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## Research Article

### EXISTENCE OF WOMEN IN CUSTOMARY PANCHAYATS- AN EMPIRICAL STUDY

Geeta N.Bangari\*

Karnataka State Rural Development and Panchayat Raj University, Gadag

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#### ABSTRACT

Women in India have always suffered a considerable discrimination in several spheres of human activity - the political sphere being one of them. Quite a few studies carried out earlier on the customary panchayats, had also pointed out this non-representation of female members in these institutions. In a considerably orthodox and conservative rural India, women's participation in the public affairs is looked down upon and not accepted whole heartedly. Though Constitutional Amendment Act, 1992 which provides for women a reservation of 33 per cent seats in local governance bodies, yet they seem to be confused as to whether the same provision extends to customary panchayats also.

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#### INTRODUCTION

Historical evidence available vouches the existence of local governance institutions -both formal and informal institutions in India, since ancient times. With the changes occurring in the political structures during modern times, it is generally thought that informal institutions have faded away and are not found in the contemporary societies, as these have been replaced by new statutorily sanctioned institutions. But, some of the scholars who have studied the political structures in contemporary India do not accept this view, as they have evidence contrary to the common view held. According to these researchers, the informal institutions have continued to exist even after the introduction of formal local governance institutions at the different levels - village, taluk and district.

#### REVIEW OF LITERATURE

Dube (1955) has found in his study, an informal Village Panchayat consisting of village elders that existed alongside the government body. Altekar (1958) also mentions in his book, that there was a reference of village elders who formed an informal village council. In his study of Rampur village, Lewis (1958) found that the formal panchayats had an important role to play in rural development, as these represented the interests of all castes in the village and were impartial to lower castes compared to the traditional panchayats, but due to their acquaintance and customary ways, the villagers preferred the

traditional panchayats only. Hitchcock (1959) conducted a study in a North Indian village- Khalapur. The findings of the study were that while the head of the formal village court had settled very few cases, he used to solve many cases when he sat as a member of the traditional council which consisted of powerful elders of wisdom.

Orenstein (1959) wrote about the formal and informal village panchayats. According to him, informal leaders wielded the real authority in the village in contrast to the formal leaders.

Madan (1962) while discussing about Community Development Programme in India in its historical perspective stated that this development concept was in India since ancient times. The village council or the village panchayat consisted of village elders used to manage the activities like village banking, charities, public works, solving disputes, temple management, village defense, etc. This system continued in the Muslim period because of their non - interference in the existing arrangements, but during the period of the British, because of their policy and administration, the indigenous village administration got affected and went out of use.

Nicholas's (1968) study in two villages in Bengal, i.e. Radhanagar and Chandipur during 1960-61 also confirmed this role of informal leaders in the villages. According to him, whenever a dispute or a crime took place in the village, the headman would send for the village elders to meet in the common village pavilion to settle the issue and punish the

\*Corresponding author: **Geeta N.Bangari**

Karnataka State Rural Development and Panchayat Raj University, Gadag

guilty. According to Banerjea (1973), the village assembly was constituted by the village elders. They were considered as elders by the villagers by virtue of their age, character, achievements and the confidence the villagers reposed in them. These village elders not only decided administrative matters but also formed a court of justice for the decision of small civil suits, such as land boundaries and the trial of petty criminal cases like theft and assault. They also looked after public property e.g. temples and the interests of infants and attended to the question of poor relief. Generally, the decision of this body was unanimous but in case of any difference of opinion it was decided by the majority. Any matter that related to two villages was settled by the elders of the nearby villages.

Sharma's study carried out in 1993, also confirmed the existence of the traditional village panchayats and the important role played by them in electoral process, while discussing caste, class and politics in rural India. He found that it was an important pressure group in the village he studied.

Mathew (1994) emphatically reiterated that traditional panchayats were present since the earliest times. According to him, these traditional panchayats performed various roles such as, centre of administration, social life, economic force and social solidarity.

A research study conducted in the villages of Mysore and Dharwad districts by Ananthpur (2002) to look at the interface between the Customary Panchayats (CPs) and Gram Panchayats (GPs) in Mysore and Dharwad districts in Karnataka and understand its implications for participatory governance, revealed that traditional panchayat were identified by different nomenclatures in different parts of the state. She also found that these Customary Panchayats were different from caste panchayats and that the constitution of these varied from village to village. The findings of Ananthpur (2004) reveal that the urban perceptions towards informal local governance institutions were different from the actual facts, because, urbanites think that these bodies are instruments of caste, oppressive in nature and have lost their place after the introduction of gram panchayats, but the author's field experiences reveal that these institutions have both oppressive and progressive features, as the role of inter caste institutions is not seen only in rule enforcement but they are involved in development activities also. They are found to interact with gram panchayats and that they have not faded away but have adapted to the new system.

#### ***Objectives of this paper***

- To ascertain whether the customary panchayats have continued to co-exist even after the introduction of the formal panchayats.
- Sex composition of the Customary Panchayat members
- To explore the role of women, if women also have membership in Customary Panchayats
- To explore the reasons for absence of women in Customary Panchayats, if women don't have membership in Customary Panchayats
- To know whether people want women in Customary Panchayat or not
- To explore the reasons for need of membership of women in Customary Panchayats

- To explore the reasons why villagers doesn't want women in these Panchayats

#### **METHODOLOGY**

The empirical data were collected by employing both quantitative and qualitative techniques. While the quantitative data were collected from the panchayat representatives, informal leaders and the residents from the randomly selected households; the qualitative data were collected from the focused groups through discussions.

To conduct the interviews, an interview schedule was prepared in accordance with the objectives of this study and based on the insights drawn from the review of literature. As this study envisaged examining the existence of customary panchayats, its composition and role of women, the author felt that only quantitative data may not enable her to explain the phenomenon effectively. Hence, both the quantitative and qualitative data were collected.

The data, so collected, were cleaned, coded, computed and tabulated. The study being an exploratory cum descriptive one, the author did not use any advanced statistical testing, except the basic statistics such as frequency distribution and percentages.

#### **RESULTS AND DISCUSSION**

##### ***Customary Panchayats Existence***

The present study is conducted in H.Gera and B.Dinni gram panchayats, which fall under Yadagiri taluk of Gulbarga district and Sindhanur taluk of Raichur district respectively. The respondents from all these four villages were asked to give their opinion about the existence of the customary panchayats and the formal panchayats alongside of each another. The examination revealed that all the respondents, in unison affirmed the continued existence of the customary panchayats, despite the formation of the formal panchayats. This co-existence was also confirmed by 13 (100%) gram panchayat members, 24 (100%) customary panchayat members and 20 (100%) focus groups.

##### ***Sex composition of the Customary Panchayat members***

Women in India have always suffered a considerable discrimination in several spheres of human activity - the political sphere being one of them. Quite a few studies carried out earlier on the customary panchayats, had also pointed out this non-representation of female members in these institutions. Even today, the same situation prevails in the villages, as, the author's probe into the gender composition of the customary panchayat membership revealed by the respondents that there were no women, recognized as members of the customary panchayats in even one of the villages under examination. All the respondents, the informal leaders i.e. the customary panchayat members, as well as the formal leaders, i.e. the gram panchayat members, in unison (100%) confirmed the absence of women in the customary panchayats. This not only confirms the gender bias, but also clearly shows that the customary panchayats are male dominated and patriarchal in their nature even today, when the whole world has been professing gender equality and equity. Traditionally, since women suffered considerable discrimination and deprivation as far as public

sphere participation is concerned, the situation seems to have continued even today. This is the reason therefore of not finding any female member on the customary panchayats.

**Customary Panchayat Membership and Opportunities to Females**

By and large, in India, customary panchayats have been male dominated. This could be because of the generally prevailing social environment which hold women in a subordinate position and consider them largely incapable of administration and governance - which have been largely the male bastions. In a considerably orthodox and conservative rural India, women's participation in the public affairs is looked down upon and not accepted whole heartedly. The findings of the earlier studies of Mandelbaum (1970) and Ananthpur (2004) have proved the absence of women members in the customary panchayats.

**Table 1** Existence of Female Members in Customary Panchayat

Availability of female on Customary Panchayat	Male Respondents	Female Respondents	Total
No	145 (96.03)	129 (98.47)	274 (97.16)
Don't Know	6 (3.97)	2 (1.53)	8 (2.84)
Total	151 (100)	131 (100)	282 (100)

Source: Primary data

Note: Figures in the parentheses are percentages

The author's probe in the study also showed that in all the four villages and in all the existing customary panchayats, all the members were males and not a single female member was found. This was confirmed by a whopping majority (97.16%) of the respondents (see table 1). Further, none of the informal or formal leaders in the study area or the participants in the focused group discussions identified any female as a member of these bodies of traditional local self governance agencies.

While the customary panchayats in the study area seem to be quite progressive and have even included SC and ST leaders, the author was intrigued to see that the customary panchayats did not include any women as members. Hence the author tried to find out the opinion of the villagers if they wanted women in the forum or not. The examination revealed that, though minds of the customary panchayats have progressed notably and they have included male members from lower castes in the customary panchayats, they seemed to be quite old fashioned and orthodox in their outlook toward women even today.

**Table 2** Respondents' Opinion about Women's Membership in Customary Panchayat

Whether women should be there in Customary Panchayats	Number of Respondents		
	Male Respondents	Female Respondents	Total
Yes	19 (13.10%)	33 (25.58%)	52 (18.97%)
No	45 (31.03%)	57 (44.19%)	102 (37.23%)
Don't Know	81 (55.86%)	39 (30.23%)	120 (43.80%)
Total	145 (100%)	129 (100%)	274 (100%)

Source: Primary data

Note: Figures in the parentheses are percentages

When questioned whether they appreciated women's inclusion in the customary panchayats, only a small percentage of the respondents expressed affirmatively, while over 1/3rd of the total respondents did not want women to be the members of this body. The remaining 43.8 per cent of the respondents were undecided. It is interesting to note that the percentage of women, who want women on the customary panchayats (25.58%) and who don't want (44.19%) women in the customary panchayats is more than the percentage of men who want (13.10%) and who don't want (31.03%) women on the customary panchayats, but among those who are confused about women's representation on the customary panchayats, the males outnumber the females. One can clearly infer that men, probably because of their exposure to the progressive society outside, are torn between the old orthodox and modern outlooks. Though Constitutional Amendment Act, 1992 which provides for women a reservation of 33 per cent seats in local governance bodies, yet they seem to be confused as to whether the same provision extends to customary panchayats also.

**Respondents' Opinions about including women or keeping them out of the Customary Panchayat Membership**

The Constitutional Amendment Act 1992, in fact, was meant to make a provision for the inclusion of women in the local governance. This involvement was necessary not only for the empowerment of the women but also for the development of the villages and in turn the development of the nation. At the village level, since the customary panchayat is also one of the significant bodies which influences the activities of local governance (gram panchayats) in many ways, the lack of membership of women in these customary panchayats is a matter of concern. Hence the author attempted to find out the views of the respondents about inducting or keeping women out of the customary panchayat membership.

The examination showed that as large as 63.46 per cent of the respondents considered women's membership in customary panchayat as essential. Their opinion was that, unless they have a representation, their problems, needs or their views would not get proper attention as, all said and done, men do not understand their problems well or that they fail to take women's problems seriously. This apathy of men towards women's issues can be resolved only if there are women members on the customary panchayats.

Further, a small percentage (17.31%), of the respondents spoke in favor of the women's membership. They expressed that women also have rights to expression, decision making, participation and to secure justice and since they are equal citizens, they too should have equal opportunities not only to get their problems solved but also to participate in the local governance on an equal footing with men. Only a minuscule minority 9.62 per cent of the respondents stated that, though now-a-days, women are also educated and knowledgeable about facts and are capable of judging right from wrong and thereby expressing their fair opinion regarding the development of the village, they may not be inclined to propose their views through men, but place them directly before the customary panchayats.

**Table 3: Reasons in Support of Membership of Women in Customary Panchayats**

Reasons in Support of Women's Membership	Male Respondents	Female Respondents	Total
Women will get an opportunity to express their needs, problems and views/Issues concerning women can be dealt with by women only as men do not understand them well	10 (52.63%)	23 (69.70%)	33 (63.46%)
Educated women will help others also/women also have knowledge/They can tell good things for the welfare of the village	2 (10.53%)	3 (9.09%)	5 (9.62%)
It gives courage to other women/women will be benefited/Power should be given to women to take decisions/they should be given opportunity to express their views/women will bring changes/women will get justice	7 (36.84%)	2 (6.06%)	9 (17.31%)
Women in village are not ready to talk with men, so it will be good if women are there in the Customary Panchayat	-	5 (15.15%)	5 (9.62%)
Total	19 (100%)	33 (100%)	52 (100%)

Source: Primary data

Note: Figures in the parentheses are percentages

**Table 4 Reasons Why Women Should Not be there in Customary Panchayat**

Reasons for not approving Women's Membership to Customary Panchayats	Male Respondents	Female Respondents	Total
Orthodoxy and traditional mind set/ Dominance of men/ Indifference toward women/ lack of opportunities to women	32 (71.11%)	28 (49.12%)	60 (58.82%)
Pessimism and a negative attitude that women's participation shall not change anything/Acceptance of superiority of Men and that of the Village Elders	2 (4.44%)	13 (22.81%)	15 (14.71%)
Underestimating Women's potentialities and considering them incapable of handling leadership	4 (8.89%)	7 (12.28%)	11 (10.78%)
Preconceptions and sex stereotypes about Women that they don't go for such work/ Women don't go to such places/ Women are not interested/Nobody will come forward/ People will not give respect /Unnecessary tension to women	7 (4.44%)	9 (15.79%)	16 (15.67%)
Total	45 (100%)	57 (100%)	102 (100%)

Source: Primary data

Note: Figures in the Parentheses are percentages

Surprisingly, a careful observation of the data showed that while more women have asserted for customary panchayat membership for the reason of getting their problems solved or because women do not want to speak about their problems through men, more percentage of men have demanded their membership because they consider that women also have rights and the requisite knowledge to contribute to the development of the village. This issue is of due importance as all said and done, women do not seem to be exposed to the rights' perspectives even today. Immersed in their struggle for a satisfactory existence, they still consider themselves as objects rather than as subjects and look at themselves from the problem solving perspective.

#### **Reasons for not approving Women's Membership in Customary Panchayats**

However, since the customary panchayats are not only concerned about the issues of women, but also about the many activities which have a direct impact on local governance and the activities there of and the decisions taken by the gram panchayat, the involvement of women becomes essential in this forum. Women's claim to membership therefore seems justified. Yet the author's examination reveals that 37.23 per cent of the respondents have not accepted the proposal of including women in the customary panchayat membership.

The main reason being the continuing orthodoxy and traditional mind set among both men (71.11%) and women (49.12%). Nevertheless, the data shows that, this reason has been quoted by more number of male respondents than female respondents. As a result a greater percentage of women respondents (22.81%) than men (4.44%) appear to have grown pessimistic and submit themselves to the superiority and dominance of men.

Further, they hold the opinion that, women may not be able to handle the positions they are in as adeptly as men, also that they seem to carry some myths about their own potentialities and believe in the sex stereotypes popularized among people about women. In fact, a further probe revealed that a majority of the men (60%) expressed that it is not in their village tradition to permit women to emerge out from their domestic sphere and participate in the public sphere. According to them the legitimate place for a woman is her house. This could be the reason for the absence of women in the customary panchayat membership.

#### **CONCLUSION**

Though the Constitution of India and the Panchayat Acts are trying to provide equal status to women, it still remains a dream and there is a long way to go before achieving equal status for women in the political spheres, especially in the panchayats. As customary panchayats are playing an important role in local governance women's membership in these bodies will bring considerable changes not only in the life of women but also development of the villages. Hence, Social Workers, non government institutions, social activists and village elders should create an environment which will facilitate women to join these customary panchayats.

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