times, creating increased wealth and prosperity for all and hence increased leisure, comfort, wealth and happiness. In the case of modern imperialism, morality and politics are both subordinated to the primary consideration of economics, and this consideration is directly related to a specific organization of social production characterized not so much by the nature of ownership of the means of production but fundamentally by the purposes and processes of production<sup>31</sup>. Mechanization and production for exchange are the villains in the Gandhian idea of modern economy.

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31. Chatterjee, *ibid.* p. 88



Thus Gandhi launches a thoroughgoing critique against each of the constitutive features of civil society: its continually expanding and prosperous economic life, based on individual property, the social division of labor and the impersonal laws of the market; its political institutions based on a dual notion of sovereignty in which people in theory rule themselves, but are only allowed to do so through the medium of their representatives whose actions have to be ratified only once in so many years (in five years in India, for instance); its spirit of innovation, adventure and scientific progress; its rationalization of philosophy and ethics and secularization of art and education<sup>32</sup>. Gandhi does not accept the argument that if effective combinations are formed among individuals and groups sharing a set of common self-interests, a defining feature of civil society, than the institutions of representative democracy will ensure that the government will act in ways which are, on the whole, in the common interest of the entire collectivity. He argues that the dissociation of political values, based on self-interest, from social morality based on certain universal ethical values shared by the whole community, leads to a structure and process of politics in which the wealthy and the powerful enjoy disproportionate opportunities to manipulate the machinery of

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32. Chatterjee, *ibid.* p.91

government to their own sectional interests<sup>33</sup>. Gandhi's political ideal is a patriarchy in which the ruler, by his moral quality and habitual adherence to truth, always expresses the collective will. It is also a utopia in which the economic organization of production, arranged according to a perfect four-fold *varna* scheme of specialization and a perfect system of reciprocity in the exchange of commodities and services, always ensures that there is no spirit of competition and no differences in status between different kinds of labour<sup>34</sup>. The ideal conception of *Ram-rajya* encapsulates the critique of all that is morally reprehensible in the economic and political organization of civil society.

In my opinion, it is virtually impossible to provide a critique of the Gandhian critique of civil society, but by arguing that it is an utopia and idealism. This is because Gandhi's idea of society is a perfect world in which everyone is precisely self-controlled. It is "a state of enlightened anarchy in which each person will become his own ruler. He will conduct himself in such a way that his behavior will not hamper the well being of his neighbors. In an ideal State there will be no political institution and therefore no political power"<sup>35</sup>.

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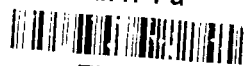
33. Gandhi, in Chatterjee, *ibid.* p.92

34. *op.cit.*

35. Gandhi, in Chatterjee, *op.cit.*

However, since in the real world as it exists today, there are both political institutions and political power, state as well civil society, Gandhi's critique of civil society may be subjected to review, especially in the light of new developments in the meaning and understanding of the concept of civil society. Two points may be made in this context : the first is that in the Gandhian conception, civil society is equated or identified largely with the bourgeois society, and this has obvious historical reasons as mentioned above while outlining the development of the concept of civil society. Civil society has been based on the notion of civil rights, which have been historically bound up, with the claims of the propertied class for freedom. And the formal discourse of rights and freedom does not distinguish between those who have property in the form of material possessions, and those who have only their labor. Thus civil society becomes the sphere of class inequality and exploitation. However, there is a need to avoid this conflation of civil with bourgeois society, because of recent developments in both the theory and reality of civil society, and this forms the second point in the response of this author to the Gandhian critique of civil society.

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The demise of states in East Europe and the USSR has renewed the need for strengthening the civil society, which ensures democratic states, because among the values of civil society are those of accountability of states, and limits on state power. The presence of an overpowering state is a fact of our age, a state that has stifled all initiative and debate by the people - in other words a state that seeks to command civil society. Such a state does not feel the need to be accountable, and ceases to be responsible to the people. It is necessary to control the exercise of state power and to make states responsive. And they can be held responsible only through democratic practices of an independent civil society.

Yet another point is the need to reject the assumption that civil society exists only in capitalist, modern, Western societies. Gandhi's critique is a critique of civil society as it existed in the West. But if we look beyond this conception of civil society, we might find that civil society existed, or has come to exist, even in post-colonial, non-Western countries. This is because in any society, there is always an arena of freedom outside the state, a space for autonomy, voluntary association and plurality, which is neither public nor private or perhaps both at once, embodying a whole range of social interactions apart from the private sphere of the household and the public sphere of the state.

Thus while Gandhi's critique of civil society is indeed innovative and illuminating of the many oppressive features of civil society, which have been acknowledged even by many of the contemporary advocates of civil society, it needs to be viewed in the light of today's reality of the global social order. Though it might be a good and desirable conception at the theoretical level, it fails to sustain itself on the empirical ground.

### **Panchayat as Civil Society :**

India is world's largest democracy, consisting of over 900 million people, around seventy percent of whom live in rural areas. It might be argued that the existence of democracy is inextricably bound up with that of the civil society. Indeed, the presence of a vibrant and active civil society has come to be seen as a vital and indispensable precondition for democracy.

In a narrow sense, democracy can be thought of as the control people exercise over the choice of their political representatives<sup>36</sup>. This control is necessarily periodic and confined to ritualistic events, most notably elections. In

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36. Chandoke, *ibid.* p.163

the maximal sense, democracy can be thought of as the process by which individuals exercise control over decisions that are regarded as collectively binding upon a community. Thereby, they exercise control over the conditions that affect their lives. These decisions can range from gender relations in the family, workplace conditions, the domination religious leadership exercises over their constituencies, neighborhood matters, to decisions and policies of the state. Such democratic arrangements of society are a precondition of political democracy.

Thus people must accept that the ultimate responsibility for social arrangements is theirs, and recognize that this responsibility cannot be ceded to a state however legitimate it may seem to be. In turn, this implies that control over decisions can emerge only if people are free to engage in debates, dialogues and contestations about the past, present and future of their society, and are prepared to guard this right against any oppressive agency.

In this background and the context of the enactment of the Constitution (73rd Amendment) Act, 1992, giving immense powers to the local bodies, panchayats can be argued to be belonging to the sphere of civil society, rather than the state. They have become institutions of self-rule, common interest and mutual association for community development. As early as 1962, a study team

constituted by the Association of Voluntary Agencies for Rural Development ( AVARD ) observed : “ \_\_\_ people felt that they had sufficient powers to enable them to mould their future \_\_\_\_ . They are fully conscious of the fact that such privileges and favors which were formerly under the control of the BDO (Block Development Officer) are now under their control.”<sup>37</sup> .

In predominantly rural economies like India, the civil society that has come up has been confined to the urban sectors and the articulate middle classes. The rural poor inhabiting the spaces of subsistence economies have neither rights, nor political articulation, nor a political presence. In this context panchayats have come to represent new constituents of the civil society, grant as they do a substantial autonomy to the rural masses to decide for their own future in terms of administration and development. The functions and powers allocated to the panchayats is an indicator of this. People can now choose their representatives, manage their day-to-day affairs themselves, decide on their needs and influence the policies of the state accordingly. Panchayats are the new forum where the hitherto powerless rural masses can associate and come forward to articulate their interests, and this makes them a part of the civil society that supplies resistance to

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37. Pal, Mahi : “Panchayati Raj in India: Issues and Challenges”, in *Kurukshetra*, Vol. XLV No. 11, August 1997, p.73

the 'top-down' and centralized policy decisions of the state. Though panchayats can not be completely isolated from the notion of the state and the political, as they still have significant connections with the bureaucratic apparatus, they definitely belong to the sphere of the civil society.



## **CHAPTER 2**

# **PANCHAYATI RAJ IN INDIA**

## PANCHAYATI RAJ IN INDIA

The previous chapter delved into the debate over Panchayati Raj Institutions being an organ of the state or a constituent of the civil society. The present one has been divided into two parts: in its first part the history, development and current status of the Panchayati Raj Institutions in the country will be highlighted. The second part will have at its focus the Panchayati Raj, as it is operational in the state of Haryana.

### PART 1

#### History –

The aim of freedom was to remove poverty, hunger, illiteracy, unemployment, and all sorts of diseases from which India had been suffering for two centuries under the British regime. Thus, after Independence the government had to launch comprehensive developmental and welfare-oriented schemes/programs through Five-Year Plans to enable the people to lead a life of dignity. To meet this objective, the Government of India started development programs through government departments in a centralized manner. During the First Five Year Plan, the Community Development Program (CDP) and the National Extension Services (NES) was launched. Although ad-hoc advisory bodies comprising

nominated members were constituted, they could not evoke local initiative. Thus arose the need to take the government to the people and devise new bodies of local self-rule.

### **Panchayats and the Constitution –**

Although the Constitution of India has recognized only two tiers of governance in the country – the Union and the States – in its Directive Principles of State Policy the Constitution (Art. 40) has mentioned *units of self-government* to denote panchayats below the district level. In the fifty years after Independence, practical problems of administration, governance, and development along with the people's aspirations for sharing of power, widening of the space for people's organizations and their relevance, have underlined the need for decentralization of power. This is particularly true for the district level and below.

Decentralization of institutions and powers, as it stands today, has evolved as the outcome of several developments since 1950. The following deserve special mention :

1. The concept of the 'four-pillar state' (*chou-khamba rajya*) - of village, district, state and center →gaining strength.

2. The idea of district government gaining currency, especially with the 1983 Karnataka Act on panchayats.

3. The amendments to the Constitution (73<sup>rd</sup> and 74<sup>th</sup> Amendments of 1992) which defined local bodies at the district and below as ‘institutions of self-government’<sup>1</sup>.

These developments had three implications. First, the idea of local self-government, hitherto understood in accordance with the government resolution of Lord Ripon (1882)<sup>2</sup>, as local bodies carrying out only civic functions, with mainly nominated members, became irrelevant. Second, panchayats, which were localized institutions with a limited scope, assumed the dimensions of *Panchayati Raj*, with a wider and more dynamic meaning – as part of a political process from Gram Sabha to Lok Sabha.

Third, the existing quasi-federal structure began to undergo radical changes affecting center-state relations as well as state-panchayat relations.

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1. Mathew, George: “Decentralized Institutions: Governmental and Voluntary Sector”, in *Economic and Political Weekly*, Vol. 34 No. 9, February 27, 1999, p.529

2. *op.cit*

In other words, a whole lot of changes took, and are now taking, place in this sphere, with 29 subjects being transferred to panchayats under the Eleventh Schedule of the Constitution<sup>3</sup>. In effect, the concentration of power at any one level of the state is becoming difficult.

*Institutions of self-government* are mentioned in Article 243G of the Indian Constitution<sup>4</sup>. This concept needs to be interpreted in the light of all the positive developments in the last decade and a half. Although Articles 243(d), 243G, and 243P(e) define panchayats and municipalities as ‘institutions of self-government’, nowhere has the scope of these institutions been defined. But they can, nonetheless, bring about radical changes in India’s federal structure with far-reaching consequences.

### **Development of Panchayati Raj Institutions :**

After the Community Development Programs and National Extension Service failed to achieve their objectives, a “Team for the Study of Community Projects and National Extension Service”, was constituted, headed by Balwantrai Mehta, a Member of Parliament<sup>5</sup>.

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3. *op.cit.*

4. Bakshi, P. M. : (1997) *The Constitution of India*; p.183-186

5. Pal, Mahi : “ Panchayati Raj in India”, in *Kurukshetra*, Vol. XLV No. 11, August 1997, p.72

The team was expected, among other things, to assess the extent to which these programs had succeeded in utilizing local initiatives and in creating institutions to ensure certainty in the process of improving the socio-economic condition of the people in rural areas.

The team broadly suggested two directions for inducting people's participation in local decision-making. The first was administrative decentralization, and the second was bringing it under the control of elected bodies for the effective implementation of developmental programs. The Mehta Committee's recommendations envisaged a three-tier system for decentralization, viz. the village panchayat, the Panchayat Samiti at the block level, and the Zilla Parishad at the district level.

The Committee's Report was examined by the Central government and then discussed thoroughly in the National Development Council. The Council generally endorsed the recommendations and all the state governments accepted the policy of decentralization. Rajasthan was the first State that inaugurated Panchayati Raj on the 2<sup>nd</sup> of October 1959 at Nagaur<sup>6</sup>.

The need to include Panchayati Raj in the Constitution of India was

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6. *ibid.* p.73

necessitated because of the fact that the PRIs had been denied resources, responsibilities and powers, and elections to these bodies had not been held for years under some pretext or the other. The PRIs had also become creatures of the states due to their financial dependencies and inadequacies. With few sources to tax, their power to levy taxes, were by and large, meaningless. The different developmental schemes being implemented through the local level officials like the BDO, Medical Officers and others, the panchayats had no developmental or economic activities, or roles, to perform. The local governments languished and their members were powerless and irrelevant. It was in such a scenario that the Constitution (64<sup>th</sup> Amendment) Bill was initiated on 15<sup>th</sup> May, 1989; it sought to reduce the powers of the states over the panchayats and bring the latter in direct touch with the federal government<sup>7</sup>. Many schemes as well as finances were to be directly delivered to the panchayats. This was, however, opposed strongly by the states as well as non-Congress parties and the Bill was defeated in the Upper house by narrow margin<sup>8</sup>. The Bill was reintroduced by the

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7. *op. cit.*

8. Kaushik, S. : (1993) *Women and Panchayati Raj* ; p.22

Narasimha Rao government in September 1991, as the 72<sup>nd</sup> and 73<sup>rd</sup> Constitutional Amendment Bills, though minus many of the controversial provisions relating to elections, financial powers, etc. and with additional provisions such as one-third representation for women in chairperson positions. The bills had then been sent for a wide circulation for suggestions and improvement. A Joint Committee under the chairmanship of Ram Niwas Mirdha considered these suggestions. These two bills were finally passed on 22<sup>nd</sup> December 1992 and ratified by half the States by April 1993. They came into operation as the 73<sup>rd</sup> and 74<sup>th</sup> Amendments to the Constitution of India, in the 24<sup>th</sup> of April 1993, on the signature of the President of India<sup>9</sup>.

**Constitution (73<sup>rd</sup> Amendment) Act :**

The Panchayati Raj (Constitution's Seventy-third Amendment) Act provides for certain far-reaching steps. It provides for direct election to all the seats of the panchayats, at the village, block, and district levels. It also provides for a fixed tenure of 5 years, next elections to be held within a period of six months in the event of supercession of any panchayat or at the expiry of its term. The Act also provides for a compulsory 3-tier system in all

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9. *op. cit*



the states, except where the population does not exceed 20 lakhs<sup>10</sup>. In the latter case the states can have the option not to have the Block Samiti.

The elections to the chairpersons of the Block Samiti and Zilla Parishad will be indirect, while that of the panchayat chairperson was left to the States to decide. However, the Act is most significant for the reservation of seats for women, scheduled castes and scheduled tribes. If utilized fully, as many as over 7.95 lakh women, including those belonging to the SCs and STs, can become *panches* and *sarpanches* (members and chairpersons)<sup>11</sup>.

The various provisions of the Act, to illustrate systematically, are :

1. Not less than one-third of the seats will be reserved for women (including those from the SCs and STs) and these may be allotted by rotation to different constituencies of a panchayat.

2. In proportion of the total population of SCs and STs to the total population of the area, seats will be reserved for the persons belonging to the SCs and STs.

There would be reservation for women in these seats allotted to Scheduled Castes and Scheduled Tribes. Not less than one-third of the SC and ST seats may be reserved for women.

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10. *op. cit.*

11. *ibid.* p.23

3. Not less than one-third of the total number of seats for the offices of the chairperson at each level would be reserved for women. This would be rotated among different Panchayats at each level.

4. In addition, there are certain general features, which could be taken advantage of by women, such as direct election for membership and Sarpanch posts, at the local as well as the intermediary level.

5. It was left to the different States to provide for reservation for membership or chair to citizens of the backward classes, if they so choose.

There are other financial and economic provisions which authorize the panchayats to levy, collect and appropriate some taxes, duties, tolls and fees; to receive grants-in-aid from the Consolidated Fund of the State, etc. The appointment of a Finance Commission by the Governor to review the financial position of the local bodies is also provided for.

Article 243G of the Constitution *inter alia* authorizes the state legislatures to make provisions for the devolution of powers and functions to PRIs and for the preparation of plans for economic development and social justice in respect of the subjects mentioned in the Eleventh Schedule of the Constitution<sup>12</sup>. The Eleventh

Schedule contains an extensive list of developmental activities, which could be entrusted to the panchayats. They are as follows:

1. Agriculture including agricultural extension ;
2. Land improvement, implementation of land reforms, land consolidation, and soil conservation ;
3. Minor irrigation, water management and watershed development ;
4. Animal husbandry, dairying and poultry ;
5. Fisheries ;
6. Social forestry and farm forestry ;
7. Minor forest produce ;
8. Small scale industries including food processing industries ;
9. Khadi, village and cottage industries ;
10. Rural housing ;
11. Drinking water ;
12. Fuel and fodder ;
13. Roads, culverts, bridges, ferries, waterways and other means of communication ;

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12. Vithal, C.P. : "Devolution of Powers and Functions to PRIs", in *Kurukshetra*, Vol. 47 No. 2 November 1998, p.8

14. Rural electrification including distribution of electricity ;
15. Non-conventional energy sources ;
16. Poverty alleviation programs ;
17. Education including primary and secondary schools ;
18. Technical training and vocational education ;
19. Adult and non-formal education ;
20. Libraries ;
21. Cultural activities ;
22. Markets and fairs ;
23. Health and sanitation ;
24. Family welfare ;
25. Women and child development ;
26. Social welfare including welfare of the handicapped and mentally retarded ;
27. Welfare of the weaker sections and in particular of the Scheduled Castes and Scheduled Tribes ;
28. Public distribution system ; and
29. Maintenance of community assets.<sup>13</sup>

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13. Bakshi, *ibid.* p.183-186

Notwithstanding subjects mentioned in Constitution, the state legislatures can also make provisions for the devolution of powers and authority as may be necessary to enable them to function as institutions of self-government.

Thus we see that the PRIs are a major instrument in bringing administration and government to the very local and grassroots level where people can set their own the Eleventh Schedule of the priorities for development and meet them themselves. PRIs are, besides, a great measure for the advancement of the status of women who can now have a significant and due share in the power to govern and develop the community, and work for issues which have usually been neglected by their male counterparts.

## **PART II**

### **Panchayati Raj : The Case of Haryana**

The state of Haryana was born as a result of the bifurcation of the erstwhile composite state of Punjab in 1966. It has an area of 44,212 sq. km. And a total population of about 16.4 millions (1991). A little more than three-fourth of the population (i.e. about 12.7 million) belong to rural areas. There are 7,073 villages

grouped into 108 development blocks included in 16 districts. Haryana has a literacy rate of 55.85%, and a sex ratio of a low 864 women to every thousand men<sup>14</sup>. The infant mortality rate is 71.

Agriculture is predominant in the economy of the State. Nearly three-fourth of the rural population depends upon it for their livelihood. Nearly two-fifth of the work force in the state comprises of cultivators and about 15% of it is of agricultural laborers. This means that agriculture accounts for 55% of the total workforce of the State. The average size of a holding is 2.76 hectares<sup>15</sup>.

On account of substantial improvement in rural economy, rural poverty has been on a decline. According to recent official estimates<sup>16</sup>, nearly one-tenth of the rural population is living below the poverty line. There are however very large disparities in rural incomes as land reforms have made only a limited headway so far.

The society is semi-traditional in nature. Winds of social change, however, are gaining in intensity and scope in most villages increasingly. Caste is however still an important factor in social and political fields of activity. The Scheduled

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14. Khanna, B.S. : (1994) *Panchayati Raj in India : Rural Local Self Government*; p.122

15. see Pal, Mahi "Centralized Decentralization : Haryana Panchayati Raj Act,1994", in *Economic and Political Weekly*, July 16, 1994, p.1842

16. Khanna, *ibid.* p.128

Castes constitute as usual a large part of the socially depressed population. In recent years however there has been an increasing trend towards their socio-economic improvement.

Education has been making a steady headway in rural areas. By 1991 nearly 40% of the rural people aged seven years and above were literate. Women however lag behind in literacy. Only about one-third of women were literate in 1991.

Electrification of all villages has taken place by now, providing energy for agricultural operations and domestic use. Supply of drinking water has become available in most villages. Rural roads have also been improving substantially in recent years.

### **Panchayats in Haryana :**

Haryana had a system of local self-government in the pre-British days, in the form of what were known as *bhaichara* panchayats i.e. community councils. However, it had no popular base. Till 1939, some steps were taken towards decentralization, mainly for discharging judicial functions. Haryana being a part of the erstwhile composite state of Punjab till 1966, Panchayati Raj began there in 1961 as in the rest of Punjab. The Punjab Gram Panchayat Act (1952) and Punjab Samiti and Zilla Parishad Act (1961) were passed to democratize the local

institutions, based upon the Balwant Rai Mehta model of decentralized structure<sup>17</sup>. After the creation of Haryana as a separate state in 1966 there followed a period of about 25 years in which these institutions remained virtually on paper only<sup>18</sup>. In fact, in 1973 one of the pillars of grass root level democracy i.e. Zilla Parishad, abolished. It was with the enactment of the constitution (73<sup>rd</sup> amendment) Act, in 1992, that the institutions of Panchayati Raj were given a fresh lease of life. This was implemented as the Haryana Panchayati Raj Act, 1994. The Act provides for the setting up of local bodies at three levels:

1. The Gram Panchayat at the village level
2. The Panchayat Samiti at the Block level
3. The Zilla Parishad at the district level

The Gram Panchayat shall consists of the *Sarpanch*, *Upa-Sarpanch* (Vice-chairperson) and six to twenty *Panches* (members) elected from the different wards depending on the size of the panchayat. The Sarpanch shall be elected directly while the Upa-Sarpanch shall be elected indirectly. The seats for SC's/ST's may be allotted to those wards having maximum population of these castes.

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17. Pal, Mahi, *op. cit.*

18. Khanna, B. S. : (1994) Panchayati Raj in India : Rural Local Self-Government



The Panchayat Samiti shall comprise of three types of members:

1. Directly elected from the territorial constituencies
2. Members of the legislative assembly whose constituencies form a part of the Panchayat Samiti area
3. One-fifth of the total Sarpanches within the jurisdiction of the Panchayat Samiti. This lot will be rotated every year so that within five years all Sarpanches are represented in it.

The Zilla Parishad shall consist of the three types of members:

1. Members directly elected from their constituencies in the district
2. The members of the house of people whose constituencies lie partially or wholly within the district
3. The Chairpersons of all the Panchayat Samitis of the district

The Act lists a large number of functions for the panchayat. These functions are of two types - mandatory & discretionary. The mandatory category includes local public works, drinking water provisions, public health and sanitation, maintenance of roads and street lightning, supervision of primary schools, welfare of the backward classes,

relief to distressed persons, promotion of moral, social and material wellbeing for the convenience of the people etc.

The discretionary functions are establishment, maintenance & management of maternity & child welfare centers, medical relief, family planning, setting up of & maintenance of first-aid centers for animals, promotion of agricultural credit and stores, provision of essential educational facilities, relief against famine or calamity etc. The Panchayat has also to perform small type of criminal judicial functions as well as petty civil and revenue judicial functions as stipulated statutorily<sup>19</sup>.

Thus we see that the Panchayati Raj, if implemented and strengthened adequately, contains the potential for a healthy overall development of the local community without a day-to-day intervention by the state in community affairs. The Panchayati Raj organization is a significant measure towards the strengthening of civil society where people come forward and associate to manage their daily affairs, while also articulating their interests at the larger level.

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19. Khanna, *ibid.* p. 128

## **CHAPTER 3**

# **STATUS OF WOMEN IN INDIA**

## STATUS OF WOMEN IN INDIA

The present chapter provides us with a general overview of the status of women in India, both historically as well as contemporarily, the level of their political participation, and finally the impact of the 73<sup>rd</sup> Amendment Act on their status.

### **History of the status of women in India :**

‘One is not born, but rather becomes, a woman’, writes Simone de Beavoir, ‘It is civilization as a whole that produces this creature’<sup>1</sup>.

In India, if we go back to the Vedic Age, we find that women occupied a much better position than what they do today. Ordinarily girls were no doubt less welcome than boys, but there were also some parents who performed special religious rituals for the good luck of getting learned and capable daughters<sup>2</sup>. Women had an absolute equality with men in the eye of religion; they could perform sacrifices independently and were not regarded as an impediment in religious pursuit. The position of the wife was an honored one in the family. The custom of ‘Sati’ was non-existent. Widows could remarry. The main disability

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1. Beauvoir, Simone de : (1960) *The Second Sex*; p.8

2. Altekar, A.S. : (1959) *The Position of Women in Hindu Civilization*; p.338-39

from which women suffered during that age was proprietary. They could not hold or inherit any property. However, on the whole it might be said that women had enough freedom in different activities of the social and political life.

According to the Indian writers, the position of women deteriorated in the *Smriti* period. Smriti writers have always been found to have come forward to preach the gospel that a wife should always serve her husband as God even if he were a moral wreck<sup>3</sup>. The status of women in India deteriorated still further during the Muslim rule. 'Purdah' was adopted by middle class Hindus; child marriage and Sati became more common. Although these customs might have originated as efforts to protect women from foreign invaders, they were continued even during the time of peace.

In the nineteenth century India, the rise of new elite groups that were able to take advantage of the opportunities presented by the British colonial system led to the arena of associational politics in the various regions of India. These new elite were for the most part high-caste Hindus whose cultural skills and prestigious social roles enabled them to adopt successfully to the British colonial system. The rise of the regional elite meant a situation of increased disparity between the position of men and women among high-caste, educated

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3. *ibid.* p.348

groups<sup>4</sup>. The Christian missionaries, on their part, led campaigns for the upliftment of women and established schools, orphanages, and widow-homes where women were educated and helped. The Indian reformers also tried hard to improve the position of women in the Indian society. Their efforts led to some significant legislation in favor of women.

During the last two decades or so, the Indian society has been found to be changing very rapidly, even though the rate of change is uneven, and values, attitude and roles have been in a state of constant flux. The change has largely been due to the social reform movement that started in the nineteenth century. Vina Majumdar writes that this movement emphasized improvement of women's status through education, restriction of child marriage, improvement in the condition of widows, and provision of property rights to Hindu widows<sup>5</sup>.

It was Mahatma Gandhi who believed that the freedom movement to be successful, had to be a movement of the masses and felt that *Swaraj* would be meaningless without the reform of the social structure and the upliftment of the weaker sections namely women and the lower social strata. He inspired women to come out of their homes and join in the freedom movement.

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4. Everett, J.M. : (1979) *Women and Social Change in India*; p.41-42

5. Majumdar, V. : "Towards Equality – Status of Women in India", in *Women of The World*, ed. by Phadnis & Malani , 1978; p.20

With Independence came a new spate of efforts to bring about complete gender equality. The Constitution contemplated a social revolution, to be brought about through the use of law as an instrument of directed social change. It guaranteed to all women the fundamental right to equality and political participation. It recognized the political rights of women, without any discrimination, distinction or qualification to participate in the decision-making for the nation at all levels. However, after four decades and tremendous strides in democracy and development, the number and level of women participating in politics and playing politically active roles is far from adequate. Their participation is setting the agenda for their own and others development and not nearly to get on to such agenda, requires immediate attention. This would necessarily require women's empowerment. At the same time, such an empowerment can come to women only with their socio-political advancement and an increase in their number and participation in decision-making positions and political roles. There is thus a close interaction and dialectical relationship between women's empowerment on the one hand and their role in politics and decision-making on the other. Such a participation in making public choices would lead to a qualitative change not merely in women's life but in the functioning of public institutions and the nature of politics. This is because "political" as a term involves all the inter-personal, and inter- and intra-group relationships that are based on a

certain medium of power – the power to influence and effect decisions and their implementation<sup>6</sup>.

A participatory democracy is thus essential to preserve women's rights. Issues need to be viewed in an integrated fashion from the vantagepoint of weaker sections, particularly women, and articulated clearly at the relevant time and place. This would be possible only if women participate in politics in greater numbers and at the appropriate leadership and intermediary positions. Since most of them are still peripheral to and unskilled in the present democratic ethos, they can emerge as an alternate political force; they can question and correct rather than conform and imitate.

However, rather than formal politics, it is at an informal level that women in the majority articulate their interests and pursue ways of empowering themselves in order that political institutions fit their needs and ways. The informal process essentially relies on the traditional tasks women perform – be it of homemakers, home-based workers, peasant women or others. The strategies employed are the traditional forms of get-together and

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6. Kaushik, S. : (1993) *Women and Panchayati Raj*; p.4



media of communication, for instance gossip, folk songs, festivals and pooling of resources in day-to-day tasks. The collective strength borne out of mutual interaction empowers these women.

The struggle for independence witnessed this informal process being used by women in great measure. The peasant movements in Uttar Pradesh, Bengal etc. also found women utilizing this informal participating method. The close connections between women's role in the movement and the roles they played in daily lives, clearly proves the validity of this process by providing support and nurturance, by passing messages and in many other ways. There were all-women meetings, attempts at self-organization, self-expression through pamphlets, folk songs, making demands, criticizing actions and braving threats and acts of sexual assaults.

The informal processes of political participation, however, are not adequate or satisfactory. Such participation does not get necessary recognition; their decisions have only as much authority and power, as granted by the formal political institutions. In the changing socio-economic scenario of rural India where varied types of communication, modernization and organized economic development are

bringing about different social transformation, the role and power of traditional structures and values are on the wane.

The most important challenge to mobilization and greater participation of women in public life has been, of late, an increase in the number of crimes against women. Rapes, sexual assaults, dowry deaths and even 'sati murder'<sup>7</sup> are challenges to women's participation; they are also ways of the patriarchal response to the increasing political consciousness among women.

### **Contemporary Status of Women in India: -**

The status of women in India is dismal even in contemporary times. A woman faces discrimination and hardship from the time of her birth, or more precisely, from the time of her conception, till the very end of her life.

The girl child in many parts of India, rural and urban, is born into a culture that idolizes sons and mourns the birth of a daughter. This cultural background works in tandem with poor inheritance rights, the attendant system of dowry, low recognition of women's contribution to the economy and the violence, discrimination and exploitation inherent in an inequitable, patriarchal society.

Clinical tests like amniocentesis and chorion villus biopsy,

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7. *ibid.* p.12

originally devised to detect genetic abnormalities, are misused by families in urban regions to detect the sex of the foetus, and if found to be female, to get it aborted. In semi-rural and rural areas, such as Salem or Usilampatti districts of Tamil Nadu, parts of Bihar and Rajasthan, in resettlement colonies in Delhi and Thane district, where technology is not readily available for the killings, female infants are quietly murdered. In 1991, India had a child population (0-14 yr.) of 296.9 million, about half of them girls<sup>8</sup>. Despite being biologically stronger than boys, almost 3,00,000 more girls die every year. It is estimated that every sixth female death in India is specifically due to gender discrimination. Of the over 12 million girls born in our country every year, 25 percent do not survive to see their 15<sup>th</sup> birthday. Child mortality in the 0-4 age group is 43 percent higher for females (at 42 per 1000) than for males (29 per 1000)<sup>9</sup>. A UNDP report says India has 10 percent fewer women than would be expected in demographic terms. The national sex ratio in 1991 was 927 women to every 1000 men, down from 972 in 1901. In most countries, the sex ratio favors women. In India, only Kerala's sex ratio tilts towards women at 1032 to every 1000 men.

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8. Joshi, Sharmila : "A Precarious Life", in *Femina*, July 1, 1999; p.284

9. *op.cit.*

A March 1997 analysis of data from the 1992-93 National Family Health Survey shows that boys are breast fed for a longer period of time than girls; and that girls are consistently less likely to be reported ill with three common childhood diseases – diarrhoea, fever and respiratory infection<sup>10</sup>.

In 1991, 60.85 of India's girls aged 7 years and above (two-thirds of them in rural areas) were illiterate.

The Child Labor (Prohibition and Regulation) Act of 1996 draws an untenable distinction between hazardous and non-hazardous child labor and only prohibits it in a handful of areas. The Act does not recognize that all forms of child labor (such as a girl's work in the house), when they interfere with the child's education, growth and play, her emotional and physical development, are hazardous.

At work, at home, outside, a girl child also faces the ever-present possibility of sexual violence. Of the 10,068 rapes registered in India in 1990, 2,105 were of girls aged 10 to 16 and 394 of girls below 10<sup>11</sup>. A survey done

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10. *op.cit*

11. *ibid*.p.286

by the government's Central Social Welfare Board in six cities (Delhi, Calcutta, Mumbai, Madras, Hyderabad, and Bangalore) found that 30% of the commercial sex workers were below 20. Of the 4.5 million marriages that take place in India every year (1994, UNICEF figures), 3 million involve girls in the 15-19 age group. An upswing of female deaths in the 15-19 age group indicates the high mortality of teenage mothers. The sex ratio drops from 944:1000 in the 5-9 age group to 912 in the 15-19 age group<sup>12</sup>.

Thus we see how a combination of factors has ensured that 100 million women in the region are 'missing' in demographic terms, and their status in the country is quite dismal.

Women's struggle today covers a wide spectrum of issues. Women's participation in the political process is not only central to the functioning and strengthening of democracy but also equally crucial to their struggle against oppression and their ability to challenge the ideologies and hierarchies which keep them subordinated.

A change in power structures and gender relations is

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12. *op.cit.*

central to the strategy of transformative politics<sup>13</sup>. Patriarchal control in all aspects of life severely limits the potential and scope of women's actual and de facto participation in public life.

Democratization and representative institutions while setting the terms for citizens' participation also provide the framework for political activity. Inequalities that characterize our social structure and qualify the notion of 'political equality' are an important part of any agenda for democratization. The agenda of the women's movement spans the entire range of issues from the redistribution of resources, time and responsibilities at home, to changes in the electoral process, parliamentary democracy, representation and women's political engagement with democratic institutions. The social agenda hidden in the demand for political representation of women and the larger struggle for equalizing opportunities continues to pose a challenge to the institutions of democracy. The process of democratization has been resisted by the changing dynamics of class, caste and gender relations pursuing their different and at times conflicting interests.

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13. Sharma, K. : " Transformative Politics : Dimensions of Women's Participation in Panchayati Raj", in *Indian Journal of Gender Studies*, 5:1 (1998), p.23

## **Women and Panchayati Raj :**

According to the Document on Women's Development (1985)<sup>14</sup>, women's role in political processes has virtually remained unchanged despite the rapid growth in their informal political activities. Report of the National Committee on the Status of Women in India (GOI, 1974)<sup>15</sup> recommended the government to recognize women as active participants in political institutions for effective implementation of developmental programs.

Women in rural areas enjoy, for the most part, an ascriptive status, as that of a mother, daughter or wife. In spite of the change that is affecting the social structure of rural communities, women are still very much under the power of the family. The rural family, which is in most cases an agricultural household, is characterized by a greater closeness among its members and thus is more liable to be influenced by hereditary traits and family culture<sup>16</sup>. The family is therefore the most important influence in the

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14. see Rashmi Mishra: "Devolution of Power to Women in Panchayati Raj in Orissa : Challenges and Opportunities", in *Kuruksheetra*, November 1998; p.19

15. *op.cit*

16. D' Lima, Hazel: (1983) *Women in Local Government – A Study of Maharashtra*; p.211

life of the rural woman who is usually confined to the home. The changes that are affecting the features of rural society are experienced by the woman through her family. The economic, social and political involvement of the family is the environment in which the thoughts and aspirations of the woman are shaped and nourished.

However, other forces at work in the rural society are now gradually offsetting the traditional influence of the family. These forces have come into play with the setting up of democratic institutions such as that of the panchayats. The structure of Panchayati Raj has incorporated the ideal of equality in development, riding over traditional barriers of caste, gender and class to make way for a freer participation and greater social mobility among rural communities.

Panchayati Raj system as introduced in India has been taken to be one of the most expedient tools for translating the abstract idea of democracy into a reality through a conscious and planned devolution of power from higher to lower levels in such a way that the existence of the democratic polity may be felt not merely at the top but also at the foundation levels of the “political pyramid”<sup>17</sup>. The main objectives

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17. see A.C. Jena & B.Mukherjee: “Discrimination against Women in Rural India and the Perceived Role of the Panchayati Raj for its Removal”, in Chakrapani, C. & Vijaya Kumar, S.(eds.) : (1994) *Changing Status and Role of Women in Indian Society*; p.291-310



in introducing the system in India, as envisaged by both the Mehta Committees (1957 and 1977), are to take democracy to the masses at the grassroots by creating self-governing institutions with local autonomy to serve as schools of democratic decentralization at the remotest villages in this vast country and to link up those rural units with the higher units of government. Panchayati Raj aims at bringing millions into the functioning of the representative government so that each one even at the lowest level may feel herself/himself indispensable to the system and therefore be induced to devote her/his best to the nation's growth. Panchayati Raj Institutions therefore may serve as building blocks in the developmental process of the nation.

In whatever developmental stage a society is, growth, progress and stability depend to a large extent on the participation of its human components. To ensure maximum participation there must be a clear perception as to the social roles of such members and the concurrence of the society in the performance of their perceived roles. For this again the institutional locus lies in the society itself in creating and nurturing an environment charged by democratic values like freedom, equality, equity, and social justice to be shared by all such members. Denial of such an environment to any section impairs the momentum of social progress.

The rural women of India are one such section. They constitute half of the society, and if they cannot take an equal stride with the other half, the expected advancement of the society can never be attained. It is in such a context that the Panchayati Raj can play a significant role by creating conditions that would generate an egalitarian environment leading to an inculcation of the democratic values which would bring the rural womenfolk into the national developmental mainstream.

In the beginning when the Panchayati Raj was introduced in India in 1959, very few women contested or got elected. The Balwantrai Mehta Committee (1957) had recommended that besides the twenty members of the Panchayat Samiti, there should be two women who “are interested in working among women and children”<sup>18</sup> as co-opted members. A similar provision was suggested with regards to the village panchayat. Following this, a few States did make provisions for women’s representation. The Maharashtra Zilla Parishad and Panchayati Samiti Act of 1961<sup>19</sup>, provided for the nomination of one or two women to each of the three

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18. Kaushik, *ibid.* p.15

19. *op.cit*

bodies, in case no woman was elected. As it happened, out of the 320 women representatives of the Panchayati Samitis and Zilla Parishads in Maharashtra in 1978, only 6 women were elected members<sup>20</sup>. In many parts of India women were recruited to Panchayati Raj by co-option rather than by election. Co-option as a principle was, however, highly questionable both in theory and in practice. Not merely is it undemocratic but also underlies a sort of protectionism as if women are weak and incapable of contesting elections. In practice, co-option or nomination meant sheer patronage of the dominant political or social groups and the women who got nominated had practically no knowledge of panchayats nor any interest or experience of working among women and children. Women's representation thus became a tokenism and proxy, and hence ended in complete failure.

### **The Constitution (73<sup>rd</sup> Amendment) Act, 1992 :**

The 73<sup>rd</sup> Constitutional Amendment Act came into effect from the 24<sup>th</sup> of April, 1992. It relates to Panchayati Raj and democratic decentralization in the rural areas of the country. Among other things, it provides for reservation of seats for

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20. *op.cit*

women at various levels of local government, as per the following provisions: <sup>21</sup>

1. Not less than one-third of the total number of seats meant for direct election of members at each tier of Panchayati Raj, are to reserved for women;
2. Not less than one-third of the total number of seats reserved under clause 1 shall be reserved for women belonging to the Scheduled Castes or Scheduled Tribes;
3. Not less than one-third (including the no. of seats reserved for women belonging to the SCs and STs) of the total number of seats to be filled by direct election in every panchayat shall be reserved for women and such seats may be allotted by rotation to different panchayats in a constituency;
4. Not less than one-third of the seats of chairperson at any level to be reserved for women.

The women's movement in India has debated the logic of reservation for women in political institutions and government at different points of time for more than 70 years. The idea of reservation for women was rejected by women leaders as a retrograde step in 1929<sup>22</sup>. In 1939-40, the Women's Sub-committee of the.

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21. see Rashmi Mishra, *ibid.* p.21

22. see Kumud Sharma, *ibid.* p.26

National Planning Committee again rejected the idea of reservation categorically. In the early 1970s the Committee on the Status of Women in India (CSWI) debated the reservation issue. The Report noted that “women’s ability to produce an impact on the political process has been negligible because of the inadequate attention paid to their political education and mobilization by both political parties as well as women’s organizations”<sup>23</sup>. It also pointed out that the “rights guaranteed by the Constitution Have helped to build an illusion of equality and power which is frequently used as an argument to resist special protective and accelerating measures to enable women to achieve their just and equal position in the society”

The suggestion for a system of reservation even as “a transitional measure”<sup>24</sup> met with strong opposition from representatives of political parties and women legislators. The idea was rejected by a majority of the members of the CSWI as a retrograde step from the equality conferred on women by the Constitution. The Committee rejected the proposal for statutory reservation of seats for women in legislative bodies on the grounds that women’s cause in India has always been championed by men; separate constituencies for women would precipitate similar demands from other groups; and that the privilege once granted would be difficult

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<sup>23</sup>. *op.cit.*

to withdraw.

There was also resistance to the idea of women being equated with other socially backward communities. Accordingly, women are not a community – they are a category and share with men the problems of their groups, locality and community, and hence there is no rational basis for reservation. Nevertheless the demand for reservation came from several groups of women during the CSWI's tours to different States in the country. The support for reservation also came from a group of scholars who examined women's role in the political process as part of the CSWI exercise. Today we find that the demand for reservation is near universal. It is obvious that women as a socially and economically disadvantaged section have begun to understand the ways in which power is shared and how greater representation might influence the redistribution of power and resources. The belief that reservation would be beneficial for women is based on certain assumptions such as that:

1. The weaker sections share a perception of injustice, deprivation and oppression, and the experience of marginalization vis-à-vis power structures

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24. *ibid.* p.27

2. There will be collective empowerment through representation and that democratic processes will give such sections a voice, and a feeling of solidarity with democratic politics;
3. With regular elections and constitutionally mandated panchayats, permutations will change and issue-oriented groupings or interest groups will emerge; and
4. Affirmative action will build a mass of local leadership from the groups who will actively participate in strategic decision-making processes.

Ever since the report of the CSWI was published, there has been a long-standing demand for strengthening Panchayati Raj structures and giving women a greater voice and opportunity for participation in the decision-making processes at the local level. With the passage of the 73<sup>rd</sup> Amendment Act there has been a wide-ranging debate on the possibilities, problems and efficacy of political quotas for women. It has been hailed as a 'revolutionary step' and 'an enabling provision', since women had practically no place or voice in the decision-making processes in panchayats during the co-option phase of the 1970s and the 1980s.

## **CHAPTER 4**

# **STATUS OF WOMEN : A CASE STUDY OF HARYANA**



## STATUS OF WOMEN : A CASE STUDY OF HARYANA

The arguments made herebefore in this dissertation are sought to be proved in this chapter, through a study of the status of women in the State of Haryana across its various districts. The Constitution (73<sup>rd</sup> Amendment) Act, 1992 was implemented in Haryana as the Haryana Panchayati Raj Act, 1994. As a result the number of women members of the Panchayati Raj Institutions at all levels has risen to 33%, which is a mandatory percentage of seats reserved for women in the PRIs after the 73<sup>rd</sup> Amendment Act.

However, prior to the implementation of the Act, when there was no reservation of seats for women, the number of women in the Panchayat bodies varied from a low of 11.47% in the district of Ambala to a high of 18.40% in Sirsa<sup>1</sup>. It might therefore be argued that if a district has a higher percentage of women members in panchayats, the women of that district would enjoy a higher status as compared to the women of other districts.

The status of women here has been estimated indirectly, through the use of certain indicators from the census, which indirectly reveal the status of women in the State. In recent literature<sup>2</sup> women's status has been considered

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1. *Statistical Abstract of Haryana*, 1989-90

2. Mohanty, S. P. & Momin, A.R.(eds.) : (1996) *Census as Social Document*; p.124-125

as a very important variable affecting the contraceptive use, and in turn the overall fertility. While it is recognized as a highly complicated qualitative variable, in a majority of studies, educational attainment and work, and participation outside agriculture and outside home have been used as proxy variables, particularly because these two variables are available from the population census at the district level, and if one considers educational attainment in terms of literacy level only, the information is available down to the village level. However, in a society where sending girls to school involves a high opportunity cost, those who have attained some level of education are regarded as having higher social status. Hence women's education becomes an important indicator of their status.

The indicators that have been chosen for the estimation of the status of women in Haryana are:

1. Rural female literacy rate
2. Number of female students in secondary classes (VI to X)
3. Teacher-pupil ratio
4. Percentage of couples protected by all methods of contraception
5. Percentage of villages covered under safe drinking water scheme
6. Number of beds per lakh of population

These indicators have been found to be valid for the estimation of the status of women in a number of other studies<sup>3</sup>. Since there are no direct indicators available in census records/secondary data of the status of women, we have to rely on other indicators such as the above in the absence of actual field study. These indicators have then been correlated with the number of female panches/sarpanches using the Spearman's formula for rank correlation coefficient. The 12 districts of Haryana (1989-90) are ranked in decreasing order for the number of female panches/sarpanches. They are also ranked on the basis of the chosen indicators. The two are then correlated using Spearman's method. An obtained rank correlation coefficient of more than +0.5 would indicate that there is a significant positive correlation between the no. of female members of panchayats and the given indicator of the status of women. In other words, women enjoy higher status in districts that have more female panches/sarpanches in their panchayats. The following pages show the tabulated data for various districts and indicators, and the corresponding correlations, for the year 1989-90.

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3. see Reddy, P.R. & Sumangala, P. : (1998) *Women in Development*; p.767-784

**Table 3.0:** District-wise percentage of female Panches/Sarpanches (P/S) and corresponding rural female literacy rate in Haryana

District	Lady P/S (%)	Rank (X)	Rural female literacy rate (%)	Rank (Y)	Difference d = (X-Y)	d <sup>2</sup>
Sirsa	18.40	1	25.4	4	-3	9
Kurukshetra	17.21	2	27.5	2	0	0
Gurgaon	14.58	3	24.3	6	-3	9
Karnal	14.47	4	25.2	5	-1	1
Rohtak	14.22	5	26.0	3	2	4
Faridabad	14.16	6	31.5	1	5	25
Jind	14.12	7	19.7	9	-2	4
Bhiwani	13.95	8	23.1	7	1	1
Mahendragarh	13.77	9	20.7	8	1	1
Sonepat	13.37	10	15.3	12	-2	4
Hisar	12.76	11	16.5	11	0	0
Ambala	11.47	12	19.5	10	2	4

Source : Statistical abstract of Haryana, 1989-90

The rank correlation coefficient may be calculated using the formula

$$r = 1 - [6\sum d^2 / n(n^2 - 1)]$$

where  $r$  = coefficient of correlation

$d$  = difference between the ranks on two variables

$n$  = number of items

Thus, in Table 3.0, we have

$$r = 1 - (6 \times 62) / 12 (144 - 1)$$

$$= 1 - (62 / 286)$$

$$= \underline{\mathbf{0.78}}$$

**Table 3.1** : District-wise percentage of female Panches / Sarpanches and corresponding percentage of female students in secondary classes (VI to X)

District	Lady P/S (%)	Rank (X)	Female Students in Sec. Classes (%)	Rank (Y)	Difference d = X-Y	d <sup>2</sup>
Sirsa	18.40	1	36.9	4	-3	9
Kurukshetra	17.21	2	40.6	1	1	1
Gurgaon	14.58	3	35.2	7	-4	16
Karnal	14.47	4	36.8	5	-1	1
Rohtak	14.22	5	34.4	8	-3	9
Faridabad	14.16	6	40.4	3	3	9
Jind	14.12	7	40.5	2	5	25
Bhiwani	13.95	8	36.1	6	2	4
Mahendragar	13.77	9	31.4	12	-3	9
Sonepat	13.37	10	32.4	11	-1	1
Hisar	12.76	11	32.5	10	1	1
Ambala	11.47	12	34.2	9	3	9

Source : Statistical Abstract of Haryana, 1989-90.

Thus we have

$$r = 1 - (6 \times 94) / 12 \times 143$$

$$= 1 - 94 / 286$$

$$= \underline{\mathbf{0.67}}$$

**Table 3.2 :** District-wise percentage of female panches/sarpanches and the corresponding teacher-pupil ratio (pupils / teacher)

District	Lady P/S (%)	Rank (X)	Teacher pupil ratios	Rank (Y)	Difference d=X-Y	d <sup>2</sup>
Sirsa	18.40	1	34	6	-5	25
Kurukshetra	17.21	2	32	4	-2	4
Gurgaon	14.58	3	33	5	-2	4
Karnal	14.47	4	25	1	3	9
Rohtak	14.22	5	35	7	-2	4
Faridabad	14.16	6	36	8	-2	4
Jind	14.12	7	37	9	0	0
Bhiwani	13.95	8	39	12	-2	4
Mahendragarh	13.77	9	37	10	1	1
Sonepat	13.37	10	38	11	1	1
Hisar	12.76	11	30	2	5	25
Ambala	11.47	12	31	3	5	25

Source : Statistical Abstract of Haryana, 1989-90.



Here we have

$$r = 1 - [(6 \times 106) / (12 \times 143)]$$

$$= 1 - (106/286)$$

$$= \underline{\mathbf{0.63}}$$

**Table 3.3:** District-wise percentage of female panches / sarpanches and the corresponding percentage of couples protected by all methods of contraception

District	Lady P/S (%)	Rank (X)	Couples Protected (%)	Rank (Y)	Difference d=X-Y	d <sup>2</sup>
Sirsa	18.40	1	61.1	4	-3	9
Kurukshetra	17.21	2	57.1	6	-4	16
Gurgaon	14.58	3	57.2	5	-2	4
Karnal	14.47	4	69.1	1	3	9
Rohtak	14.22	5	63.6	2	3	9
Faridabad	14.16	6	62.5	3	3	9
Jind	14.12	7	55.2	8	-1	1
Bhiwani	13.95	8	55.6	7	1	1
Mahendragarh	13.77	9	49.3	12	-3	9
Sonepat	13.37	10	51.4	11	-1	1
Hisar	12.76	11	53.5	9	2	4
Ambala	11.47	12	52.6	10	2	4

Source : Statistical Abstract of Haryana, 1989-90

Thus we have

$$r = 1 - [(6 \times 74) / (12 \times 143)]$$

$$= 1 - (74 / 286)$$

$$= \underline{\mathbf{0.74}}$$

**Table 3.4 :** District-wise percentage of female panches / sarpanches and the corresponding number of villages covered under Safe Drinking Water Supply Scheme in Haryana

District	Lady P/S (%)	Rank (X)	Villages Covered (%)	Rank (Y)	Difference d=X-Y	d <sup>2</sup>
Sirsa	18.40	1	99.9	2	-1	1
Kurukshetra	17.21	2	100	1	1	1
Gurgaon	14.58	3	99.3	6	-3	9
Karnal	14.47	4	99.8	3	1	1
Rohtak	14.22	5	98.7	7	-2	4
Faridabad	14.16	6	98.6	8	-2	4
Jind	14.12	7	97.1	9	-2	4
Bhiwani	13.95	8	99.7	4	4	16
Mahendragarh	13.77	9	99.6	5	4	16
Sonepat	13.37	10	92.0	10	0	0
Hisar	12.76	11	91.8	11	0	0
Ambala	11.47	12	88.3	12	0	0

Source: Statistical Abstract of Haryana, 1989-90

Thus we have,

$$\begin{aligned}r &= 1 - [(6 \times 56) / (12 \times 143)] \\ &= 1 - (56 / 286) \\ &= \underline{\mathbf{0.80}}\end{aligned}$$

**Table 3.5 :** District-wise percentage of female panches / sarpanches and the corresponding number of beds per lakh of population in Haryana.

District	Lady P/S (%)	Rank (X)	Beds/lakh o population	Rank (Y)	Difference d=X-Y	d <sup>2</sup>
Sirsa	18.40	1	66	5	-4	16
Kurukshetra	17.21	2	40	9	-7	49
Gurgaon	14.58	3	116	2	1	1
Karnal	14.47	4	129	1	3	9
Rohtak	14.22	5	76	4	1	1
Faridabad	14.16	6	82	3	3	9
Jind	14.12	7	43	8	-1	1
Bhiwani	13.95	8	45	7	1	1
Mahendragarh	13.77	9	58	6	3	9
Sonepat	13.37	10	36	11	-1	1
Hisar	12.76	11	28	12	-1	1
Ambala	11.47	12	39	10	2	4

Source : Statistical Abstract of Haryana, 1989-90

Hence we have,

$$\begin{aligned} r &= 1 - [(6 \times 102) / (12 \times 143)] \\ &= 1 - (102 / 286) \\ &= \mathbf{0.64} \end{aligned}$$

**Table 3.6 :** Summary of the correlations between no. of female panches / sarpanches and select indicators of status of women in Haryana

Sl. No.	Indicator	Coefficient of correlation with no. of female P/S
1.	No. of villages covered under SDWSS	0.80
2.	Rural female literacy rate	0.78
3.	Couple protection rate	0.74
4.	Female enrolment in sec. Classes	0.67
5.	Beds/ lakh of population	0.64
6.	Teacher-pupil ratio	0.63
7.	<b>Average</b>	<b>0.71</b>

Thus we see that the correlation coefficient between the number of female panchayat leaders and various indicators of the status of women comes out to be positively significant. This endorses the argument that the effort to bring more women in the decision-making bodies through the implementation of the 73<sup>rd</sup> Amendment Act is a definite step towards not only the improvement of the status of women but also towards an overall development of the rural community.

If we look at Table 3.6, which summarizes the findings of the study, we find that the coefficient of correlation is highest (0.80) for the number of villages covered under Safe Drinking Water Scheme, followed by that for rural female literacy rate (0.78), and is a low of 0.64 for beds per lakh of population, and 0.63 for the teacher-pupil ratio.

Such an observation may be explained in the light of the fact that the last two indicators require a high degree of involvement and support of the state, whereas the first two, which have high coefficients of correlation, are more of a community initiative. Sending girl-children to school, reflected in high female literacy, and adoption of family planning methods, shown as couple-protection rate, are steps voluntarily taken by families and the women themselves rather than being dictated



in any significant way by the state policy. On the other hand, establishment of hospitals, reflected in beds/lakh of population, and appointment of more teachers for students, are measures that are still largely decided at the centralized level of the district administration and the State departments. This is not to say that local leaders (men or women) have no role to play in the adoption of such measures. They do influence the course of state policy through protests, lobbying, demonstrations, and sometimes even personal contacts<sup>4</sup>. However, this influence on development administration is less significant in extent than voluntary initiative in adopting developmental methods. This shows up in a low correlation between indicators such as teacher-pupil ratio and beds/lakh population, and the number of women leaders in a district. Thus we may conclude that in districts where the indicators of the status of women are high, women leaders in the form of Panches/Sarpanches of panchayats have indeed helped to inflect the course of state welfare policy as well as have taken local initiatives for the betterment of their community that is their village.

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4. *In a personal experience of this author , a village in the district of Rohtak has more metalled roads, more teachers in its school, and more sincere health workers in its Primary Health Center, because the sarpanch of the village is a relative of the DDPO (District Development and Panchayat Officer).*

## **CHAPTER 5**

## **CONCLUSION**

## **PANCHAYATS, WOMEN AND CIVIL SOCIETY :**

### **A CONCLUSION**

In the previous chapters we saw how panchayats are a part of the civil society; the basic features, history, and development of Panchayati Raj in India, and its role in the improvement of the status of women in this country was also highlighted. The last chapter specifically tried to empirically test the contention that a greater participation by women in the Panchayati Raj Institutions leads to a significant improvement in their status. The present chapter seeks to make some concluding observations on the issues of panchayats, status of women, and finally civil society.

As we noticed in chapters 2 and 3, panchayats, as strengthened by the Constitution (73<sup>rd</sup> Amendment) Act, have the potential to serve all the local level needs of the village community. There has been a significant shift in the locus of power to develop the community from a centralized bureaucracy to the local level leaders elected democratically. Panchayati Raj Institutions have become the institutions of self-rule and self-government.

However, the Panchayati Raj is not without its share of problems and incomplete efforts at decentralization. Skewed distribution of benefits, failure to evoke

popular support, inability to achieve common acceptance of the decisions due to factions among the villagers, lack of spirit in leadership, dominance of rich and large farmers, undue and too much political interference in the work of the development functionaries and paucity of funds are prominent among the deficiencies that exist in the functioning of the Panchayati Raj system. The role played by the holders of real power both at the Center and State levels is also not to be overlooked while examining the weaknesses of the system<sup>1</sup>. Castes and religion also create problems in the efficient functioning of the panchayats.

Nevertheless, Panchayati Raj is a harbinger of a new social change that is likely to sweep villages through the length and breadth of the country. It is still very early and premature to evaluate the success of the Panchayati Raj. It will take some time before panchayats become real bodies of local self-government and succeed in achieving their objectives.

Reservation of seats for women in the Panchayati Raj bodies has provided an opportunity for their formal involvement in the development and political process at the grassroots level thereby enabling them to influence the decision-making process in the local government. Reservation has guaranteed

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1. Padmakar, P.L.D.V. : "Panchayat Raj – A Look Back", in *Kurukshetra*, Vol.47 No.2, November, 1998, p.4

representation to women as a group and provided an opportunity to express their opinions or voice their grievances on social and economic problems in a formal forum, thus bringing to the fore the potential of feminine thought and action in the development of people. Participation of women in Panchayati Raj bodies enables them to emerge as effective leaders and also to act as catalytic agents by inspiring confidence and providing stimulus for social change among rural women<sup>2</sup>.

Representation of women on Panchayati Raj bodies also enables women to take part in public life, interact with different sections of rural population, development personnel and higher level leaders without the consideration of traditional barriers. This enables them to achieve full and equal partnership in development as well as to work for the establishment of a more equitable, healthy and prosperous society besides improving their developmental and political perceptions. The more women grow in awareness of political and developmental activities as well as of the existing social needs, the better they will be able to participate in rural community development.

The Panchayati Raj bodies have provided an opportunity to women to

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2. Gowda, S.G. : "Women in PRIs : A Case Study in Karnataka", in Journal of Rural Development, Vol.17(4),1998;p.679

appreciate the needs of their local community and seek development benefits. There is an increase in the role of women members in decision-making on development projects, especially the programs relating to the welfare and development of women and children. The opinions expressed by women members on different socio-economic issues and their role in different activities of the panchayats are the indication that rural women are capable of progressive thinking and that they have the potential for effective participation in the national progress<sup>3</sup>. Given the right type of orientation and opportunity, women can play a more meaningful role in the Panchayati Raj Institutions.

Sonali Sathaye, in a study of all-women panchayats in the State of Maharashtra, observes “Subservience and resistance, strength and submission form part of the paradoxical nature of women’s experience in India”<sup>4</sup>. Political participation and representation is not the only requirement for setting right the all-pervasive gender imbalance that is a part of the Indian scene. It can, however, set off a few pregnant ripples, as is evident from the above study of the experience of the 12 Maharashtra villages where panchayats headed by

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3. *op.cit.*

4. Datta, Bhishaka : (1998) *A Study of All – Women Panchayats in Maharashtra*; p.27

women have come into existence. In village Vitner, for instance, the deputy sarpanch goes about in *chappals* – an unheard of presumption for a woman in this village of Gujjars and Kolis. The woman feels emboldened to walk about in footwear because she says she feels the community has finally recognized her worth, and no one taunts her any longer<sup>5</sup>. Numerous other examples of a similar kind can be cited where women have improved their condition through participation in the PRIs, though this has not been without resistance. Fear of upsetting existing, comfortable arrangements for the well-off, if not for all men, and the inertia resulting from that subliminal emotion are what the movement for gender equality and equity has had to contend with. There are also other advantages of having women as leaders in the PRIs. In a study, men have been quoted as saying that women are “more efficient and less corrupt”<sup>6</sup>. It is also claimed that women conceptualize basic needs differently. According to one activist, Anil Singh, “if you ask people to devise programs, women will think of water and latrines, while men will talk of roads and buses”<sup>7</sup>.

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5. *ibid.* p.106

6. *ibid.* p.198

7. Surya, V. : “Recognizing Their Worth”, in *The Hindu (Literary Review)*, Sunday June 27, 1999, p.6

Thus it is imperative that women be involved in developmental activities in order that a more empathetic understanding of the needs and problems of women and children be made possible. To achieve this, efforts need to be made at the following levels:

**Political education:**

In the present context of Panchayati Raj operations of India, political education of women will have two types of target groups<sup>8</sup>. Wherever women have already entered in PRIs through elections or otherwise, these women members need to be politically educated and informed. Such education should not be merely on their powers, rights and functions, but also on the concept and relevance of Panchayati Raj, the nature of Indian democracy and constitution, policies and programs for women and other weaker sections etc. For other women in the community, political education would also mean mobilizing them for voting in the elections, standing for the same and even campaigning and questioning the candidates (both male and female).

**Political information:**

Such education can be effected only on the basis of concrete information on the

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8. Kaushik, S. : (1993) *Women in Panchayati Raj* ; p.41



current political developments and trends, legislation, policies and schemes etc. Not merely should the government machinery be forced to undertake such publicity more effectively and widely but such information should extend to all other economic and political rights.

**Political training:**

Women should be trained to realize their true potential in bringing about community development. Women members of the Panchayati Raj should be helped to view themselves as representatives of the people in general, and women in particular. The Mahila Mandals, women's cooperatives, etc. need to be strengthened, to make them the fora of training of women in local government.

Thus these are the concrete measures that need to be taken in order to make the participation of women in Panchayati Raj Institutions more effective. At the level of the theory of civil society, we shall see how a separation of the private and the public spheres has been a disadvantage to women. Feminists have argued that the relegation of the household to the private sphere has depoliticized gender discrimination and disempowered women. The household has been regarded as private because it is held to be based on a qualitatively different set of values, such as emotions, unreflective affiliations and loyalties, in sharp contrast to the rational

self-interested and egoistic public sphere<sup>9</sup>. The identification of the household with the private and the identification of the woman with the household have depoliticized the subordination of women. The non-participation of an entire section of the people, or their incomplete participation in the public sphere, implies that the public arena is restricted. Democracy, or rights, or empowerment in the public arena is of little currency if entire sections of the people continue to experience oppression in the private arena. The subordination of the woman in the domestic world is reproduced in the public universe. A woman who is subordinated in her private life to patriarchal structures of domination cannot by definition participate in the democratically conceived of public arena as a citizen with equal rights.

Similarly a woman whose voice has been invalidated in the process of decision-making in her home cannot be a participant in a public dialogue as an equal. Feminist critiques therefore assert that it is essential to reconsider the sanctity of the 'private' domestic domain, because gender oppression violates

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9. Chandoke, *ibid.* p.172

the rights to equality and justice, which are the structuring principles of modern society. If the family is the sphere of coercion and violence, then it should be the subject of public concern and intervention. It cannot be outside the ambit of public debate and discussion on the grounds that it is private and, therefore, sacrosanct.

Civil society, it may be argued, is not the private but the public sphere of the society. It is the location of those processes by which the experiences of individuals and communities, and the expression of these experiences in debate and discussion, affirmation and contestation are mediated<sup>10</sup>. It is, in another formulation, the mediation level between the private and the public or between individual experiences and public articulation. Since politics can be defined as the articulatory practices that translate the experiential into the expressive<sup>11</sup>, civil society is the site of expressed politics.

Hence it is clear that panchayats are a part of the civil society where the interests of women are sought to be articulated through a participation in the Panchayati Raj Institutions. This participation is what has been referred to above

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10. *ibid.* p.173

11. *op.cit.*

as expressive politics. It is a mediation between the formal politics of the State-level leaders and the informal processes of association in the village for the development and the meeting of the specific needs of the local community.

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