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**PANCHAYATS, SEAT RESERVATIONS AND THE WOMEN'S
QUESTION IN INDIA: A HISTORICAL TRAJECTORY**

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INTRODUCTION

In 1992 the Panchayati Raj Bill passed through the Parliament of India with minimal fanfare and without serious debate.¹ The Bill, which became the 73^d amendment to the Constitution, gave federal funding to small village governing bodies known as Panchayats and reserved one third of the elected positions on Panchayats for women, with similar reservations designated for scheduled castes and tribes. Although reservations for scheduled castes and tribes² were already enshrined in India's constitution, the 73rd amendment was the first instance of official reservations for women. On the surface the passage of the 73rd amendment is a bit of a political puzzle. Rural women in India are vastly less educated and less empowered than their urban peers. For instance, the literacy rate for rural women is currently 30 percent, compared to the 63.9 percent for urban females.³ There was little agitation by rural women or the women's

¹ 10th Lok Sabha. *Constitutional (73rdAmendment) Bill*. Delhi: December 1, 1992., 661.

² "Scheduled castes and tribes" are those segments of India's population that have been historically deprived of representation and discriminated against based on caste or tribal identity. They are explicitly recognized by the Constitution of India as deserving of rights, such as seat reservations, to help undo historical injustices.

³ "Status of Women in Indian Society: Issues and Challenges." *Sustainable Development Department of the United Nations*
<http://www.fao.org/sd/wpdirect/WPre0108.htm> (accessed March 1, 2011).

movement for representation in Panchayat bodies.⁴ In short, the political elite installed quotas in the absence of an organized movement pressuring for this goal and in a climate that was not necessarily conducive to it. Even more notably, the 73rd amendment was enacted in the absence of much fan fare, debate or even press coverage.⁵

In contrast, the Women's Reservation Bill, which instituted reservations for women in Parliament, faced a completely different political path. First suggested in 1974 and proposed in the India Parliament in 1996, the Bill failed to pass until March of 2010.⁶ It was so controversial that the vote on its passage was initially deferred after "unruly scenes" in Parliament. During debate politicians threatened to withdraw their support from the United Progressive Alliance Government if the Bill was passed.⁷

The ease with which the 73rd amendment passed, especially when contrasted to the difficulty experienced by the Women's Reservation Bill, has led

⁴ Shilpa Jain, "Redefining the Politics of Presence: Women in Panchayati Raj Institutions in Rajasthan and Kerala" *Swaraj.org* http://www.swaraj.org/shikshantar/papers_politics_presence.html (accessed March 1, 2011).

⁵ 10th Lok Sabha. *Constitutional (73rdAmendment) Bill*. Delhi: December 1, 1992., 661.

⁶ "Women's Reservation Bill: Chronology." *India Current Affairs*. <http://indiacurrentaffairs.org/womens-reservation-Bill-chronology/> (accessed March 1, 2011).

⁷ "SP, RJD withdraw support to UPA govt" *The Times of India Online*. <http://timesofindia.indiatimes.com/india/SP-RJD-withdraw-support-to-UPA-govt/articleshow/5657769.cms> (accessed March 1, 2011).

some scholars to argue that the majority of political parties supported reservations for rural women because they did not see them as a powerful force and did not believe that reservations would truly be empowering⁸ This was a sentiment expressed also in the parliamentary debates when representative Mani Shankar Aiyar asserted that “There is no partisan politics in this [Bill]. Our only interest is the national interest, the interest of development, the interest of the poor, the interest of the weak.”⁹ Others have argued that the 73rd amendment was passed totally on humanitarian grounds in an effort to “strengthen the position of the poor and weaker sections in rural India.”¹⁰

I reject both of these hypotheses. Although members of Parliament may have felt that they were acting on moral grounds when they passed the 73rd amendment, Constitutional Amendments are seldom -- if ever -- passed on moral considerations alone. Similarly I reject the idea that Parliament gave seat reservations they believed would be pointless since there was no agitation for representation in Panchayats. It seems more likely that in this scenario they would simply have maintained the status quo: there would be no impetus for changing it.

Instead I believe the answer to the puzzle of the 73rd amendment can be solved, or at least illuminated, by examining two parallel developments in the

⁸ Jain, “Redefining the Politics of Presence.”

⁹ 10th Lok Sabha. *Constitutional (73rd Amendment) Bill*. Delhi: December 1, 1992. p. 622.

¹⁰ Hoshiar Singh, “Constitutional Base for Panchayati Raj in India: The 73rd Amendment Act” *Asian Survey* (September 1994): 818- 827.

history of India: first, the view of women as a separate category and second, the symbolic importance of the Panchayat bodies. By examining the ongoing view of women as a separate constituency within Indian politics and society the reservations in the 73rd amendment become illuminated: Women did not have to agitate for reservations within the Panchayat Raj because, for politicians discussing the Bill, the assumption of women as a separate constituency was already in place. Assumptions about women, in fact, opened up a space for women within Panchayat bodies: they were seen as innate agents of development and the symbolic place of Panchayats strengthened, as opposed to destabilized, conceptions of homogenous womanhood. The historical roadblock to women's seat reservations was not women's status as a separate group but rather a reaction against communalism and western womanhood, specifically western feminism, that dates back to the independence struggle and the creation of an idealized Indian woman. Panchayats have always held a special place within India's political structure. Panchayats were heavily involved in the process of the defining the Indian nation around independence. They were seen as an embodiment of India's high pre-colonial past and, as such, were given prominence by leaders envisioning India's future government. In 1992 the special status of Panchayats as non- western bodies made them a unique place in which women could be given rights without the specter of western feminism, and thus without controversy. The differences between the reception of the two Bills

lies firmly in the cultural significance assigned to Panchayats, a significance that is not assigned to Parliament.

The economic crisis of the 1990s, which forced India to open up to the world as never before, was an especially apt time for the passage of the 73rd amendment because it was a way for India to reassert its autonomy against outside cultural threats. Panchayats, a traditional litmus test for true India-ness, served as a venue in which India could update itself to keep pace with its changing identity.

In Chapter One I examine the creation of a separate homogenous female identity and the integral role this played in the formation of the Indian nation. I review British colonial policy, the role and place of women in the independence movement, and the ways this identity shaped outcomes for women's place within Indian politics in the drafting of the Indian Constitution. I also examine unofficial reservations assigned to women by the Congress party and the use of women voters to explain the election of Indira and Rajiv Gandhi.

In Chapter Two I detail the unique place of Panchayats within India's government institutions as symbols of India's high Vedic past. This Chapter traces the beginning of this phenomenon in the colonial era and how Panchayats were used by Indian reformers to prove the integrity of their visions for an independent India.

Chapter Three explains the Indian economic crisis of the 1990's and the destabilization of the Indian government's vision of itself. I identify the economic crisis as the trigger for a nationalistic period in which the nation and its history were necessarily redefined.

Chapter Four examines the parliamentary and states debates on the 73rd amendment in light of the developments discussed in the proceeding chapters.

In Chapter Five I use the contrasting experiences of the Women's Reservation Bill and the 73rd amendment to 'prove' my hypothesis that women's identity gives them increased maneuverability in certain places while limiting it in others. Panchayats, as symbols of India's high past, allow women to gain positions of power without destabilizing or threatening their assumed identity.

The 73rd amendment is a puzzle because the forces behind its passage elude classic political analysis. It is not the development of political realities that provide an answer, but the slow formation of the national imagination. The categories imagined by the nation change and govern political realities. Often it is these imaginings that shape politics, for politics, by definition, operates in a world of ambiguity. It is in this realm of inexactitudes and possibilities that laws are made, States are founded and values are asserted and codified.

CHAPTER ONE

Women as a Separate Category

The construction of a nation requires a past that justifies and solidifies the nation. Invented traditions are important to the “comparatively recent historical innovation of the ‘nation’, with its associated nationalism, the nation state [and] national symbols.”¹¹ In the process of creating a nation, some elements of the past are chosen as traditions and national symbols while some are rejected and forgotten.. The chosen past is then reformulated or revised to meet the needs and standards of the present. Thus the past cannot be viewed as static but must be seen as the result of a variety of interrelated needs, concerns and forces. During colonial rule in India women, specifically Hindu Aryan women, came to represent the former glory of India and “an amalgamation” of upper caste and class values.¹²

Through a myriad of cultural and political forces ideal womanhood came to symbolize the nation. The demarcation of ideal womanhood was crucial to the

¹¹ Eric Hobsbawn “Introduction: Inventing Traditions” in *The Invention of Tradition*, ed. Eric Hobsbawn and Terence Ranger (Cambridge: Cambridge University Press, 1983), 1.

¹² This is a very brief overview of this process. For a complete understanding of this concept see Uma Chakravarti, “Whatever Happened to the Vedic Dasi?” in *Recasting Women in India: Essays in Colonial History*, ed. Kumkum Sangari and Sudesh Vaid, (New Brunswick: Rutgers University Press, 1990), 28.

formation of class and national culture.¹³ The importance of the definition of womanhood and the need to ensure women's protection created a homogenized view of Indian femininity in which women were seen as a separate group or identity similar to other minority groups such as Muslims, Sikhs, or scheduled castes and tribes.

British rule fundamentally changed the structure in which Indian women lived. The norms institutionalized in Britain, such as principles of land ownership and perceptions of virtue, were imported to India from Victorian England. The British based their policies towards women on Victorian perceptions in which females needed to be secluded in the home for protection, as well British policy that emphasized Vedic writings instead of cultural practice when developing laws. In this transference British policies increasingly limited economic options for women.¹⁴ Simultaneously, the British government followed a policy of stated (although not always practiced) non-interference in private and religious matters. This marked the family as a sphere of independence from British rule. Women, as representatives and key inhabitants of this space, became, at least in theory, a place where India could be defined without Colonial oversight.

¹³ Kumkum Sangari and Sudesh Vaid, "Recasting Women: An Introduction," in *Recasting Women in India: Essays in Colonial History*, ed. Kumkum Sangari and Sudesh Vaid, (New Brunswick: Rutgers University Press, 1990), 5.

¹⁴ *Ibid.*, 8.

Since British policies had limited economic options for women and in some cases changed social mores about women's roles, the "inner sphere" increasingly became women's domain, while the public sphere was increasingly dominated by men. This inner sphere was where culture was maintained, and thus women became the holders of culture. Because this "inner sphere" was differentiated as a sphere of non interference, it became a separate autonomous space that was protected from colonial rule. This provided a platform for the farther reaching independence struggle of the 1920s, 30s and 40s.¹⁵ Free from British control, the 'inner sphere' became the site of the construction of cultural practice and societal norms. Because of their dominant role in the "inner sphere", women came to symbolize India. As one commentator has summarized, "the nation's identity lay in the culture and more specifically in its womanhood."¹⁶ Thus, women were the epicenter of cultural reconstruction and recreation, much of which centered on the need to recapture the grandeur of India's lost high Aryan past. The construction of an idealized past called for and depended upon the construction of a particular kind of womanhood.¹⁷ The way women were conceptualized changed the way they could navigate the world. They could move

¹⁵ Tanika Sarkar, "Conjuality and Hindu Nationalism: Resisting Colonial Reason and the Death of a Child Wife," in *Women and Social Reform in Modern India: A Reader*, ed. Sumit Sarkar and Tanika Sarkar (Bloomington: Indiana University Press, 2008), 603.

¹⁶ Sangari and Vaid, "Recasting Women: An Introduction," 78.

¹⁷ *Ibid.*, 78.

within the public sphere, but only so long as their identity as cultural markers was upheld through symbols such as ‘traditional’ dress.¹⁸

While marking the home as a sphere of non- interference, the British often simultaneously justified the occupation of India by pointing to the ‘backward’ and oppressed state of India’s women and other minority groups, arguing that without British control minorities and women would not be safe. *Mother India* by Katherine Mayo constitutes a classic example of these writings. This polemic against ‘Hindu culture’ and Indian self rule was an international sensation. Published in 1927, it sold 395, 678 copies and was translated into almost twenty languages.¹⁹ The emphasis placed on the book was such that one contemporary observed that Mayo’s authority on India was shared only with M.K. Gandhi.²⁰ Mayo blamed the sexual excesses of the Indian male for leaving him “too weak... to hold the reins of government” and used the “miserable plight of the Hindu female” as evidence of the need for colonial rule.²¹

Mayo argued that British rule was responsible for the protection of minority groups, especially women, and that without imperial rule the “Hindu female” would have no protection against the excesses of the Indian man. This

¹⁸ Partha Chaterjee, *The Nation and Its Fragments* (Princeton, Princeton University Press, 1993), 117.

¹⁹ Mrinalini Sinha, *Specters of Mother India* (Duke University Press, 2006), 80.

²⁰ *Ibid.*, 2.

²¹ Katherine Mayo, *Mother India* (University of Michigan Press, 1927), 83, 283.

undermined the colonial policy of non interference, putting pressure on the British government to protect the women of India from the specter of Indian men. British concerns that an independent Indian government would not be able to adequately protect minority groups were evidenced in the 1935 Lothian Committee and Government of India Act. This Act was a precursor to Indian independence and was intended to assuage demands for self- rule by giving Indians increased rights under the British Raj. It specifically recognized women as a separate category with separate rights and needs by giving women reserved seats in Governor's Provinces and by setting up an all female electoral college.²² The recognition of women as a separate constituency marked them as similar to other minorities in the nation, like Muslims, Christians, Sikhs, and lower caste and tribe Hindus, whom the British government believed to have specific needs that sprang directly from their group identity. The British government saw women as a minority group who had to be protected from the majority, Indian men.

Indian reformers often answered this critique using the trope of the high Aryan past. Reformers argued that Indian women had enjoyed equal rights during the Vedic age but had lost them when the pure Aryan society had been corrupted by the outside forces of Islam and colonial rule. Thus, Vivekanada, who is credited with elevating Hinduism to the status of a world religion, wrote that “the ideal of womanhood centres in the Aryan race of India, the most ancient in the

²² Lotharian Act, 266, 233.

world's history"²³ and proclaimed "a race that produced Sita,²⁴ even if it only dreamed of her, has a reverence for woman that is unmatched on earth. He triumphantly described the respect given to women in the Vedic age and cautioned that "the Aryan and Semitic ideals of woman have always been dangerously opposed. Amongst the Semites the presence of a woman is considered dangerous to devotion... According to the Aryan, man cannot perform a religious action without his wife."²⁵ In this retelling the fall from a high past in which women were respected to the burdened present, where women are abused, is blamed on outside corruption, both from Muslim invaders and British rule. This argument stands the critique of Mayo and colonial reformers on its head; it is not through colonial rule that women will become empowered. Colonial rule is itself responsible for India's corruption and women's subjugation. It is only through independence that India's women could become enfranchised and equalized. This concept was captured in the popular nationalist slogan "India cannot be free until its women are free and women cannot be free until India is free."²⁶

The contention surrounding women's reality in India made the definition of womanhood of paramount importance to both early reformers and the

²³ Chakravarti, "Whatever Happened to the Vedic Dasi?" 76.

²⁴ The wife of Lord Rama, Sita is a Goddess associated with ideal womanly virtues. She is often held up as the standard for perfect womanhood.

²⁵ Chakravarti, "Whatever Happened to the Vedic Dasi?" 77.

²⁶ Mayo, *Mother India, Introduction*.

independence movement. Because women's mistreatment had been levied as an argument against self rule, the protection of women was given utmost importance, especially after independence. This in turn accentuated the separation of matters pertaining to women into a specific political sphere, of an oppressed group in society needing special protections from the government.

In India the designation of an oppressed group identity confers very real rights and privileges that are not echoed in the governing structures of most western democracies. While democracies like the United States focus primarily on political rights while excluding economic rights many European countries award economic rights to all citizens based on purely socioeconomic factors. In contrast India treats different groups of citizens differently based on group identity. The reservation of seats within governing bodies constitutes a good example of this, as do differing family laws based on religious identity.

Upon independence the idea of special rights for deserving minorities was enshrined in India's constitution. The Objectives Resolution adopted by the constituent assembly in anticipation of independence envisioned that all people would be guaranteed

freedom of thought, expression, belief, faith, worship, vocation, association and Action, subject to law and public morality; wherein adequate safeguards shall be provided for minorities, backward and tribal areas, and depressed and other backward classes.²⁷

It was clear from the beginning that independent India would institute special protections for minority rights; the task was defining which groups constituted a minority. During the debates over this issue the idea that women constituted a subjected constituency was unquestioned. In the words of Rajkumari (Princess) Amrit Kaur women “may be said technically to be the largest single minority in India. Not only have custom and usage dealt harshly with us, but even the law has militated and still continues to militate against us.”²⁸ None the less, Kaur went on to state that “safeguards for minorities are wholly undesirable... we do not and must never look upon ourselves as anything but an integral part of the whole, nor must we claim any privileges”²⁹ In the end women were not officially given reservations because they rejected ‘special privileges’, not because they were seen as undeserving of such minority protections. For many reformers this rejection of reservations was seen as a virtue: reservations were perceived as linked to communalism that undermined the ideal of independent India as a liberal, united and universal nation. This national conception was already reeling after the creation of Pakistan, and Indian’s leaders

²⁷ Shabnum Tejani, *Indian Secularism* (Bloomington: Indiana University Press, 2008), 244.

²⁸ *Ibid.*, 245.

²⁹ *Ibid.*, 245.

were wary of any other form of communal sentiment. The rejection of reservation by the women's movement was in many ways a conservative one, for it implicitly questioned the validity of reservations in general and positioned the category of women as apart and against other minority groups.

Many of the underpinnings of the women's movement in India were based on ideals of high Hindu womanhood. Many leaders of the women's movement accepted ideas about the idealized Hindu woman of the Vedic age. The women's movement was unavoidably a product of its time and was often "infused with middle class familial ideologies and agendas for reform."³⁰ Some scholars have argued that "the full ideological power of reconstructed Hinduism... in nationalism can perhaps only be understood through the analysis of gender relations."³¹ Colonial and nationalist social reform had marked women as middle class, upper caste and morally pure and uncorrupted.³² In rejecting quotas, women were implicitly contrasting their minority status to that of other minorities that were less pure. Specifically women were refusing to separate and undermine the nation, putting the needs of the nation above their own. This was an intentional contrast to other minorities' demands for special rights, an especially one poignant in the national discourse after the creation of Pakistan.

³⁰ Sanga Sangari and Vaid, "Recasting Women: An Introduction," 15.

³¹ *Ibid.*, 18.

³² Susie Tharu and Tejaswini Niranjana, "Problems for a Contemporary Theory of Gender," *Social Scientist* 22 (March 1994): 93-117.

The motif of women sacrificing themselves for the nation has a long history in India, going back to the martyr Goddesses portrayed in the Vedas.³³ Women were lauded for their bravery in rejecting seat reservations by many, including Nehru who proclaimed “We must not forget that our womenfolk have consistently refused special and reserved representation in the legislatures.... This must be appreciated by the nation as a whole.”³⁴

Although reservations for women were not enshrined in the Constitution, unofficial quotas persisted. After independence the Congress Party was the first to institute quotas in the form of unofficial party goals; indeed, the Party kept these quotas for several decades, relaxing them somewhat only after the 1960s.³⁵ The Congress Party, which dominated Indian politics, viewed women as a politically vulnerable, united group and approached them much like other religious, ethnic and caste minorities. Congress saw women as a separate constituency that would vote as a bloc for candidates. Accordingly, they unofficially reserved fifteen percent of their seats for women.³⁶ The Party identified seats which they thought that women had a good chance of winning - usually seats where the female turnout was high and the issues were deemed

³⁴ Reba Som, “Jawaharlal Nehru and the Hindu Code,” in *Women and Social Reform in Modern India: A Reader*, ed. Sumit Sarkar and Tanika Sarkar (Bloomington: Indiana University Press, 2008), 475.

³⁵ Singer, *Constituency Suitable for Ladies*, 67.

³⁶ *Ibid.*, 62.

‘suitable’ - and ran female candidates in these or in other seats which a woman had won in a previous election.³⁷ Congress felt that a fifteen percent seat reservation for women would not simply help them in ‘suitable’ constituencies but that women throughout the nation would see Congress as their party because they ran female candidates.³⁸ Interestingly, in reality these policies often resulted in fewer female representatives because concerns over suitable constituencies necessitated that women run against each other. Alternatively, politically interested women were encouraged to run in districts that were not their own but that had been deemed acceptable for a female candidate.³⁹

The concern over women as a separate category was also evidenced in early election laws in many states that required women’s polling places to be in separate locations from those of men, or decreed that men and women should be allowed to vote at different times in order to accommodate women.⁴⁰ In the 1957 elections in West Bengal, a female candidate filed a petition asking for another election because the polling place for women had been closed without notice and women had to vote at the same polling place as men.⁴¹ This violated Rule 18 of the Representation of the Peoples Act, which mandated that “a polling booth with separate entrance and exits shall be provided for the taking of votes of women

³⁷ Singer, *Constituency Suitable for Ladies*, 85.

³⁸ *Ibid.*, 63.

³⁹ *Ibid.*, 87.

⁴⁰ *Ibid.*, 82.

⁴¹ *Ibid.*, 82.

electors of any specified polling area” and, in the case that this was impossible, that “men and women electors shall, for the purpose of recording their votes, be admitted into the polling station or into any polling booth in such station alternately in separate batches.”⁴² The court granted the candidate’s petition, ruling the election void and calling for it to be re-held. The implicit assumption behind the verdict is that the barring of some women from the polls unfairly hurt the female candidate, since women were more likely to vote for her on account of gender. Election statistics before 1962 also show a strong concern about women. Statistics on women voters were collected by the Election Commission intensively in every election before 1962, although this dropped off in later elections.⁴³

The protectionism directed at getting women to the polls in the early elections is evidence of concern that women as a group would be underrepresented and thus under served. This fear is certainly a real possibility and one echoed in many democratic countries that record election data. Nonetheless, the manner in which the Indian Constitution and government are held responsible to minority groups, and India’s differing perceptions of citizenship, mark this as more significant than traditional exit polling. In India minority status can lead to seat reservations and special protections under the law,

⁴² Singer, *A Constituency Suitable for Ladies*, 83.

⁴³ *Ibid.*, 85.

beyond cautions and compensations enshrined in the constitutions and enactment of many other democracies.

The visual representation of India's first female president Indira Gandhi, both during her presidency and after her assassination, also exemplifies a continuation of many of these historical discourses. Throughout her presidency Indira Gandhi was portrayed, and strived to portray herself, as the figure of Mother India- the nation defined as a woman. In an emblematic election poster (Figure 1) Indira is shown as a representation of the Goddess Durga, the goddess of war. In a depiction undoubtedly meant to invoke Indira's recent victory against India's arch enemy Pakistan in the war of 1971, the lions at Indira's side claw at two men that appear to be Pakistani soldiers. Especially notable is the similarity between the face of Indira and that of the Goddess.⁴⁴

⁴⁴ Sumathi Ramaswamy, *The Goddess and the Nation* (Durham: Duke University Press, 2010) 281.



Figure I: Indira Gandhi and Durga. Reprinted from *The Goddess and the Nation* by Sumathi Ramaswamy⁴⁵

In Figure 2 Indira, held by a black, weeping, female India bleeds onto the nation. Inscribed next to the map is a version of Indira's last words "when my life is gone, every drop of my blood will strengthen the nation." Her face is wrenched with pain and anguish, an expression similar to other portrayals of Mother India under assault. The portrayal of Indira Gandhi as a martyr situates her in the trope of ideal, sacrificial womanhood that had been established during the independence struggle.⁴⁶ The image of pain and sacrifice is clearly reminiscent of

⁴⁵ Ramaswamy, *The Goddess and the Nation*, 281.

the long-suffering Goddesses who had come to constitute ideal Indian womanhood.



Figure 2: “Every Drop of My Blood Will Strengthen the Nation,” election poster from Hyderabad. Reprinted from *The Goddess and the Nation* by Sumathi Ramaswamy⁴⁷

After Indira’s assassination the idea that women would vote in a block around common interests, or even inherently female traits, resurfaced in the election of Rajiv Gandhi. The 1984 election had a large rate of both female

⁴⁶ Ramaswamy, *The Goddess and the Nation*, 281.

⁴⁷ *Ibid.*, 281.

candidates and female voters.⁴⁸ Political analysts attributed this to a wave of sympathy from female voters on behalf of Rajiv Gandhi after his mother and India's first female president, Indira Gandhi, was assassinated.⁴⁹ Whether or not women came to the polls due to sympathy is unclear, but the association of high female turnouts with an inherent female tendency towards empathy strongly reasserted women as a separate political group. This idea was undoubtedly strengthened by the fact that women came out in large numbers to support Indira's presidency in 1980, providing further evidence that women voted for their assumed constituency.⁵⁰

Thus through the intermingling forces of the British Raj and the independence struggle, women were given a special place in Indian political consciousness. Women's bodies were used to define the nation state and perceptions of ideal womanhood evolved with changing cultural standards. The space occupied by women in the British Raj and the independence movement helped establish and accentuate the perception of women as a distinct minority group with unique needs and interests. In India, unlike many democracies, this status confers specific dues to a group from the state. Although women rejected reserved seats at independence they continued to be viewed as a separate constituency with homogenous needs and wants. Women did not have to agitate

⁴⁸ Singer, *A Constituency Suitable for Ladies*, 130.

⁴⁹ *Ibid.*, 130.

⁵⁰ *Ibid.*, 146.

for a special status—they were always assumed to have a special status but had rejected it. It was thus not a question of their identity as a special group but the ideals of Indian womanhood that kept women from having reservations.

Women's communal identity governed the expectations for their behavior. These expectations marked some spaces that were suitable for women while marking other spaces as contradictory to their identity and thus unsuitable.

CHAPTER TWO

Panchayats in Ancient India

Since the colonial period Panchayats have held a special place among India's institutions of government. Similar to the way that women became symbolic of the nation Panchayats developed a significance that had more to do with their symbolism than with their reality. Whereas other governing bodies were imported from Western models or imposed from the outside, Panchayats were seen as indigenous to India. This perception was based on assumptions about the role of Panchayats made originally by the British imperial government.

The Government of India Resolution of 1918, following recommendations made by the Montague-Chelmsford reforms, saw Panchayats "not as mere mechanical adjuncts of local self-government" but as organizations that kept citizens together "by ties of tradition and blood."⁵¹ The British believed that Panchayats were the same governing bodies described by India's Hindu texts. As such they were seen as remnants of India's high Aryan past that had existed before India had been corrupted by the 'Semitic races' and fallen into decline. In this British re-telling of Indian history, the Aryans, a tall, fair skinned, warrior race related to the ancestors of the British, expanded into India and came to rule

⁵¹ Ministry of Information and Broadcasting, *The Panchayats*, March 1956, 5.

over the darker skinned conservative Dravidians.⁵² They brought their superior culture with them, establishing the high Vedic Age of India in which the Vedas⁵³ were written. Since this peak the Aryans, and Hindu culture, were thought to have experienced gradual decline. The Aryans had slowly lost their vigor, adventure and independence “under the influence of subtropical and tropical conditions and through the mixture of [Muslim] alien blood and the absorption of alien ideas.”⁵⁴ This theory was first derived from linguistics work, popularized by Max Muller, which saw Sanskrit as the parent language of all the Indo- European languages and thus situated the Aryans as the “true ancestors of our [European] race” that through “continuous struggle with each other and with Semitic and Turanian races... have become the rulers of history and it seems to be their mission to link all parts of the world together by the chains of civilization.”⁵⁵ The Hindus, specifically the higher castes, were a corrupted part of this lineage that had to be rehabilitated.

Panchayats were seen as a remnant from the high Vedic age when the uncorrupted Aryan race most resembled the British. This commonality of ancestry was stressed in an 1885 encyclopedia edited by Edward Balfour, a well

⁵² Madhav Deshapande and Peter Edwin Hook, ed., *Aryan and Non- Aryan India* (Michigan: Center for South and Southeast Asian Studies, 1979): 2.

⁵³ The Vedas are ancient Sanskrit texts which are regarded by many as Hinduism's oldest Holy texts.

⁵⁴ Deshapande, *Aryan and Non- Aryan India*: 3.

⁵⁵ Chakravarti, “Whatever Happened to the Vedic Dasi?” 40.

known Orientalist and member of the British civil service. This work proclaimed that Panchayats were “identical with the Hebrew and Roman custom of elders sitting at the gate” as well as judicial systems developed in ancient Greece.⁵⁶ Balfour underscored the common heritage between the British and the Aryan Indians, situating them in the lineage of ancient Greece and Israel.

In fact the Vedas spoke clearly only of village governing bodies, which differed widely from Panchayats. The majority of the village governments described in the Vedas had only cursory resemblances to present day Panchayats. The extent to which Panchayats even existed before the British attempt to ‘revive’ them is unclear; the Census of 1911, conducted by the British, concluded that Panchayats had never existed except as caste governing bodies,⁵⁷ such as ‘Khap Panchayats’.⁵⁸ The validity of these findings is undermined by the preoccupation of the British administration with caste as a way to organize and explain Indian society: for the British caste was the central organizing force that kept India from anarchy and so their explanation of a governing body as dependent on caste may

⁵⁶ *The Cyclopedia of India and of Eastern and Southern Asia, Vol III., s. v.* “Panchayats.”

⁵⁷ Baxi, Upendra, and Marc Galanter, “Panchayat Justice: An Indian Experiment in Legal Access,” in *Access to Justice*, ed. by Mauro Cappelletti, 6.

⁵⁸ Panchayats organized by caste. They are unaffiliated with the Indian government.

have been influenced by their perceptions.⁵⁹ Either way for most British imperialists the fact that Panchayats were primarily concerned with caste was unimportant. The British saw caste as similar to England's class system and thus viewed it as a commonality.

The validity of the historical claims is, in the end, unimportant. These perceptions and references to scripture situated Panchayats in the early lore of Hindu India, making them almost mythical bodies. The leaders of India's independence movement accepted this portrayal of Panchayats and revered them as a remnant of India's lost illustrious past. Although key reformers had differing perceptions of what India's government should look like, Panchayats came to be seen as an authority on true 'Indian-ness' by which ideas could be judged. Each reformer used Panchayats to validate his own claims about authentic Indian government. The changing perception of Panchayats mapped differing perceptions of the ideal India of the future, each validated by slightly different versions of the past.

Of all the major reformers around independence Gandhi was the most concerned with authenticity. He worried that reformers "would make India

⁵⁹ This is outside the scope of this paper. For elaboration I would point readers interested to the writings of Dirks, Nicholas B., *Castes of Mind : Colonialism and the Making of Modern India*. Princeton, N.J. : Princeton University Press, 2001. It effectively details the way in which the caste system became increasingly important to British policies and writings about India in the mid and late nineteenth century.

English, and when it becomes English it will not be called Hindustan but Englishstan. This is not the Swaraj I want.”⁶⁰ Thus when developing his perceptions of hind swaraj (or self government) Gandhi tried to rely on elements that were intrinsically Indian. In choosing these elements Gandhi, who was himself western educated and deeply immersed in Western modes of thinking about India, often relied on perceptions of ‘Indian-ness’ that had been developed by British colonial scholars.⁶¹ It is therefore not surprising that Gandhi, more so than any other leader, embraced Panchayats as essential to hind swaraj. For Gandhi, India was primarily a religious, rural nation. He dreamed of a state that “will not have... an army of B.A.’s and M.A.’s with their brains sapped with too much cramming”⁶² but instead would be a nation full of minds that were “tuned to the reception of permanent values.”⁶³ He viewed Panchayats as uniquely Indian structures that would help India find its way back to its true nature. Gandhi updated the idea of a fall from a high past developed by orientalist, putting the British in the place of the ‘Semitic races’. He believed whole heartedly in an illustrious past but blamed the decline and corruption on the British, as opposed to

⁶⁰ M. K. Gandhi, *Hind Swaraj* (Cambridge, Cambridge University Press, 1997), 28.

⁶¹ See Dirks, Nicholas B., *Castes of Mind : Colonialism and the Making of Modern India*. Princeton, N.J. : Princeton University Press, 2001 for more information.

⁶² M. K. Gandhi, *Panchayat Raj* (Ahmedabad: Navajivan Publishing House, 1959), 5.

⁶³ *Ibid.*, 4.

the Muslim, invaders. For Gandhi the Panchayat had “an ancient flavor... it represents the system by which the innumerable village republics of India were governed. But the British government, by its ruthlessly thorough method of revenue collection, almost destroyed these ancient republics.”⁶⁴ Because Panchayats were purely Indian, Gandhi’s vision relied upon them to undertake many governmental responsibilities including overseeing the education of village children, ensuring village sanitation, providing medical facilities, water purification, resolving village disputes and the “uplift of and daily wants of the so-called untouchables.”⁶⁵ He saw Panchayat decisions as deriving their authority from the moral prestige of the Panchayat, which would act as an incentive for correct behavior.⁶⁶

Gandhi’s vision of India consisted of a system of villages, each governed by a Panchayat with full powers.⁶⁷ His ideal society would be “composed of innumerable villages [in which] there will be ever- widening, never ascending circles.”⁶⁸ He recommended that “the government of [each] village be conducted by Panchayats of five persons, annually elected by the adult villagers, male and female, possessing minimum prescribed qualifications”⁶⁹ and stated that

⁶⁴ Gandhi, *Panchayat Raj.*, 6.

⁶⁵ *Ibid.*, 7.

⁶⁶ *Ibid.*, 8.

⁶⁷ *Ibid.*, 8.

⁶⁸ *Ibid.*, 9.

⁶⁹ *Ibid.*, 11.

“Panchayats will be the legislature, judiciary and executive combined.”⁷⁰ Thus in Gandhi’s vision of independent India, Panchayats were the very foundation of government.

Gandhi downplayed caste concerns, believing they could be overcome through individual morality. In contrast Ambedkar, the leader of the lower caste movement, understandably put caste at the center of his vision for the Indian government. Partially because the villages were grounded in religion, Ambedkar believed that they were “a sink of ignorance, narrowness- mindedness, and communalism.”⁷¹ Far from glorifying India’s Hindu past Ambedkar rejected it in favor of modernity. He believed that “no civilized society... presents more survivals of primitive times than does the Indian society. Its religion is essentially primitive and its tribal code, in spite of the advance of time and civilization, operates in all its pristine vigor even today.”⁷² Ambedkar rejected the idea of a high Aryan past; it had no resonance and no place for members of the lower castes because they were forgotten and subjugated in its creation and implicated in its decline. Panchayats were instrumental in this rejection- by rejecting Panchayats Ambedkar voiced his hopes that India would become a modern State,

⁷⁰ Gandhi, *Panchayat Raj.*, 11.

⁷¹ Robert Hardgrave and Stanley Kochanek, *India: Government and politics in a Developing Nation* (Boston, MA: Thomas Wadsworth, 2008), 131.

⁷² B.R. Ambedkar “Castes in India: Their Mechanism, Genesis and Development” (Columbia University, New York, NY, May 9, 1916)

untied to its 'primitive' traditions. When speaking of drafting the Constitution he said

another criticism of the Draft Constitution is that no part of it represents the ancient polity of India. It is said that the new Constitution should have been drafted on the ancient Hindu model of a State and that instead of Western theories the new Constitution should have been raised and built on village Panchayats and district Panchayats.

He went on to characterize "the love of the intellectual Indians for the village [as] infinite if not pathetic."⁷³ These statements were understandably controversial, especially among those members of Congress that had been strongly influenced by Gandhi. One such member, H.V. Kamath, reflected "I listened to [Ambedkar's] speech with considerable pleasure and not a little profit. But I expected him to tell us what, if any, had been borrowed from our own political past, from the political and spiritual genius of the Indian people." He lamented that if Dr. Ambedkar could not find a way to accept Panchayat Raj "I do not see what remedy or panacea he has got for uplifting our villages."⁷⁴ Although he rejected them entirely Panchayats were arguably as important for Ambedkar as for Gandhi. By rejecting Panchayats he was able to symbolically reject India's high past and enunciate his desire for a modern, forward looking government.

Jawaharlal Nehru, India's first Prime Minister and Gandhi's protégé, perceived Panchayats as inherently Indian. In *The Discovery of India* he

⁷³ Christophe Jaffrelot, *Dr. Ambedkar and Untouchability: Fighting the Indian Caste System* (New York, NY: Columbia University Press, 2005), 111.

⁷⁴ *Ibid.*, 110.

described the traditional organization of the Indian polity prior to the Turkish and Afghan invasions: “the village Panchayat... has large powers, both executive and judicial, and its members were treated with the greatest respect by the kings officers.” Nehru went on to detail the numerous responsibilities of these Panchayats and to describe the benevolence of its members and its lack of corruption and favoritism. The favorable comparison between Panchayats and British rule is unmistakable:

there was no theocratic monarchy in India. In Indian polity if the king is unjust or tyrannical, the right to rebel against him is admitted... The whole conception of monarchical power differed from that of European feudalism... This was the development of the Roman conception of Dominion. In India there was nothing of this kind⁷⁵

Although Nehru saw Panchayats as innately Indian and thus beneficial, caste concerns led him to adopt much more of a centrist outlook than Gandhi. He believed that stability, unity and economic progress called for a unified central government and rejected the idea that India was a fundamentally Hindu nation.⁷⁶ Nonetheless, while describing the government Nehru also gave special importance to Panchayats. He stated that the three necessities that each village had to have in order to function were a Panchayat, a school and a village co-op.⁷⁷ The Indian constitution directed that each state “organize village Panchayats and

⁷⁵ Jawaharlala Nehru, *The Discovery of India* (Lucknow: Asia Publishing House, 1961), 262.

⁷⁶ Hardgrave and Kochanek, *India: Government and Politics*, 67.

⁷⁷ Gandhi, *Panchayat Raj.*, iv (publisher’s note).

endow them with such powers and authority as may be necessary to enable them to function as unit of self government.”⁷⁸ This was an imperfect compromise between the importance put on Panchayats by nationalists like Gandhi and the fears of minority groups, expressed by leaders like Ambedkar. It left the role of the Panchayats somewhat unclear.

In 1956 the Indian National Congress revisited the structure of the Panchayat raj in an attempt to clarify its structure.⁷⁹ The importance which the Congress assigned to this task is evident in the writings of H.D. Malviya. The Congress party, while debating the proper form for the new government and the place of Panchayats within it, asked that the “Economic and Political Research Department of AICC (All India Congress Committee) should publish a book” about Panchayats.⁸⁰ In response to this need H.D. Malviya published *Village Panchayats in India* in 1956. This almost 900 page volume is a striking example of the concerns of the day about Panchayats: it says little about the state of the Panchayats in 1956, and, especially surprising for a book expressly written in response to political need, spends little time on explicit policy recommendations. Instead, Malviya is concerned solely with how Panchayats functioned in the high Vedic age. In the preface Malviya claims to examine “fully the historical and

⁷⁸ Hardgrave and Kochanek, *India: Government and Politics*, 132.

⁷⁹ Ibid., 133.

⁸⁰ H. D. Malviya, *Village Panchayats in India* (New Delhi: N. Balakrishnan, 1956), preface.

ideological background of the Gram Panchayats in [India] from times immemorial.”⁸¹ In the tradition of the orientalists, Malviya preferred ancient texts to make his analysis, citing everything from the *Ramayana* to the writings of Buddha on villages, as well as consulting the commentaries of Narada, Brihaspati, Katyayana, and Yajnavalkya.⁸² Malviya purports to reject the Western perception of a purely high Aryan past. He says that the cultural myth that “the Aryans were a highly cultured race, who suddenly swoop down... upon the original dark-skinned barbarians to conquer and civilize them”⁸³ neglects the great cultural synthesis which took place between the Aryans and Dravidians in order to establish ancient Indian culture. Here he is updating the idea of a high Aryan past by infusing it with imagined Dravidian elements. These elements, except for the one sentence paraphrased above (which is a quotation imbedded in the text from Jawaharlal Nehru) are unclear- throughout the book he refers to “the high Vedic Age” and “the Aryan people”⁸⁴ when discussing ancient India. This symbolic shift is important, however, because it reflects an attempt to reconcile the esteem given to ‘traditional’ India with caste, a practice that, although traditional, is realized to be unjust. Here again the way that history is told shifts to conform to the present need.

⁸¹ Malviya, *Village Panchayats in India.*, preface.

⁸² Ibid., See especially Chapter II.

⁸³ Ibid., 33.

⁸⁴ Ibid., examples on 22, 33, 34, 39, 59

Malviya perceives ancient India as a utopia. Malviya reports “We hear of no crime, and there was not probably very much in the villages themselves—each of them a tiny self governing republic.”⁸⁵ Similarly he marvels that the “attention given to village sanitation in this period is indeed amazing”⁸⁶ “in refreshing contrast to... today.”⁸⁷ All land and property was communally held and thus “no individual could acquire, either by purchase or inheritance, any exclusive right in any portion of the common grassland or woodland. Great importance was attached to these rights of pasture and forestry.”⁸⁸ When Malviya was writing in 1956, India itself was a socialist Republic where the State owned many of India’s resources. It is then unsurprising that in Malviya’s writings the villages of ancient India, as described by the Vedas, appeared to be a socialist utopia. He assures us “that this society held in solution a good deal of socialism and communism is beyond doubt.”⁸⁹ According to Malviya the overwhelming success of ancient Indian villages was explained by the Panchayats. He tells us “villages in ancient India could attain such a decisive importance in the administrative machinery mainly because of the close unity in which they were knit throughout the Panchayat institution... and the high level of justice, fair play and efficiency at

⁸⁵ Malviya, *Village Panchayats in India*, 66.

⁸⁶ *Ibid.*, 76.

⁸⁷ *Ibid.*, 77.

⁸⁸ *Ibid.*, 67.

⁸⁹ *Ibid.*, 59.

which the Panchayats functioned and also the confidence they commanded and the respect they inspired among the village populace.”⁹⁰

In Malviya’s writing the alarming contrast between the villages portrayed in the Vedas and the present reality of 1950s India is a constant undercurrent. In the first chapter he states that “even when we come across what may appear to be a period of depression”⁹¹ “from an impersonal scientific standpoint history justifies a belief in progress.”⁹² In his sections on bribery and sanitation he is compelled to note the striking decline of villages since the Vedic age.⁹³ In many ways his book is at its heart an apologetic—although India is currently in a state of decline ancient India “developed a sound system of democracy in accordance with our indigenous traditions and cultures”⁹⁴ and thus will do so again. The key to this success and revival is in the ancient structure of Panchayats. India’s illustrious past is here being used as a way of dealing with the “burden of the present.”⁹⁵ For reformers like Gandhi, Nehru and H.D. Malviya Panchayats were surviving fragments of this past that could be utilized to regain the lost elements needed to build a successful future.

⁹⁰ Malviya, *Village Panchayats in India*, 53.

⁹¹ *Ibid.*, 7.

⁹² *Ibid.*, 7.

⁹³ *Ibid.*, 7.

⁹⁴ *Ibid.*, preface.

⁹⁵ Uma Chakravarti, “Whatever Happened to the Vedic Dasi?” in *Recasting Women in India: Essays in Colonial History*, ed. Kumkum Sangari and Sudesh Vaid, (New Brunswick: Rutgers University Press, 1990), 28.

In order to reorganize the Panchayat raj the government introduced a three tier system that featured the village Panchayat as the basic unit, the Panchayats samiti, (with many Panchayat leaders from a block) as the second unit and the zila Panchayats, or district Panchayat as the third unit.⁹⁶ To explain this system the Indian Ministry of Information and Broadcasting published a pamphlet in 1956. Although India had been independent for ten years the importance of Panchayats to the national image here appears as strong as ever. The Panchayats, the pamphlet proclaims, are the foundation of the Indian nation.⁹⁷ They “are an integral part of our tradition and must always be an instrument of development and social change in the community.”⁹⁸ Panchayats are emphasized for their ancient ‘India-ness’, with the fifth line of the pamphlet proclaiming “although with the rise of British power, the community life of the villages was disrupted, the concept of the Panchayats lingered and caught the imagination of the country and the nationalist movement.”⁹⁹ Here, as in the writings of H.D. Malviya, the Panchayats are seen as a unique part of the high Indian past that survived decline and, as such, as a key to revival. The pamphlet continues “the Panchayats were in existence as early as the Vedic Age.”¹⁰⁰ It discusses references to the Panchayats found in the *Vedas*, the *Ramayana*, the *Mahabharata*, the *Dharmasutras* and

⁹⁶ Hardgrave and Kochanek, *India: Government and Politics*, 133.

⁹⁷ Ministry of Information and Broadcasting, *The Panchayats*, 1.

⁹⁸ *Ibid.*, 1.

⁹⁹ *Ibid.*, 1.

¹⁰⁰ *Ibid.*, 4.

many other traditional religious texts.¹⁰¹ The pamphlet portrays Panchayats as an unchanging part of Indian life saying that “even though empires rose and fell, the Panchayats survived. They retained their autonomous character and continued to function in spite of political changes, thereby helping to preserve democratic traditions in the social, cultural and economic life of the people.”¹⁰²

In reality while Panchayats may have been a constant of Indian life they were far from unchanging. Panchayats, as symbols of pure India, changed as leaders like Gandhi, Nehru and Ambedkar struggled with different perceptions of what India was and should be. As discussed by Uma Chakravarti, perceptions of the past are constantly being reconstituted to explain and justify the present.¹⁰³ At times of national self definition, such as that of Indian independence, history takes on a greater significance and is often “dramatically reconstituted, bringing into sharper focus the need of a people for a different self image from the one they hold of themselves.”¹⁰⁴ Panchayats were one of many national symbols that were reconstructed in order to create a narrative of India that gave hope for the future by drawing on a past Golden Age. Because India’s narrative was in flux Panchayats were constantly shifting. They were also used to explain decline- first by the British as institutions of an Aryan race that had been polluted and needed

¹⁰¹ Ministry of Information and Broadcasting, *The Panchayats*, 4.

¹⁰² *Ibid.*, 5.

¹⁰³ Chakravarti, “Whatever Happened to the Vedic Dasi?” 27.

¹⁰⁴ *Ibid.*, 27.

guiding, and again by Indian nationalists as native governmental structures that were disrupted by the British. The portrayal of Panchayats as democratic, somewhat socialist institutions by Nehru, H.D. Malviya and government pamphlets displayed socialist democracy as inherently Indian, thus making democracy a native, as opposed to an alien, form of government and authenticating it. The view of Panchayats as pure Indian structures through which India's inherent democratic character could be proved, argued, and changed remained strong long after independence, resurfacing during the crisis of the early 1990s and helping to shape the passage of the 73rd amendment.

CHAPTER THREE

National Self Definition in a Post Colonial Context

The 73rd amendment constituted a continuance of two discourses that had been active throughout India's colonial and post-colonial history. Through a myriad of forces, movements and pressures women had come to be seen as separate group, or jati, and Panchayats had become significant symbols through which India's governance and identity was defined. In the early nineties, however, both of these trends appeared to be dormant. Although the "women's vote" was a factor in the elections of both Indira and Rajiv Gandhi, women's quotas had not been seriously debated since independence. After the 1960s the careful collection of women's election data at polls declined. Unofficial reservations for women on Congress party tickets were discarded under the theory that voters were more likely to be swayed by religious, caste or regional identity. Panchayats were languishing under ambiguities about funding, elections and purpose. In many states Panchayat bodies had stopped meeting or had not held elections for many years. In most states no real concentration of power was held by Panchayats. In this climate the return to Panchayats and the decision to establish quotas for women within them was unexpected: although these two trends were active in 1992 the passage of the 73rd amendment was not a result of

the preeminence of Panchayats. In fact, in many ways they appeared to be at a historic low.

Instead, the passage of the 73rd amendment was a response to a time of outside threat and inner turmoil. With the 73rd amendment India's leaders were redefining the nation. In 1992, after a severe balance of payment crisis, India was forced to apply to the International Monetary Fund for a loan. As a precondition for receiving funds, India was compelled to restructure and liberalize its economic system. Although some economic liberalization had occurred in the 1980s, the reforms of the early 1990s were different in that they were systematic and based on a roadmap model in which each liberalization policy was known to be part of a bigger whole.¹⁰⁵ Because each reform was expected to be one of many this was in effect a fundamental redefinition of the entire governmental system.

The changes were significant and caused substantial shifts. For example, the volume of imports to India subject to non-tariff barriers declined from 82 percent in 1990-1991 to 17 percent in 1999-2003.¹⁰⁶ India was forced to privatize many services that had been under governmental control, ending a system in which government jobs and the prerequisite exam system were valued above the

¹⁰⁵ Arvind Panagariya, "Growth and Reforms during 1970's and 1990s," *Economic and Political Weekly*, June 2004, 2581-2594.

¹⁰⁶ Utsav, Kumar and Prachi Mishra. "Trade Liberalization and Wage Inequality: Evidence from India," *Review of Development Economics*, 2008, 291- 311.

private sector.¹⁰⁷ As the economic situation became increasingly dire, accusations of failure and unfavorable comparisons to both the West and the rest of Asia were unavoidable. This comparison was especially harsh in light of the economic boom happening for many of India's neighbors in Asia.¹⁰⁸ India's currency crisis was so severe that it verged on loan default.¹⁰⁹ The threat was manifested throughout the country, not only in the economic sector. An article in a 1990 edition of *Economic and Political Weekly* described the 1990s as the decade of economic and political crisis¹¹⁰ and warned that "the global debt crisis, burgeoning government deficits, escalating bank failures, increasing volatility in securities markets, and widening disparities in the distribution of wealth threaten world economic stability and are likely to precipitate a great depression."¹¹¹

Unable to balance the budget, the Indian government cut back on many social safety net programs.¹¹² Before the reforms India had followed isolationist policies by keeping its currency inconvertibly high and imposing strict tariffs to

¹⁰⁷ "India: The Economy," *BBC News*, Thursday, 3 December, 1998. http://news.bbc.co.uk/2/hi/south_asia/55427.stm (accessed January 14, 2011).

¹⁰⁸ "India: The Economy," *BBC News*.

¹⁰⁹ Krishn A. Goyal, "Impact of Globalization on Developing Countries (with Special Reference to India)" *International Research Journal of Finance and Economics*, (August 2, 2009):166-171. <http://www.eurojournals.com/finance.htm>.

¹¹⁰ Sharat G. Lin, "The 1990s: Decade of Global Economic and Political Crisis," *Economic and Political Weekly*, January 27, 1990, PE47-PE52.

¹¹¹ *Ibid.*

¹¹² David Stuckler, "Public health in a Recession," Center for Crime and Justice Studies, <http://www.crimeandjustice.org.uk/publichealthrecession.html>

keep foreign goods from reaching India's markets.¹¹³ Under IMF restructuring India was forced to jettison its isolationism and adopt a free-floating exchange rate.¹¹⁴ Thus the crisis ushered in a new period of globalization for India, ending its long policy of economic isolationism through quotas and tariffs.¹¹⁵ India was being "drawn into a family of nations"¹¹⁶, perhaps more so than any other time since independence.

India's isolationism was no accident. The Indian economy was carefully designed to be self sufficient and reliant. Building upon the colonial experience the country's founders made sure that India would not be exploited and would maintain control over its industries. It was of paramount importance that India be able to regulate foreign industry and the import of foreign goods.

In the financial restructuring of 1992- 1993 India's core ideals were challenged. India was called upon, in effect, to re-conceptualize itself. Scholars such as Partha Chatterjee and John Plamenatz have argued that periods of nationalism occur only when nations "belong to, or are being drawn into, a family of nations which all aspire to make progress in roughly the same direction."¹¹⁷ Nationalism prospers "among peoples who are, or are coming to be, sharers in an

¹¹³"India: The Economy," BBC News.

¹¹⁴ Ibid.

¹¹⁵ Krishn A. Goyal, "Impact of Globalization on Developing Countries"

¹¹⁶ Plamenatz, "Two Types of Nationalism," 48.

¹¹⁷ Ibid., 48.

international culture whose goals are worldly.”¹¹⁸ Periods of nationalism are by definition periods in which nations are looking outward and have become more highly integrated than they were prior to the nationalistic period. Globalization alone is not a pre-requisite for a nationalist period: the integration must be seen, at least in part, as a threat to the nation’s identity.

Nationalism arises from the “desire to preserve or enhance a people’s national or cultural identity when threatened, of the desire to transform or even create it where it is felt to be inadequate or lacking.”¹¹⁹ An outside challenge of some kind is a precondition for nationalism. This is the essential difference between nationalism and patriotism or national consciousness: nationalism is created by the felt need to preserve a threatened culture.¹²⁰ The economic crisis of the 1990s constituted both an internal and an external threat: the international community forcibly interfered in India’s markets, granting increased access to international products and foreign investors. India’s self image as a well-functioning, developing, modernizing democracy was also threatened. This self perception was shaken by the failures made evident by the restructuring and was made all the worse by the comparison of India to the Asian “economic tigers” as well as the implicit comparison to (and critique by) the West in the form of IMF aid.

¹¹⁸ Plamenatz, *Two Types of Nationalism*,” 48.

¹¹⁹ *Ibid.*, 45.

¹²⁰ *Ibid.*, 45.

This arising awareness of inadequacy is congruent with Plamenatz's pre-conditions for a nationalist period. Nationalism arises only when "peoples are aware, not only of cultural diversity, but of cultural change and share some idea of progress which moves them to compare their own achievements and capacities with those of others."¹²¹ In the IMF restructuring India's identity had been undermined. This questioning of identity has been defined by Plamenatz as "eastern nationalism." Although Plamenatz christens his two nationalisms 'eastern' and 'western' it will be clear to the modern reader that the two scenarios he describes are not delineated by geography. Instead, many of the differences come from the colonial or non-colonial context as well as the complex international power structure and the hierarchy of nations within it. According to Plamenatz, western nationalism developed in countries that "were already, by reference to standards they shared with the nations with whom they compared themselves, well equipped culturally."¹²² While specific western countries may have been 'pace setters', marking others as behind by comparative standards, all the countries in this bloc, at least in their self perception, had already emerged as part of a comity of nations. These nations "had already learned to think of themselves as ahead of all the others"¹²³ by virtue of their real or imagined common heritage with the frontrunners and the ideas implicit in nationalism itself.

¹²¹ Plamenatz, "Two Types of Nationalism," 45.

¹²² *Ibid.*, 50.

¹²³ Partha Chatterjee, *Nationalist Thought and the Colonial World*. 1

These nations already had a unified identity that had been able to develop without colonial pressures or re-definition from without.¹²⁴ Thus in periods of “western” nationalism “most urgent need, so it seemed to them, was to acquire national states of their own, rather than to acquire the ideas and skills needed to run such a state, for they possessed them already in great measure.”¹²⁵ Western nationalism is marked by a need for territory as opposed to a desire to re-create and redefine the nation.

In contrast Plamenatz’ so-called “eastern nationalism” arises when countries were “drawn gradually, as a result of the diffusion among them of [foreign] ideas and practices, into a civilization alien to them”¹²⁶ and as such were forced to, in the process of nationalizing, “make themselves anew, to create national identities for themselves.”¹²⁷ Faced with external pressures the nation is found wanting in the same way. Plamenatz points out that to the extent that post-colonial countries are, in fact, found wanting “it is not by their own standards of years ago; it is by standards that they have come to accept quite recently, which they have not formed themselves but have taken over from others.”¹²⁸

¹²⁴ Although they did not have external pressure per se, colonial countries undoubtedly measured and defined themselves against their colonies. This, although important to remember, is unimportant to Plamenatz’s argument about nationalism.

¹²⁵ Plamenatz, “Two Types of Nationalism,” 50.

¹²⁶ *Ibid.*, 50.

¹²⁷ *Ibid.*, 50.

¹²⁸ *Ibid.*, 53.

This construct of nationalism and its genesis is applicable to the period of the 1990s economic collapse. India needed to redefine itself “if they were to raise themselves to the level of the people who, by the standards of the civilization into which they were being drawn, were more advanced than they were.”¹²⁹ At the same time, they had to maintain their Indian identity in the face of integration.

In this time of crisis Panchayats again rose to the fore. The lack of interest in Panchayats displayed by national leaders between late post- independence period and the early 1990s was not a coincidence. Panchayats, representing both the ideal past and the ideal future, are important primarily in times of national crisis. The financial collapse of the early nineties was a time of national crisis which fits Plamenatz’s precondition for periods of nationalist activity. The passage of the 73rd amendment constituted an assertion of national heritage as well as an updating and reformulating of a national myth- the myth of national destiny for success and the myth of socialist democracy as the natural form of India’s government.

By reviving Panchayats, the government was able to stress the resurgence of Indian democracy and its own devotion to India’s roots. Panchayats occupied a special place within Indian national discourse and were distinguished from other parts of government that had to be appropriated from abroad. Panchayats were indigenous to India: in Panchayats India could claim democracy as its own on the

¹²⁹ Plamenatz, “Two Types of Nationalism,” 50.

basis of the illustrious past of representative democracy which the Panchayats represented. The unique place of Panchayats was displayed clearly in the parliamentary debates, which were permeated by history and symbolism.

Because the Panchayats were used so heavily by nationalist leaders, support of Panchayats in the 1990s symbolized not only the high past of India but also solidarity with national figureheads such as Gandhi and Jawaharlal Nehru.

CHAPTER FOUR

Historical Discourses Continued: Debates on the 73rd Amendment

The state and parliamentary debates on the 73rd amendment were permeated by themes similar to those enunciated by national founders such as Nehru, Gandhi, and Ambedkar. In the tradition established by the British Raj, Gandhi, and Nehru, members of parliament proclaimed Panchayats to be remnants of India's glorious past. While many of the statements reaffirmed traditional views of Panchayats, subtle shifts in the way that Panchayats, and the State, were portrayed, reveal the nation adjusting to the new realities created by economic restructuring.

Shri Pawan Kumar Bansal, an elected representative from Chandigarh of the Congress Party, lamented to parliament that "our ancient village system was... disturbed severely and democratic traditions eclipsed by a prolonged interregnum of aggression and foreign rule."¹³⁰ He reiterated this theme of destruction and rebirth later in his remarks when he declared that the 73rd amendment "symbolize[d] the resurgent Indian democracy."¹³¹ He went on to proclaim that while democracy was of comparably recent origin it "owes its evolution to the concept of Panchayat enunciated and practiced in our ancient society" and that

¹³⁰ 10th Lok Sabha. *Constitutional (73rd Amendment) Bill*. Delhi: December 1, 1992. 743.

¹³¹ *Ibid.*, 747.

“we have always regarded the decisions of any five people as the dictum of God and the words Panch Parmeshwar have been engrained in our ethos since time immemorial.”¹³² Panchayats were portrayed as India’s gift of democracy to the world and a resurgent reminder of India’s exalted past.¹³³ These remarks, although made to parliament in 1992, could easily have been found in the 1965 pamphlet on Panchayats or in the writings of M.K. Gandhi. They reaffirm that democracy has always been India’s destiny and assert that, to the extent that any irregularities or failures have arisen, the blame rests squarely on outside forces.

The theme of looking back to the past was continued by the recurring references to Ram Rajya in many of the speeches.¹³⁴ Ram Rajya refers to the mythical kingdom of Lord Ram described in the Ramayana in which there was peace and prosperity. Congress party member Shri K. V. Thankabalu from Dharmapuri reminded parliament that “real Ram Rajya can come only when the people are given powers... real Ram Rajya will come only when we build an effective society.”¹³⁵ Although all governments, at least outwardly, seek to provide a land of peace and prosperity to their citizens, the Kingdom of Ram has nothing specifically to do with Panchayats. It is a reference to India’s high Aryan past that modern India must rebuild and renew. The concept of Ram Rajya was

¹³² 10th Lok Sabha. *Constitutional (73rdAmendment) Bill*. 743

¹³³ *Ibid.*, 743, 743.

¹³⁴ *Ibid.*, examples include 653, 679, 681, 709.

¹³⁵ *Ibid.*, 681.

used by Gandhi as a poignant symbol of the purity of India and what it could achieve by returning to its true, pure nature.

Speakers often mentioned Gandhi in the debates; almost every member that spoke about Panchayats mentioned either Mahatma Gandhi or Ram Rajya in their remarks.¹³⁶ Shri Pawan Kumar Bansal of Congress proclaimed that “this Bill veritably reasserts the relevance of Mahatma Gandhi today” while Shri Rajesh Kumar, of the Rashtriya Janata Dal Party, applauded the Bill as “the first step in realizing the dream of M. K. Gandhi who said that villages should be ruled by the village itself.”¹³⁷

This return to the theme of an illustrious past is congruent with the theories of John Plamenatz and Partha Chatterjee for nationalist periods. Threatened by the crisis and, in many ways, besieged by the invasion of the outside world, the Indian parliament returned to India’s past, emphasizing a structure seen as a continuous cultural root. India’s existing structures were felt to be inadequate and the parliament was simultaneously updating and exonerating them, working through their perceptions of India using Panchayats in the same way that India’s founders had. This frustration and felt inadequacy were present throughout the debates. The failure of past Panchayats institutions was mentioned regularly, often resulting in infighting between parties about who should shoulder

¹³⁶ 10th Lok Sabha. *Constitutional (73rd Amendment) Bill*. Examples include 691, 679

¹³⁷ *Ibid.*, 747, 688.

the blame.¹³⁸ Representative Anil Basu expressed exasperation about the delayed realization of democracy saying that “this parliament of India is the womb of democracy and let us hope that after 45 years of independence it will give birth to a healthy baby.”¹³⁹ Furthermore, central government officials were consistently construed as “paper tigers sitting in the capital” that took resources and subjugated the workings of democracy to their needs.¹⁴⁰ The economic crisis was also mentioned in the form of a critique. Anil Basu cautioned “the main problem with the state is that they can borrow from the outside agencies, from the international agencies.... they [the state governments] cannot print currency notes as you can.”¹⁴¹ This is a clear reference to the loans taken out by the Indian government. At the time of the debates the government’s failure to pay back these loans was causing international intervention into India’s governmental structure.

Many of these critiques and descriptions of Panchayats marked subtle shifts in the conception of an ideal Indian government. Throughout the debates, the reformation of the country’s identity was evidenced. In light of the new reality created by the economic restructuring a new conception of Indian democracy was needed. As discussed previously, India had been a socialist democracy since independence. With economic restructuring this period was, for

¹³⁸.10th Lok Sabha. *Constitutional (73rd Amendment) Bill*. examples include 654, 681, 695

¹³⁹ Ibid., 660.

¹⁴⁰ Ibid., 695.

¹⁴¹ Ibid., 658.

the most part, coming to a close. India was transitioning to a new, more open, laissez-faire democracy in which less power was centralized within the state. Its self-perception, dependent on its imagined past, had to change with this reality. Thus in the debates on the 73rd amendment decentralization was claimed as India's true heritage, while the central government first adopted by Nehru was discarded. Shri Anil Basu criticized the government as centralized and warned that "there are people in the government who do not believe in decentralization of power." He emphasized the efficacy of decentralization policies, saying that "when we are talking of decentralization of power we are talking of giving power to the people"¹⁴². Professor Rasa Singh Rawat of Ajmer of the Bharatiya Janata Party (BJP) voiced his support for the Bill, reminding parliament that the amendment "should be viewed in the context of Gandhiji's observation in the 'Hind Swaraj' in 1908 that 'the adoption of a western styled centralized administrative set up and industrial policy would spell disaster for this country. Even after 45 years of independence we find that the tendency towards centralization is on the rise... the states are not being given their due autonomy and even their limited autonomy is being interfered into."¹⁴³ In this quote the centralized state, previously a symbol of India, was instead made western and other. The decentralized state, which was, in reality, being imposed from without,

¹⁴² 10th Lok Sabha. *Constitutional (73rd Amendment) Bill*. 653.

¹⁴³ *Ibid.*, 695.

was here being claimed as a quintessentially part of the nation. Although the BJP is situating itself as a direct descendent of Gandhi's proposed decentralized state this new vision could not be more different from Gandhi's. At the heart of Gandhi's decentralization was self sufficiency and isolationism, not a decentralization with the opening of borders to multinational corporations. This constitutes a clear example of how national history can be utilized and reborn to fit the needs of the present.

This shift reminds us that, as pointed out by Partha Chatterjee, politics operates in a world of ambiguous meanings and inexactitudes. It is in such a world that values are asserted and objectives are realized.¹⁴⁴ The assertions made about Panchayats during the state and parliamentary debates display the special place that Panchayats continued to hold as symbols through which India had been and continued to be defined.

Women as a Separate Category

The passage of the amendment perpetuated not only the idea of Panchayats as an embodiment of Indian identity but also reasserted the perception of women as a separate category. The idea that women constituted a separate category was explicitly stated in many instances during the 73rd amendment debates. Because of the assumptions about women permeating the parliament,

¹⁴⁴ Partha Chatterjee, *National Thought and the Colonial World*, vii.

the significance of reservations for women, and in fact the amendment itself, received strikingly little attention. The lack of interest in the Bill prompted Congress party member Mani Shankar Ajar to bemoan that “when we are on the brink of the single most important systematic change in our constitution we should have such thin attendance” in parliament.¹⁴⁵ Since women were already seen as a separate constituency’ the idea of seat reservations within Panchayat bodies was not controversial. The arguments used in support of the Bill were steeped in the assumption that women constituted a homogenous minority group. The essence of these arguments was that women needed seat reservations to participate effectively because they “suffered from economic and social oppression for a long period of history”¹⁴⁶ and that “women today are not coming forward the way they were expected to.”¹⁴⁷ It was also assumed that once women were in power they would act differently than their male counterparts, specifically by putting increased emphasis on development. The amendment was thus expected to “create awareness among women in the country”¹⁴⁸ and “salute and honor women folk.”¹⁴⁹ Women were cast as a homogenous group with a common historical background and it was hoped that “this group that has suffered from economic and social oppression for a long period of history will now be in a

¹⁴⁵ 10th Lok Sabha. *Constitutional (73rd Amendment) Bill*. 661.

¹⁴⁶ *Ibid.*, 717.

¹⁴⁷ *Ibid.*, 736.

¹⁴⁸ *Ibid.*, 738.

¹⁴⁹ *Ibid.*, 682.

position in which they can participate effectively.”¹⁵⁰ Panchayats would benefit from the empowerment of women because “their presence there will exert pressure on development work.”¹⁵¹ Shri Syed from Kishanganj, a district in the state of Bihar, raised the lone voice of dissent against reservations, asserting that he did not “regard the women as either as a separate community or as a class or as a caste or even as a social group”¹⁵² because of “disparity in the level of education and consciousness among women belonging to different strata of society.”¹⁵³ One other voice was raised against women’s seat reservations, but the concern did not question women’s identity as a separate group. Tara Singh from Haryana blasted the idea of reservations saying “they want to fulfill their own political desire in this country, by pursuing a communal line, by dividing the people of this country, by challenging the unity and integrity of this country.”¹⁵⁴ This critique, which was directed against both reservations for women as well as reservations for scheduled castes and tribes, echoes the concerns raised in the drafting of the Indian constitution. It voices an underlying concern that women, like other ‘special’ groups, would have an inherent tendency to bond together as a discrete and separate unit, a tendency that must be offset if national unity is to be maintained and enhanced.

¹⁵⁰ 10th Lok Sabha. *Constitutional (73rd Amendment) Bill*. 717.

¹⁵¹ *Ibid.*, 739.

¹⁵² *Ibid.*, 702.

¹⁵³ *Ibid.*, 702.

¹⁵⁴ *Ibid.*, 653.

In the states' debates on the 73rd Amendment, the assumption of women were a separate category was even more pronounced. This is at least partially because women's reservations were debated more thoroughly in the state assemblies than in the parliament. Here also concerns about communalism resurfaced. Jaichand Kasliwal of the Bharatiya Janata Party (BJP), although a supporter of the Bill, worried that it might "further encourage casteism in the villages."¹⁵⁵ This concern that women's identities as women would become strong enough to become exclusionary and create problems shows the extent to which women were seen as a constituency. The concept of separate 'women's goods' was also stressed heavily in the states' debates. Independent Saroj Kashikar argued that women's seat reservations were necessary because "radio and TV sets have been given to village Panchayats but nobody thought of providing drinking water, since no one was thinking from a woman's perspective"¹⁵⁶ and went on to say that "if drinking water and health centres in every GP [village Panchayat] had been provided we would not have asked for... reservation for women."¹⁵⁷ The theme of appropriate constituencies also resurfaced, with one Congress party member arguing that women's reservation should be implemented in "only those

¹⁵⁵ Kumar, Girish, "Panchayats: The Response of State Legislatures," *French Research Institute of Indian Research* 4 (2002): 20

¹⁵⁶ Ibid: 26

¹⁵⁷ Ibid: 26.

wards in which they are numerically strong.”¹⁵⁸ The idea that only women would support a female Panchayat member, and thus representation for women should be limited to areas with a majority female population, speaks more strongly than any other to the working assumption that women constitute a separate constituency with special interests and concerns. According to the embedded assumptions, only in a situation in which the majority of the population shares these concerns would it be just for the government to support the election of a woman.

There was only one reported case of dissent from the view of women as inherently separate and “other” in the context of the states’ debates. K. S. Dhondge of the Peasants and Workers Party (PWP) cautioned that the reservations would not lead to meaningful empowerment for women as a group until “social, economic, religious and cultural differences are done away with in the rural areas.”¹⁵⁹ This analysis is typical of the PWP and other Marxist parties that often assign emphasis to class over gender, thus somewhat questioning the overwhelming majority view of women as a separate constituency. Dhondge’s differing conception of women marked the only real counterpoint within the states’ debates to the prevailing assumptions that women were a homogenous constituency.

¹⁵⁸ Kumar, Girish, “Panchayats: The Response of State Legislatures,” 75.

¹⁵⁹ *Ibid.*, 20.

Quantifying Outcomes

Publications surrounding the passage of the Act reflected the same perceptions of women as the state and parliamentary debates. For example *The Changing Status and Role of Women in Indian Society*, published immediately before the implementation of the 73rd amendment, stated that “in the absence of rural womenfolk in the Panchayats it cannot be expected that male dominated forums would uphold their cause”¹⁶⁰ because “even when the male [Panchayat] members are sympathetic they fail to appreciate the causes as a woman could do.”¹⁶¹

The concerns and arguments raised in the course of the discussions around the Amendment served as a platform for the literature that quickly arose to quantify the results of women’s seat reservation. Much of this literature was aimed at measuring the ‘female effect’ on decisions made by Panchayats. The analytic approach was to split development indicators and schema between ‘Women’s issues’ -- topics such as smokeless stoves, water, schools, and the Integrated Child Development Scheme -- and ‘men’s issues’ such as rural development works. While some researchers attempted to collect data by interviewing women to identify their concerns, other “social scientists” simply

¹⁶⁰ Chakrpani and Vijaya. *The Changing Status and Role of Women in India* (New Delhi: M.D. Publications Pvt. Ltd.), 1994, 300

¹⁶¹ *Ibid.*, 308

assumed gender preference for certain goods and proceeded to draw conclusions accordingly. For example, a study conducted by the Development Research Group of the World Bank defined women's goods by using participatory rapid appraisal techniques on a small group of women, in which they were briefly asked about their preferences for goods. Based on these responses the researchers separated goods between male and female preferred and measured the ability of female Panchayat members to procure them.¹⁶²

Another approach to measuring the success of female Panchayat members has been to examine the degree of active participation by females in Panchayats. If such participation increased, the presence of female Panchayat members was equated with progress and success, even if male participation declined. One such study, *The Impact of Reservation in the Panchayat Raj: Evidence from a Nationwide Randomized Experiment*, concluded that the key to ascertaining whether female Panchayat leaders make a difference lay in asking “do they make decisions that better reflect the needs of their own group?”¹⁶³

Examples of this kind of fuzzy, group-based research are abundant in the writings that purport to measure or describe the impact of the 73rd amendment.

¹⁶² Radu Ban and Vijayendra Roa, “Tokenism or Agency? The Impact of Women’s Reservations on Panchayats in South India” World Bank Research Committee (March 2006): 7.

¹⁶³ Raghavendra Chattopadhyay and Esther Duflo. “The Impact of Reservation in the Panchayat Raj: Evidence from of Nationwide Randomized Experiment.” *Economic and Political Weekly* Vol. 39, No. 9 (Feb. 28 - Mar. 5, 2004): 2.

In this type of analysis women's success or failure depends upon their ability, like any politician, to provide for the needs of their constituency. The implicit assumption, however, is that for women Panchayat members the constituency to be benefitted is the women in the village, rather than the village as whole. Here again women are seen in a vacuum, devoid of caste, class, religion. Moreover, the identification of "women's issues" by which success is measured is specious. Women's latrines, for example, are assigned to the category of "women's goods" so that more or better such facilities are hallmarks of success or effectiveness of female Panchayat members, while their contribution toward improvement in village roads and schools does not show up in the equation. Thus not just females but political issues are, in modern terminology, "ghettoized."

The Influence of International Development: the Grameen Bank Model

The 73rd amendment, like most major political developments, was not only a product of national forces. Perceptions of women in South Asia influenced, and in turn were strengthened and solidified by, changes in the international development paradigm. This international climate was no doubt a factor in creating the climate in which the Bill was passed. Modernization theory, the idea that economic development will affect every section of society equally ('the rising tide lifts all boats' concept) reigned virtually unquestioned throughout the

development sector in the 1960s.¹⁶⁴ This was undermined in the 1970s by the findings of Ester Boserup that development affected different strata of society differently: women specifically did not benefit equally from market gains.¹⁶⁵ This finding opened up a new sub-field of Women and Development. In fact, the period between 1975 and 1985 was declared the Decade of Women in Development.¹⁶⁶

Although the problem was realized, solutions appeared to be fleeting and development agencies struggled to find sustainable ways to lift women out of poverty. Women's low socioeconomic status was viewed primarily as a logistical problem, as opposed to something that necessitated reassessment of ideology and gender relations, and a majority of the programs enacted by international agencies focused on increasing women's education to better prepare them for the workforce. Women's development initiatives also focused heavily on women's procreative role in society, educating them about child rearing and contraceptives. This served primarily to counter fears of rampant population growth and, since the role of women as procreative implements was stressed, assumed and solidified gendered roles for women.¹⁶⁷

¹⁶⁴ Aminur Rahman, *Women and Microcredit in Rural Bangladesh* (Boulder, CO: Westview Press, 1999), 2.

¹⁶⁵ *Ibid.*, 14.

¹⁶⁶ *Ibid.*, 15.

¹⁶⁷ *Ibid.*, 16.

The development conundrum of women's economic empowerment within the neoclassical model found an answer in the Grameen Bank model developed by Muhammad Yunus. The Bank was founded in Bangladesh in 1983 with the aim of providing small ('micro') loans to the poor on the theory that these loans would enable them to acquire starting capital necessary to develop small income generating schemes that could, over time, lift them out of poverty. Although the Bank started out with a majority of male borrowers, over time it increasingly emphasized and recruited females. This change was rapid and absolute: for example in 1984, the Bank reached its then target of awarding equal loans to men and women, by 1994 the number of men receiving loans had dropped to 6 percent.¹⁶⁸ Today 95 percent of the Bank's borrowers are women.¹⁶⁹ The Bank's 'findings' on women's economic behavior appear to confirm the idea that women, on account of their gender, will assume a care-taking role for their communities and dependents and thus money invested in women is money better spent. In the words of the Grameen Bank's website "studies have shown that the overall output of development is greater when loans are given to women instead of men, as women are more likely to use their earnings to improve their living

¹⁶⁸ Aminur Rahman, *Women and Microcredit*, 71.

¹⁶⁹ *Ibid.*, 4.

situations and to educate their children.”¹⁷⁰ Furthermore women are more likely to pay back loans made by the bank. As stated on the website for The Grameen Social Lab, a socially responsible business project inspired by the Bank, “the Bank discovered that women are more reliable in paying back and that they use the loans more wisely than men.”¹⁷¹

The reasons for women being more responsible with loans are not explained or addressed as a question on either the Grameen Bank website or any accompanying websites like the Grameen Social Lab, leading the reader to attribute these facts to innate gender characteristics. The Grameen Bank presents itself as a business model that is applicable anywhere- a global solution to world poverty. In this narrative the behavior of women borrowers in Bangladesh is treated as a law for women borrowers everywhere but is devoid of context. In reality the Grameen Bank, specifically in its emphasis on women borrowers, relies heavily on constructions of women as the bearers of respectability and the symbols of their household and village. Village women in Bangladesh are measured in terms of their *lajja*- proper behavior- which in turn affects their families’ *ijjat*, or respectability. This proper behavior for women emphasizes

¹⁷⁰ “General Questions on Grameen Bank,” *Grameen Bank*, http://www.grameeninfo.org/index.php?option=com_easyfaq&task=cat&catid=80&Itemid=200 (accessed April 2011).

¹⁷¹ “The Grameen Bank- Mother of Social Business” *The Grameen Creative Lab*, <http://www.grameencreativelab.com/live-examples/grameen-bank-the-mother-of-grameen-social-business.html> (accessed April 2011).

shyness, modesty and passivity and enforces strict restrictions for women in the public sphere. This social structure makes the enforcement mechanisms of the Bank much stronger for women, creating societal conditions in which the price for late payment for women is much greater than for men. It was explained by a Grameen bank worker that

When a woman fails to make her installments on time, she experiences humiliation through verbal aggression from peers and bank workers in the loan center. Such humiliation of women in public places gives males in the household and in the lineage a bad reputation [durnam]. In an extreme case peers may take the defaulter to the bank office. For a man, if he is locked inside the bank building for several days, it would mean almost nothing to other people in the village. But if this happens to a woman, then it will bring a [bad reputation] to her household, lineage, and village. People in other villages will also gossip about it.¹⁷²

Ignoring the reasons behind women's high payment rates the Grameen Bank offered up its experience as a model for women's development that was sustainable within neo-classical economics- philanthropy that made a profit. Its success created a "new paradigm for thinking about economic development."¹⁷³ Specifically the Bank introduced into mainstream economics the idea that money given to women did more for communities than money given to men and that women were the best subjects for distributing development aid. Women, because

¹⁷² Aminur Rahman, *Women and Microcredit*, 75.

¹⁷³ *Ibid.*, 16.

of their womanhood, could be expected to allocate money to other women and families, making the weaker sections of the village community stronger and thus contributing to larger overall welfare gains. This was not seen as a result of the specific context of rural Bangladesh, because this local reality was not included in the public transcripts publicized by the bank. This model linked women and rural development inextricably together and changed the modus operandi for women's development. It helped to enshrine existing perceptions that women were different because of their womanhood: women could be expected to distribute goods in a way that was beneficial to development precisely because of their gender. Developments such as the Grameen bank helped to reinforce the perspective of women as a separate and "fixed" category who had their own special behaviors, interests and role in society inherent in and derived from their gender. The Grameen banks findings came from South Asia, and in many ways reflected homogenized gender expectations that had been developed in India. After all Bangladesh and India share much of the same history; until 1947 they were the same country. None the less the Bank's findings were seen as a universally applicable model and it was presented as a finding for international, as opposed to South Asian, development. Thus the model constituted an outside or international reinforcement of the idea of women as a homogenous group.

CHAPTER FIVE

Expectations and Results

In the 73rd amendment, women, who had always been conceptualized as a separate jati, were given seat representation through Panchayats. Panchayats, as representations of the nation, constituted a unique sphere within Indian politics. As detailed previously, the creation of the female jati was based on upper caste notions of womanhood. This perception of womanhood had kept women from accepting reservations upon independence. Women rejected quotas as communalism that would undermine the nation and, by doing so, differentiated themselves from other less pure minorities and the ‘communal sentiments’ that had led to the creation of Pakistan. As quotas were re-conceptualized and the nation solidified, the national fear of communalism was replaced by a fear of inefficiency in comparison to other nations. Rural women, who despite a plethora of past amelioration policies, were still politically underrepresented and economically disadvantaged, were a logical choice for representation. Through Panchayats these quotas could be assigned in a purely Indian venue; seats to women in Panchayats did not threaten the nation because Panchayats were devoid of western feminism and thus the movement was seen as indigenous and unthreatening. Because of the close ties between Panchayats and India’s high

Vedic past, giving women seat representation in these bodies did not disrupt or disturb the national narrative. Women were not expected to be ‘feminist’ objects within Panchayats but were expected to perform their assigned roles of caretaker, looking out for the welfare and needs of the women and children of their village. Panchayats, because of their Indian-ness, were a suitable place for Indian women. The way in which these perceptions affected the passage of the 73rd amendment is evident when it is contrasted with the experience of the Women’s Reservation Bill.

The Women’s Reservation Bill reserved thirty three percent of seats for women in the parliament and state assemblies of the Rajya Sabha¹⁷⁴, the upper house of the Indian parliament. Despite the fact that the Act did almost exactly the same thing as the 73rd amendment, it did not experience the same easy passage. The Act took nearly a decade and a half to pass after its introduction to the Rajya Sabha.¹⁷⁵ The 73rd amendment was noticeably uncontroversial, so much so that during the parliamentary debates Shri Mani Shankar commented that “historians will agree [this was] an exceptionally short period of time to... evolve a consensus.”¹⁷⁶ In contrast to the relatively easy passage of the 73rd amendment, in which members of parliament bemoaned the thin attendance by both

¹⁷⁴ Prasenjit Bose, “Why Be Afraid of Being Called a Feminist?” Pragoti (March 2010) <http://www.pragoti.org/node/3843>, 1.

¹⁷⁵ Bose, “Why Be Afraid of Being Called a Feminist?” 1.

¹⁷⁶ 10th Lok Sabha. *Constitutional (73rd Amendment) Bill*, 661.

representatives and the press,¹⁷⁷ “few legislations in the history of independent India [were] scrutinized as meticulously”¹⁷⁸ as the Women’s Reservation Bill.

When introduced in the Raja Sabha during March 2010 the Women’s Reservation Bill created pandemonium. While some members of parliament detached the microphone from the speaking platform to prevent the Bill from being debated, others threw paper and stationary in protest. Some even attempted to run at the proponents across the tables of the House. Still other opponents of the Bill chanted slogans against it and tore copies of it into pieces, throwing the remains at the opposition. Within minutes of the uproar the House was temporarily adjourned. Staff cleared the tables of all throw able items- such as pens, watches and paperweights- before the session reconvened. Marshals were summoned to the House in order to keep the peace during debate. Despite these efforts debate could not proceed without constant interruption and, after five adjournments of the House, the Bill was tabled for future debate.¹⁷⁹

In addition to differing in their level of controversy the debates on the 73rd amendment and the Women’s Reservation Bill also had divergent content. The objections that were raised to the 73rd amendment were based on fears that

¹⁷⁷ 10th Lok Sabha. *Constitutional (73rdAmendment) Bill*. 661.

¹⁷⁸ Bose, “Why Be Afraid of Being Called a Feminist?” 6.

¹⁷⁹ Ani, “Voting on Women’s Bill Deferred, Unruly Scenes in RS,” Indian Express (March 2010) <http://www.indianexpress.com/news/voting-on-womens-Bill-deferred-unruly-scenes-in-rs/588261/3>

women would not have enough of a constituency¹⁸⁰ or that they did not qualify as enough of a group to make quotas necessary.¹⁸¹ No members of parliament objected to the idea that women were being given power and none referenced feminism. In contrast, the Women's Reservation Bill was much more contentious and the arguments for and against it were steeped in feminist and anti-feminist discourse. Although the 73rd amendment was expected to empower women their empowerment was anticipated to allow them to undertake development work that would enhance their communities. In contrast the Women's Reservation Bill was expected to "open up substantial space for gender issues in the political sphere."¹⁸² An article in the *Economic Times* about the Bill reminded readers that "not only have women continued to be denied equal rights to land, property, access to education and jobs but violence against women in myriad forms, from female feticide and domestic violence, to dowry and honor killings, to sexual harassment, continue to be part of our everyday existence."¹⁸³ Supporters of the Bill called for the acceptance of "women's empowerment in all spheres- social, economic, cultural, and political."¹⁸⁴ Patriarchy and discrimination were blamed for slowing the passage of the Act. Proponents of the Bill argued that "the real roadblock before the Bill is patriarchal ideology" and pointed out that "patriarchy

¹⁸⁰ Ani, "Voting on Women's Bill Deferred."

¹⁸¹ Ibid.

¹⁸² Bose, "Why Be Afraid of Being Called a Feminist?" 2.

¹⁸³ Ibid., 2.

¹⁸⁴ Ibid., 2.

never had problems in accepting a woman as a political leader or even head of state... but that never challenged the status quo.”¹⁸⁵ Although the Women’s Reservation Bill and the 73rd amendment did essentially the same thing, the arguments in favor of the Reservation Bill used the language of western feminism. In contrast the 73rd amendment was portrayed as a logical outcome of India’s history. The feminist arguments in favor of the Women’s Reservation Bill made even some supporters of the Bill uncomfortable. The Union Railway Minister, for example, issued a statement the day the Bill was passed through the Upper House stating that “though I am supporting the Bill, I am not a feminist.”¹⁸⁶

Opponents argued that they were fighting not against women’s reservation but for increased reservations for Muslims and scheduled tribes. They called for a quota within a quota that would prevent short haired city women (“par kati”) from claiming all the reserved seats.¹⁸⁷ The fear of “short haired city women” speaks strongly to the threat that the amendment was felt to undermine the norms of Indian womanhood. Prasenjit Bose has argued that opposition to the Bill on the grounds that there was not an additional reservation made no sense and

¹⁸⁵ Bose, “Why Be Afraid of Being Called Feminist?” 9.

¹⁸⁶ *Ibid.*, 9.

¹⁸⁷ “Mulayam, Sharad Yadav Keep Up Opposition to Women's Quota Bill,” *Times of India*, March 9, 2011. http://articles.timesofindia.indiatimes.com/2011-03-09/india/28672008_1_quota-bill-reservation-bill-par-kati (accessed March 2011)

“amount[ed] to pitting one deprived section of society against another in order to jettison women’s reservations altogether.”¹⁸⁸ To some extent this is true: reservations to scheduled castes were already in place in parliament; thirty three percent seat reservations for women would simply increase the number of scheduled caste women in parliament, doing nothing to decrease the overall number of representatives. It is also plausible, however, that reservations to women within scheduled caste seats would be harder to fill and women elected might have difficulty being heard- lower caste women are arguably one of the most subjugated groups within India. The scheduled caste community was also embroiled in a debate about affirmative action for SC to the nation’s private schools that had led to hunger strikes and protests on both sides.¹⁸⁹

Muslims are underrepresented in parliament and, a solid case can be made for their reservations, but the idea that reserving quotas for women would hurt this campaign is illogical. Muslims do not currently have reservations in parliament and this situation will be unchanged whether or not the Women’s Reservation Bill is passed. At the time of the debates the Muslim community was understandably embattled: reservations for Muslims in the government had been rejected, even after the publication of the Sachar report in 2006. This report found that in many

¹⁸⁸ Bose, “Why Be Afraid of Being Called a Feminist?”

¹⁸⁹ “Nationwide Anti-Quota Stir Continues,” *Zeenews*.
<http://www.zeenews.com/news297169.html> (accessed March 2011)

areas the economic and social barriers facing Muslims were stronger even than those effecting scheduled castes.¹⁹⁰ This situated Muslims as a socioeconomic minority similar to women and scheduled castes and tribes, effectively destroying many of the arguments against their representation. The fact remains, however, that reservations to women had no bearing on the case for Muslim reservations. By conflating these separate struggles opponents of the Bill created a situation in which “the legitimate demand for greater Muslim representation is pitted against another equally legitimate step to enhance women’s participation.”¹⁹¹

Thus arguments about reservations for Muslims or for scheduled castes and tribes also do little to explain the different experiences of the two Bills. The reservations to scheduled castes in parliament already in place outweigh, both numerically and functionally, those established by the 73rd amendment. Thus the 73rd amendment’s reservations for scheduled castes and tribes simply echoed reservation in parliament. Neither Bill offered reservations to Muslims or mentioned them in any way. Concerns about Muslim representation did not stop the 73rd amendment from passing and certainly did not lead to any unruly behavior in parliament.

¹⁹⁰ Syed Zafar Mahmood, “Summarized Sachar Report on Status on Indian Muslims” *The Milli Gazette* (April 2011): http://www.milligazette.com/dailyupdate/2006/200612141_Sachar_Report_Status_Indian_Muslims.htm

¹⁹¹ *Ibid.*

When one fails to take the historical processes affecting women and Panchayats into account the different experiences of these Bills are unexplainable, especially when the lives and realities of rural and urban women are contrasted. As discussed previously, urban women have comparatively more political and social capital than women living in rural areas. They are more likely to be higher educated and hold positions of power in the workplace. For example, only 30.4 percent of rural women above seven years old are literate compared to 63.9 percent of the urban female population.¹⁹² Urban India is more ‘liberal’ in regards to women’s issues with lower instances of honor killings, child marriages and arranged marriages. Furthermore since the early nineties popular opinion in India had grown in favor of women assuming positions of power- this can be seen through indicators such as the comparatively high job growth rate for women – The Annual Report to the People on Employment for 2009 stated that urban women had the highest job growth rate in the nation with three percent more employment than in 2005.¹⁹³

Thus the few differences between the two Bills do not explain their divergent political paths. The concerns about Muslim and scheduled caste participation expressed against the Women’s Reservation Bill are equally

¹⁹² Pradeep Chaturvedi, *Women and Food Security: Role of Panchayats* (New Delhi: Concept Publishing Company, 2002).

¹⁹³ Government of India, Ministry of Labor and Employment. *Annual Report to the People on Employment*. July 2010, 3.

applicable to the 73rd amendment and the differences between rural and urban women would be expected, if anything, to aid the passage of the Women's Reservation Bill over that of the 73rd amendment. The differences between the reception of the Bills lies firmly in the cultural significance assigned to Panchayats, a significance that is not assigned to parliament.

Previous chapters have discussed the formation of women's identity as a homogenous, pure, high caste group and the parallel trend of Panchayats as a representation of the idealized Indian nation. The significance of the early nineties as a time of national self- definition in which Panchayats were needed has also been detailed and explains the renewed focus on Panchayat bodies around the 73rd amendment. Contrasting the experience of the 73rd amendment with the Women's Reservation Bill provides a naturally arising test of the effect of these discourses. If these historical perceptions truly explain the easy passage of the 73rd amendment then, in a different context, women's seat reservations should have been faced with many more obstacles. This hypothesis could not have proved more true as the Women's Reservation Bill disrupted parliament, took fourteen years to pass, and created national controversy. In the 73rd amendment, which was firmly placed within the acceptable national image by Panchayats, women's quotas stood for different things than when in parliament. Giving women representation in Panchayats did not destabilize the historical and cultural conception of women as a high caste, nurturing, minority who was inherently well

respected within the nation. Giving women representation in parliament, however, did; the Bill was seen as an imposition from the outside. The women expected to benefit (“short haired city women”) were positioned outside the troupe of pure Indian womanhood. Instead of nurturing their communities and providing services that men would neglect, women in parliament were expected to be gender warriors and feminists. Parliament, unlike Panchayats, was not seen as an inherently Indian body, and thus women’s reservations and demands could not be Indianized.

CONCLUSION

When seen through the lens of politics- the study of competing interests, factions, and events- the passage of the 73rd amendment is initially a puzzle. Why were women able to easily attain rights within Panchayats when those same rights were so vigorously resisted in the context of other political bodies? This phenomenon cannot be explained in the framework provided by political analysts or even orthodox historical analysis. With further scrutiny, as posited by this thesis, the answer seems to lie in complex and hard to define national sentiments and a deeply embedded belief system about the character of the nation that converged in the Bill. These factors allowed the Bill to pass in a unique way and for reasons that are not apparent on the surface of the scant debates and reporting at the time. Both the perception of women as a separate constituency and the exaltation of Panchayats as a remnant of India's high past that are symbolic of the nation are fundamental myths that were developed over a long period of time and were continually solidified by national and international forces. As part of the myth of national identity Panchayats had significance in India's collective consciousness disproportionate to their objective political power or importance. Within these "pure" bodies women could gain power without destabilizing the political and cultural assumptions intrinsic to their identity.

In the 73rd amendment two national stories converged and, mutually supporting each other, contributed to a political development that would have been impossible without the backdrop of their supporting visions. The animating force behind the Act was the nation's image, or imagination, of itself; Panchayats and women supported this vision and thus had to be constructed and positioned in a way that coincided with national expectations. When women challenged this national narrative, as they did in the Women's Reservation Bill, the result was controversy -- controversy unknown to the 73rd amendment, where the role for women was a cultural fit. National imagination as a formulation of and influence on political developments is seldom studied, yet it is a constant. What is politics if not a continuous assessment of and reaction to national feeling, opinion and principles? Politics operates in an ideological world in which words have multi-layered and multi faceted meanings. These meanings do not arise in a vacuum but are rooted in the specific historical context in which they were created and asserted and are periodically refreshed and recreated. "National imagination" is a category not often explored as an explanation for political developments yet it often explains political events and their outcomes better than any other single category of analysis. The analysis of women deeply and even unconsciously embedded in the 73rd amendment illustrates that national imagination can have far reaching implications, shaping reality long after and well beyond the time and context in which the imagined concept arose.

The experience of the 73rd amendment calls into question the idea that giving governing rights to women will be equally empowering in all situations and within all bodies. Instead, laws and policies must be considered not only for their ‘hard’ and quantifiable outcome - the number of women elected, the amount of money loaned, etc. - but also for their ‘soft’ outcome: the implications of a policy within the context of existing discourses on women and women’s identity. Women were given very real rights within Panchayats, but these rights were awarded based on expectations that solidified gender biases instead of questioning or disrupting them. Similarly the Grameen Bank, while laudably giving money to women, works within a context that utilizes fixed notions of women’s virtue and societal stigma to ensure positive outcomes. There is reason to believe that policies built upon societal stereotypes for women are not effective because of the expectations of behavior created by their invocation of these archetypes. The literature that has measured the outcome for the 73rd amendment, as discussed in chapter four, provides a good example of this. Women are consistently measured based on expectations of their group identity instead of their efficacy and power as leaders. In contrast, although it is too soon to measure conclusively the outcomes for women in the India Parliament, the discourse surrounding the passage of the Women’s Reservation Bill appears to have shaken and dismantled homogenized expectations for women, perhaps opening increased possibilities for

the female leaders elected to these seats to pass policies that are not always concurrent with idealized and limiting notions of Indian womanhood.

The dynamic and subtle forces of antiquity, modernity, culture, gender assumptions and “national ideal” that lead to the relatively easy passage of 73rd amendment are on the one hand unique to India. There is no question that India - with its intense mix of ancient religion, colonial past, multi-layered government institutions and enlightened modernity – provides a fertile laboratory for going behind the surface of political developments and looking at what was actually at work below that surface. The scrutiny and questions posed by this thesis hopefully add something to contemporary understanding of gender politics and limitations in India. In addition, a closer examination of the assumptions embedded in political developments – especially those that affect women and other minority groups whose stories and roles are deeply tied into national psyches – can yield insights, or at least pose questions, that further understanding of gender roles in a multitude of contexts.

