

Inclusive Politics and Surfacing Women Leadership in Urban Local Governance

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Abstract

To ensure the democratic decentralization of power, participation, and representation of all the sections of society in political structures, one of the most important affirmative actions that have been taken in India is the enactment of the 74th Constitutional Amendment Act for urban local governing bodies. Inclusion through reservation has ensured equality of political opportunities, especially for women who are always seen as passive and mute spectators in every sphere. In Jammu and Kashmir (formerly a state), 2005 year acclaimed as a significant moment for women's political inclusion for the first time, wherein electoral outcomes were largely facilitated by quotas of reserved seats that mandate 33% female representation at the ward membership level. This paper explores the efficacy of inclusive politics at the local level and emerging women leaders as corporators in urban local governing bodies. Does this provision of reservation of seats for women actually lead to favorable outcomes? How these women leaders are grappling with their newly defined roles, responsibilities, and obstacles coming their way?

Keywords: Urban; Local Governance; Inclusion; Reservation; Women; Leadership

Introduction

Social inclusion, participation, equality, and the role of gender in governance are the important parameters that strengthen each other in empowering the disadvantaged sections of society. Municipal bodies provide the institutional framework for the concept of democratic decentralization in urban India. The report on 'Towards Equality' recommends the reservation of 33% of seats in all elected assemblies, from the village to the Union level for women and political parties to promote women's electoral representation by giving at least 33% of their tickets to women candidates. In 1989, the Rajiv Gandhi government introduced a

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decentralization bill which ultimately becomes the 73rd and 74th Constitutional Amendment Act, providing 33% reservations for women in local elected bodies, but women's quotas did exist at the local level even before 1993. Ghosh and Rewal in their book *Democratization in Progress: Women and Local politics in Urban India* highlighted the fact that since the late 1980s, the Indian Government had consistently tried to uplift local bodies from their inconsequential and insignificant status to economically and politically viable units of self-government. With the passage of this amendment, constitutional status was conferred on urban local bodies in India for the first time. In the new dispensation, municipalities are the institutions of self-government, with regularly elected bodies, devolution of additional powers and functions, planning responsibilities, and a new system of fiscal transfers.

One of the important provisions of the 74th Constitutional Amendment Act is to make city government more inclusive by ensuring the representation of women in local bodies through the introduction of a quota system. Not less than one-third of the seats in any municipality are now reserved for women, and such seats are to be allotted by rotation to different constituencies of the municipality. Seats are also reserved for SCs and STs in every Municipality in accordance with their share of the total population of the town and city. There is also a provision of one-third reservation for women of posts of chairpersons of these local bodies.

Jammu and Kashmir are the last one to incorporate reservations for women under the 73rd and 74th Amendments of the Constitution. After the conversion of Jammu and Kashmir into Union Territory, the Government has also implemented 33% reservation for women in the Block Development Councils (BDCs), a second tier of Panchayati Raj Institutions. Therefore, it makes this paper interesting as it has looked into the changes women are witnessing both at a political and personal level in this region. The inclusion of women in the political structures in urban local governing structures is utterly significant. The paper presents the findings of an empirical study that has been carried out in the Municipal Corporation of Jammu city.

Historical background: municipal bodies in Jammu and Kashmir

In order to strengthen the basis of the Raj and paved the way for the political consciousness of the masses, an institutional framework was created by the British and feudal lords ((Maharajas) for the growth and development of local self-government in Jammu and Kashmir. The Municipal government in the state of Jammu and Kashmir came into existence in 1886 A.D. when the first Municipal Act was passed and two municipalities, viz., Jammu and Srinagar were constituted. Jammu municipality was formed in March 1886 and Srinagar municipality in April of the same year.

Nisar in her book *Development of Local Self Government in J&K State (1846-1947)* explained that these municipalities were constituted to improve the general

conditions of cities and their inhabitants. The Act of 1886 was further amended by Act XVI of 1889. In the year 1893, the Department of Municipal Administration was set up to ensure focused attention on municipal administration. It was only in 1913, the Municipal Act of 1889 was replaced and a new Act was passed, the Jammu and Kashmir Municipal Regulation Act of 1913, introducing the provision of an elective element in these local bodies. Under the provisions of this Act, both the municipalities in the state as far as finances are concerned, the municipalities depended entirely on the state government and were not allowed to levy any tax. The octroi duty levied by them was collected by the revenue department of the government. But after this new enactment, they were also empowered to impose a tax on buildings and land, profession and trade, vehicles, animals and boats, water supply, lightning tax, and any other tax that the government may approve and sanction.

The Committee consisted of 16 nominated members and 8 elected members. Of the elected members in Srinagar, one was elected by traders, three by Sunni Muslims, one by Shia Muslims, and three by Hindus. In Jammu, there were 12 nominated and 6 elected members. Of the elected members, one was elected by traders, two by Muslims, one by Thakurs, and two by Hindus. The proportion of elected members to the total members was 1:3 and the elections were held on the basis of separate electorates.

The next important development which enhanced the financial position of the municipalities in the state was the enactment of the Jammu and Kashmir Municipal Act of 1941, which repealed the Municipal Act of 1913. In addition to the taxes allowed under the 1913 Act, the municipalities were allowed to levy new taxes on advertisements and on dogs kept within the municipal area. This highlighted the fact that the municipalities of Jammu and Srinagar were initially under the control of the government due to the overwhelming majority of the nominated members.

After 1947, Jammu and Kashmir's government had taken numerous significant steps for the development of the towns and cities through the enactment of the Jammu and Kashmir Municipal Act, 1951, and the municipalities were empowered to levy taxes and raise funds through license fees. With the enactment of the 74th Constitutional Amendment Act, of 1992, the state legislature enacted two legislations in November 2000, namely, the Jammu and Kashmir Municipal Act, 2000, to replace the existing Municipal Act of 1951 and the Jammu and Kashmir Municipal Corporation Act, 2000. Democratization of civic bodies was a historic event, that has given a fillip to the decision-making process for the first time in the history of municipal government in the state of Jammu and Kashmir.

The organizational structure of Municipal bodies is divided into three levels:

- The Corporation comprises members called corporate/councilors, elected on an adult franchise for a term of five years.
- The Mayor: elected councilors select one of the councilors as Mayor and act as head of the city government but as deprived of executive powers, the position of Mayor is weak in the administrative structure of the municipal bodies of

Jammu and Kashmir.

- The Standing Committee: Each Municipal body has four standing committees namely, General Functions Committee, Finance, and Planning Committee, Public Health and Sanitation Committee, and Social Justice Committee.

To widen the scope of women for participation in the development process, Jammu and Kashmir Municipal Corporation and Municipal Act 2000 contained a provision for reservation (quota) of one-third of the seats for women in urban local government. At that time when the research was conducted, the provisions of the 74th Amendment were not extended to the Jammu and Kashmir state owing to the special status under article 370. Statutory provisions such as holding regular elections, the Constitution of State Election and Finance Commission, District Planning and Metropolitan Committees, and so forth, have not been implemented by the Jammu and Kashmir State. However, some of its provisions were incorporated through amendments in the State Act. Presently, there are five sections/departments to look after the various functions in Jammu Municipal Corporation- Health and Sanitation Wing, Khilafwarzi Wing, Legal Section, Veterinary Wing, and Building Section.

Even, decentralization of functions has not been achieved yet and is being performed by the municipalities in consultation with respective state government departments. For example, water supply facilities are maintained by the Public Health and Engineering Department (PHE), roads are maintained by the Public Works Department (PWD), collection of electricity dues is by the Power Development Department (PDD), etc. As of now after the abrogation of Article 370, many Amendments have been made in most of the State Acts, viz., State Election Commission and Finance Commission is constituted for the next forthcoming local level elections.

How these women shaped urban local politics and created spaces for themselves, through the provision of the reservation is an important issue that is examined in the present paper. It was only in the year 2005, after a gap of 26 years, and in the year 2018 after a gap of eight years that elections in urban local bodies have been conducted, wherein quotas of reserved seats are seen as compensatory mechanisms to reach equality of result in a representation of women in these bodies.

Methodology

Primary data has been collected through fieldwork and various secondary sources like books, articles, journals, government reports, and other reports have also been consulted. A structured interview schedule has been used in the present study in which a set of questions was framed before a visit to the field to seek the answers relevant to the issue under consideration. During the fieldwork, a lot of additional information has been recorded through observation, thus helping in validating the responses given by the respondents. To illustrate, there have been various places where water coolers, transformers, parks, and lanes have been inaugurated by the women members which were verified by observing the inaugural plates and

signboards. All the ex-elected women corporators (2005) and present elected women corporators (2018) of Jammu Municipal Corporation were interviewed.

In this paper, the theoretical framework used by Dahlerup to study the role reservation (quotas) plays in increasing the political participation and active visibility of women at the local level in the governing bodies has been followed. Dahlerup (1998) argues that in order to increase the representation of women in publicly elected or appointed institutions such as governance, parliaments, and local councils, quotas (reserved seats) are considered inclusionary practices of the political institutions at large. The argument is based on the experience that equality as a goal cannot be reached by formal treatment as a means.

If barriers exist, it is argued, compensatory measures must be introduced as a means to reach equality of results. The creation of these quotas which has resulted in bringing women to Jammu Municipal Corporation is gradually changing the assumptions like women are not interested in politics; they are seen as less capable in politics, etc.

Surfacing Women Leadership: Evidence from the field

Participation of women in any political institution has a close association with their socio-economic and political background. Women as citizens play an important role at the local level and contribute towards the development of the local economy. In this context, the provision of reservation of seats in the State Act of Jammu Municipal Corporation was an attempt to encourage women's grassroots participation in local politics.

From being excluded to getting included in local politics, reservation has worked as a catalyst for these women but other socio-economic variables have worked in a positive direction in offering a platform to women in the political realm.

Mostly, women who are in the age group of 30-40 years and 20-30 years at the time of contesting elections have become Municipal corporators for the first time. A maximum number of women respondents in Municipal Corporation were literate and had education up to matriculation. It has also been observed in the field that those women respondents, who were illiterate, have learned to read and write over a period of time. Most of them said that they discontinued their studies due to marriage and domestic responsibilities.

The majority of the women respondents were married. Only two of them were widows and there was not even a single case of an unmarried woman. This shows that these women seem to be fulfilling their responsibilities of married life as well as their political career. Most of them stated that they are getting active support and cooperation from their husbands. Society accepts married women easily as compared to unmarried women because contesting in politics is not seen as safe for unmarried ones.

Family and the political party appeared as a major training resource for the ex-corporators as well as the newcomers. Most of these women have contested reserved

seats that have a positive impact on their overall consciousness. Reservation of seats for women of all caste categories in the municipal bodies has encouraged the emergence of leaders at the grass-root level. A maximum number of respondents were elected from the open category, followed by Scheduled Caste. In some cases, it was found that even though the seat is reserved for open category candidates, two Scheduled Caste women contested, defeated the candidates who belonged to Brahmin and Mahajan sub-caste, and won from that seat because of their husband's political linkage and dominance of Scheduled Caste community in that area. It can be inferred that in spite of growing urbanization, caste is playing a dominant role in Indian politics and it has some influence on local politics in urban areas too.

One of the most significant factors for contesting and winning elections is the support of a political party that has emerged as an important reservoir for dispersing information about the same. After getting tickets to contest elections, they were allowed to use party symbols in the campaign and on the ballots. None of them had contested elections before the implementation of the 74th Constitutional Amendment Act, yet their families were associated with political activities. The majority of the women respondents' affinal and natal family members did not have any previous experience.

For effective participation in the political institutions at the local level, knowledge about the State Acts is an important parameter. Most of the women respondents were aware of the provision of the State Municipal Act. These elected women members did not have any ward office, provided to them by the government. They stated that whenever they held meetings in their respective wards, they listened to the problems of their voters and represented them before the mayor in the house meetings.

Decision-making is an important variable indicating empowerment and the strength of participation of women at various levels of governance. The majority of the ex-women respondents expressed their opinions about the decisions that were taken in the house meetings. Although they only expressed their opinion instead of directly participating in the decisions, the voicing of their viewpoint still to some extent influenced the policy decisions being taken by their respective parties. This definitely provided the much-needed space for women to speak up and raise their voices.

But most of them are making various kinds of efforts to overcome these difficulties and are happy with the support they are getting from government officials. Most of them enjoyed cordial relationships with their male colleagues. Although these women carry the dual burden, they performed their duties efficiently and made their contribution visible in the public sphere which remains invisible within the private sphere.

Participation, Performance, and Hindrances Faced by Women Corporators:

- Most of them highlighted that they have installed transformers and electric

lights on poles, provided help in constructing lanes, drains and toilet complexes, and even parks, so as to make their wards beautiful, and distributed sewing machines to the needy women. They also made local people aware of different schemes related to health, and education and informed them about the polio vaccination, immunization of tuberculosis, etc. They have been performing various tasks and functions, for example, distribution of ration (wheat, rice, etc.), blankets, and stationery, for sustaining the livelihood of below-poverty line people, helping the widows to get pensions, and making birth certificates.

- The type of issues raised and discussed in the meetings by the women respondents is seen as an important indicator of their involvement in municipalities. Issues related to financial resources, civic development, basic facilities, and women-child welfare were the main issues in the meetings as reported by them. All of them mentioned that they visited their wards whenever they got the time and inspect whether the lanes, drains, electric poles; street lights, garbage, water supply, etc. are functioning properly or not. It is important to note here that even after the expiration of their term or tenure, people still visit them frequently for getting their work done or if they have any problem related to their ward, to share that problem.
- Most of the women attended municipal affairs over and above their household work. Only 11 (5 ex-corporators & 6 sitting ones) spent less than two hours per day in municipal work and said that their husbands also accompanied them.
- Scarcity of funds, lack of education and incentives, less political experience and interference from political opponents, absence of proper formal training opportunities and capacity-building programs for the elected women members, and the system of rotation of reserved constituencies are seen as major constraints for their effective participation in the municipal bodies.
- Most of them said that there is a scarcity of funds in order to solve the problems of basic amenities in their localities and to cover personal expenses incurred in the course of their work as local representatives. Women respondents also informed that they never get correct information about the total allocations and there is non-availability of funds on time. Despite these limitations and problems, these women participate and perform their duties and roles efficiently at the urban local level.

Their perception of what the system of reservation in elections has brought to them was quite encouraging and optimistic. Because of their political position, they have become more confident and assertive and gained more knowledge and interest in politics. Most of them found a change in their attitude, and lifestyle, and increased awareness of the wide range of issues, and feel confident enough to fulfill people's expectations.

- In most cases, these women found a new personality as they come to be identified and known by their own names instead of their husbands' or

parents'. They received a distinct identity by name-Mam, Madam Ji, Badi Didi Ji. They are invited to grace every occasion or function taking place in their ward. This shows that reservation has provided them an opportunity to start believing in themselves which will ultimately increase their real power and confidence.

- A significant number of women (19) re-contested the municipal elections (2018) irrespective of whether the ward is reserved or not, while the rest of them are not interested or not sure at this stage. It was found that only 4 ex-corporators again won from the ward that has not been reserved in the 2018 elections only because of the earlier work and progress made by them in their respective wards. Those who replied in the negative, argued that the system of the rotational reservation will serve against their interests.

All these women respondents are entering into a new era of local politics in this specific region by participating, performing their duties efficiently, specifically raising their voices for different unheard issues, and identifying the alternative ways through which healthy and efficacious participation can be checked and assured.

Conclusions

From being passive to becoming more agile, the women who entered in municipal bodies of Jammu, significant change and the beginning of an empowerment impact of their participation has been quite vibrant in the last few years. It is true that the battle for women's active participation in the local government has just started; they will have a long way to go. Inclusive politics with a provision of one-third reservation for women showed favorable results in one way or the other and has brought consequent emergence of leadership and social change in women's lives in general and urban areas in particular. There is a need for a constitutional compulsion to make the states more committed to devolving more powers, functions, and resources to municipal bodies so that they might fulfill their mandate as institutions of self-government. But a lot has to be done to enable the constitutional amendment in urban areas more applied through the experiences and direct observable realities portrayed by these women corporators in order to make local governance more inclusive and beneficial for all the masses.

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