
Women Empowerment and Local Self-Governance: Case Study of Jammu and Kashmir State

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Introduction

Feminism is a theory about the equality of men and women in political, economic and social aspects of life. It attempts to provide a comprehensive account of women subordination with the objective of developing effective strategies to liberate women. The claim that 'women are as good as men' sparked the feminist demands for equal rights, opportunities, dignity and freedom of women to explore their own potential in equal competition with men (Bryson 2003: 139). Feminists of liberal tradition attempted to explain the subordination of women in terms of unequal distribution of rights in the society, thus, advocating a fair and just distribution of opportunities to enhance the legal and political status of women (Heywood 2007: 64). This paved way for the legal and political

equality of women in societies.

The 21st century state system, with the shift of focus from *governance* to *good governance* introduced many new mechanisms to ensure inclusive security of people. One of the significant tools to establish *good governance* is the decentralization of power down to the local levels. Thus, the Panchayat Raj Institutions (PRIs) were recognized as means to secure the spirit of *good governance*. The disadvantaged sections of society like Schedule Castes, Schedule Tribes and Women got a space through these institutions to promote their interests.

Feminists supported the trend of decentralisation as they demanded equal representation of women at all levels of government. It attempted to frame out a comprehensive account of women subordination with the purpose to develop effective

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strategies to liberate them. The claim that 'women are as good as men' sparked the feminist claims for equal rights, opportunities, dignity and freedom of women to explore their potential in equal competition with men¹. Feminists of liberal tradition attempted to explain the subordination of women in terms of unequal distribution of rights in the society, thus, advocating a fair and just distribution of opportunities to enhance the legal and political status of women² (Heywood 2007: 64). This paved way for legal and political equality of women. The active political participation of women ensured a way for their influential role in decision-making process. Women representation in Panchayat Raj Institutions (PRIs) has the potential not only to liberate women from the rigid social customs in which male dominance is prevalent, but also to resolve their domestic problems collectively. Thus, the changing trend from *governance* to *good governance* also paved way for women empowerment while focusing on equal rights and representation of women in decision-making process.

However, the main issues remains whether women represent themselves freely and adequately in these institutions in India? It has been observed that women empowerment in developing

societies is a major concern as the influence of male population, particularly in political arena, limit their role in decision-making. India represents a case where the process of empowering women has been overshadowed by the influence and dominance of men, particularly in rural areas.

Panchayat Raj

The Panchayat system is not a new phenomenon in India. However, women continued to remain excluded in the traditional Caste Panchayats, Village Panchayats and in the British scheme of local government institutions. After Independence, despite having a Constitution, political participation of Women remained quite insignificant in India. An appraisal of inauguration of first Panchayat Raj Institution in 1959 reveals that it has been an uncertain journey and almost one-half of the population was virtually kept out of Panchayat system. The practice during 1960s and 1970s was the co-option of two women at best for each Panchayati Raj Institution, as women could not come through direct elections. However, the requirement of co-option of women was not followed uniformly in all Panchayat Institutions and in every state. Therefore, the political participation

of women in independent India was insignificant at all levels of government including Panchayat Raj Institutions.

It was in early 1990s that the government recognised women as another disadvantaged section and sought solution to their discrimination. It was a change with far reaching consequences that women are now being elected to the local government institutions as a result of 73rd and 74th amendments to the Constitution of India that mandates the reservation of seats for women in these local bodies of governance. Panchayat Raj Institutions brought women into politics and now they are contributing to bring about change in the approach of governance in India. Two inter-related themes dominated the involvement of women in Panchayat Raj system viz. the representation of women in the Panchayat Raj Institutions and the effectiveness and outcome of their participation. Women representation in PRIs has brought their experiences in governing the civil society of India. This also helped the state system to focus the issues of poverty, inequality and gender injustice at the gross root level.

The case of J&K State

The State of Jammu & Kashmir is

not different from rest of country vis-à-vis women empowerment and representation in political arena. The state witnessed the promulgation of Panchayat Raj by Maharaja Hari Singh only in 1935. However, the qualifications for voters and representatives made it difficult for women to participate in that system³. The changes in socio-economic scenario following the post-1947 developments created an environment for reactivation of the Panchayati Raj system and in 1951 the government replaced the Panchayat Raj Act of 1935 with a new Act. According to this Act, majority of the Panchayat members were to be elected on the basis of adult franchise; Panchayats were to perform administrative, developmental, civic and judicial functions; Introduction of concept of Halqa Panchayat comprising 5-7 villages; Introduction of Panchayat Board at each Tehsil; and Identification of sources of revenue for Panchayats. The Act established 540 Panchayats in 1951 that rose to 751 in 1954.

Following the recommendations made by Balwant Rai Mehta Committee for devolution of power to lower levels through Panchayats, the state government took a lead by passing the Jammu and Kashmir Village Panchayat Act of 1958, repealing the earlier acts. However,

WOMEN EMPOWERMENT AND LOCAL SELF-GOVERNANCE: CASE
STUDY OF JAMMU AND KASHMIR STATE

the Panchayati Raj system remained dysfunctional over a long period of time. It was after two decades that the State Government introduced an innovative concept of *Single Line Administration*, with the basic objective to secure peoples' participation through their representatives in the developmental process. This developmental strategy in no way proved helpful to the Panchayat Raj system, but it did explore the human potential available at the grassroots level that led to the introduction of Jammu and Kashmir Panchayati Raj Act, 1989⁴.

The preamble of the Jammu and Kashmir Panchayat Raj Act 1989 states: "Whereas it is expedient to promote and develop Panchayati Raj in the State as an instrument of vigorous local self-government to secure effective participation of the people in the decision making process and for over-seeing implementation of development programmes"⁵. The salient features of the Act include: Three tier-system of Panchayat institutions; reduction of voting age from 21 to 18 years; direct election of the Sarpanchs; constitution of Panchayati Adalats (Panchayat Courts); empowering panchayats to prepare plans and implement schemes for poverty alleviation and employment generation, agriculture and allied

activities, rural industrialization, health, universalization of elementary education etc. Meanwhile, it was only in 2001 that the State government, despite inhospitable security environment, succeeded in conducting Panchayat elections. However, the PRIs as set up for the democratic decentralization of development administration witnessed only insignificant women representation.

The state government took a bold step in 2004 while amending the Panchayat Raj Act of 1989 on the lines of 73rd Amendment Act to the Constitution of India by providing 33% reservation of seats for women in these local governance institutions. The realization that local self-government institutions act as a means to good governance led the state government to carry out 2004 Amendment to ensure better governance. However, later, the government again failed in conducting Panchayat elections in the state. The coalition government formed by Jammu and Kashmir National Conference – Indian National Congress in 2008 under the Chiefministership of Omar Abdullah encouraged the establishment of local-self-government and announced to conduct elections for the same purpose. As a result, the government succeeded in conducting elections for

WOMEN EMPOWERMENT AND LOCAL SELF-GOVERNANCE: CASE
STUDY OF JAMMU AND KASHMIR STATE

Table 1:
Details of 2001 Panchayat Elections in J&K

S. No.	Items	Kashmir Division	Jammu Division	Total
1.	No. of Halqa Panchayats	1470	1230	2700
2.	No of Sarpach Constituencies	1470	1230	2700
3.	No. of Panch Constituencies	10468	10090	20558
4.	No. of Sarpanches elected	1034	1198	2232
5.	No. of Panches elected	5127	9728	14855
6.	No. Women Sarpanches elected	02	07	09
7.	No. of women Panches elected	71	166	237
8.	No. of vacancies of Sarpanches	596	71	667
9.	No. of vacancies of Panches	5987	590	6577
10.	No. of Panchayats notified	518	1173	1691
11.	No. of Panchayats not notified for want of Quorum	568	25	593
12.	No. of Panchayats where no nomination was received	384	32	416
	Total	1470	1230	2700

Source: The State of Panchayats: 2007-08, Vol. II, Ministry of Panchayati Raj: Government of India, p. 204.

WOMEN EMPOWERMENT AND LOCAL SELF-GOVERNANCE: CASE
STUDY OF JAMMU AND KASHMIR STATE

the Panchayat Raj Institutions in 2011. Out of 143 blocks, Kashmir province had 77 blocks with 2164 Sarpanch Constituencies (out of 4130 total constituencies) and 15959 Panch

Constituencies (out of 29719 constituencies).⁶ The people of Jammu and Kashmir enthusiastically participated in these elections to choose their representatives.

Table 2
Details of 2011 Panchayat Elections in
Jammu and Kashmir

Name of the District	Total No. of Panchayat Constituencies	Total No. of Sarpanches elected	Total No. Sarpanch vacancies	Total No. of Panch Constituencies	Total No. of Panches Elected	Total No. of Pach vacancies
Kupwara	356	355	1	2716	2694	22
Anantnag	297	296	1	2054	2037	17
Bandipora	114	114	0	869	865	4
Baramulla	365	350	15	2906	2352	554
Budgam	283	282	1	2155	2108	47
Ganderbal	103	103	0	744	719	25
Kulgam	159	158	1	1060	1040	20
Shopian	103	103	0	763	620	143

WOMEN EMPOWERMENT AND LOCAL SELF-GOVERNANCE: CASE
STUDY OF JAMMU AND KASHMIR STATE

Srinagar	10	10	0	79	78	1
Pulwama	186	166	20	1350	841	509
Leh	93	93	0	604	588	16
Kargil	95	95	0	659	656	3
Doda	231	231	0	1424	1420	3
Jammu	296	295	1	2160	2153	7
Kathua	244	244	0	1644	1642	2
Kishtwar	134	134	0	838	836	2
Poonch	189	189	0	1540	1537	3
Ramban	124	124	0	832	831	1
Reasi	147	146	1	1014	992	22
Rajouri	295	289	6	2026	1972	54
Samba	100	100	0	726	724	2
Udhampur	204	204	0	1544	1543	1
Total	4128	4081	47	2970	28248	1458

Source: Chief Electoral Officer Jammu & Kashmir

The most significant feature of 2011 Panchayat elections in the state was the participation of women, not only as voters but also as the candidates to represent women in state administration. More than ten thousand women were elected in these local democratic institutions as Panchs and Sarpanchs. The analysts rightly put these elections as a milestone in empowering women of the state. Nevertheless, there are certain issues prevalent in the state of Jammu and Kashmir that act as hindrance in the way of empowering women.

Generally, it is argued that women reservation in PRIs has enhanced their representation but without providing them genuine empowerment. Some are of the opinion that women reservation in PRIs has actually empowered male members of their families, as they indirectly influence the decision-making in these local governance institutions.⁷ Thus, it is a significant issue to analyse and explore the role of Kashmiri Women in the functioning of PRIs. There is a need to unveil the extent of the decision-making power of women in PRIs and the problems they are facing.

Security Problem of Women

One of the significant issue in

relation to women empowerment in Kashmir is the recent attacks on elected Panchayat representatives and its impact on the status of women as the elected representatives and their space for political participation. Militants have attacked and killed several Panchs and Sarpanchs in Kashmir division including women representatives. The then Director General of Police, Ashok Prasad said "Our investigations have revealed that militants carried out attacks on panchs and sarpanchs like in Kulgam and Sopore etc., as they are soft targets.... We are assessing the situation in different areas at various levels to frame a strategy for ensuring security to panchs and sarpanchs."⁸

After recent attacks on elected panchayat members, Army has increased patrolling across Kashmir to ensure security among panchayat leaders. However, these attacks have prompted scores to flee their homes as well as resign as representatives of people at local levels. Bashir Ahmad Malik, Valley Secretary of the Jammu and Kashmir Panchayat Conference stated: "They (Sarpanchs and Panchs) have gone to live with their relatives in other places or districts. The fear is spreading to other areas as well.... I have been receiving calls from our members from various parts of the Valley, saying that they are scared. Many of us are planning

a rally in Srinagar to publicly announce our resignations.”⁹

Thus, women representatives in Kashmir are facing social, political and economic as well as security challenges in dealing with the affairs at local levels. There are various issues and concerns in relation to women empowerment and Panchayat Raj system in Jammu and Kashmir which deserve immediate attention. For instance, whether the reservation of seats in Panchayat Raj Institutions provides genuine empowerment to women in Jammu and Kashmir or it acts as a means to promote the interests of male population via women representation? What is the role of women representatives in actual decision-making process in PRIs? What is their role in mobilizing funds under various schemes? What is the impact of security related issues on the social life of women representatives in Jammu and Kashmir?

Ground Realities

This author conducted a survey in relation to the impact of social conservatism and security issues regarding women empowerment in Kashmir by seeking the response of women elected representatives. Taking into consideration the

conservative mind-set of people regarding the male domination as well as the impact of security related issues on the empowerment of women in Kashmir, some of the women representatives expressed their concern in handling the affairs of people as well as facing the ill-treatment at domestic level. For instance, the interaction with Dilshada Bhat, Panch, Sangram (Sopore), helped this author in comprehending various problems women face at the local levels relating to governance. She mentioned illiteracy of Women Panchayat Representatives and its impact on the smooth functioning of the system, the patriarchal mind set up of the society as the main hindrances, and sarcasm towards Women Elected Representatives by the males etc which rendered the role of women representatives ineffective. She also talked about the insecurity because various groups did not want women to participate in these elections. For her, “security of life is the first priority. Only then, government can expect us to work properly as Panchayat Raj Representatives”.

Another women representative Raja Begum, Panch, Sumbal Batmahalla (Bandipora) expressed same concerns with the addition of her tale that political participation led to the killing of her brother 12 years

back, but no one came forward to provide any help after that unfortunate incident. Syeda Wani, Panch, Bandipora, Ward No. 07, is of the opinion that male Sarpanchs never allow the Women Panchs to work as per their capacity and potential. According to her, "Sarpanchs never take into consideration the consent of Women Panchs for any policy, programme and decision". She shared her experience of hardships while dealing with bureaucracy and other officials of government departments. She also talked of the impact of women participation in Panchayats on their family lives. In her opinion, "Women are now facing the problems in their families as they spend time on local issues at the cost of their family affairs. However, there is no one to take into account such sacrifices of women". Khaata Begum, Panch, Kralkuth Kunzar shared her views that "Women is the victim of domestic violence, lack of basic necessities of life as safe drinking water, health related issues etc.... I participated in the Panchayat elections with the hope to address these problems. However, I have faced lot of problems on the part of administration.... There are only promises in the hands of politicians and administrators. They are not willing to concretize these promises. They delay every time whatever

issue we raise before them to address". She also talked of the funds to Panchayats and said, "Women Elected Representatives know nothing about such funds or schemes because of the male dominated society and system. There is no willingness on the part of administration to share such information to the Women Panchs".

Some women elected representatives also talked of the ways to challenge the male domination and other problems women are facing. For instance, Syeda Wani, Panch, Bandipora, Ward No. 07 expressed her role as a bold women to challenge the problems created by male representatives. She talked of her courage to face the bureaucracy and male Panchs and Sarpanchs to get her demands fulfilled. She also expressed her role in mobilizing other local women to support her in promoting their issues.¹⁰

Conclusion

These responses from the ground should prod us to work out a comprehensive strategy on the plight of women representatives in Jammu and Kashmir Panchayat Raj system and come out with the policies to strengthen their position in strengthening democratic setup of the country. The participation of women

WOMEN EMPOWERMENT AND LOCAL SELF-GOVERNANCE: CASE
STUDY OF JAMMU AND KASHMIR STATE

representatives in Panchayat meetings, formulating plans, mobilizing funds under various schemes as well as identifying beneficiaries of their localities is quite dissatisfactory. Reservation in quantitative terms will never prove beneficial in empowering women until the male dominated society will change its attitude from domestic to higher institutions of governance.

Thus, there should be awareness campaigns, seminars and workshops for providing adequate information to the women

representatives regarding their role, power and significance in establishing their position and role at grass roots levels. The government has to focus on the development of research institutions in a way to undertake gender-related researches in the state of Jammu and Kashmir. The legal support for women empowerment to make Panchayats as vibrant institutions is the need of the hour. Nonetheless, there should be legal provisions for special training programmes to build capacity of women and train them in handling the issues pertaining to their localities.



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WOMEN EMPOWERMENT AND LOCAL SELF-GOVERNANCE: CASE
STUDY OF JAMMU AND KASHMIR STATE

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