

Issues and Challenges of Caste Gender Inequality in Representative Democracy: The Case of Tamil Nadu

A. SUMITHIRA

Ph.D. Research Scholar

Department of Political Science, Madurai Kamaraj University
Madurai, Tamil Nadu – 625 021

Abstract

Despite the long journey, India, 73rd Constitution Amendment Act was enacted in 1992, which came into force in 1993 in whole Indian states to promote rural governance and rural development with the help of community participation, and the 11th schedule was incorporated in Indian Constitution which provides 29 subjects. This act provides autonomous power to enact welfare policy in favour of all communities within their jurisdiction subjects. This act provides good governance through people participation and people are directly involved in the decision-making process of rural government with the help of most disadvantaged communities such as women and Scheduled Caste. Because the Scheduled Caste and women are among the most disadvantaged communities in India regarding their education and access to commons and they are denied even their basic rights also.

Keywords: *People Participation, Panchayat Raj System, Local Government, Representative Democracy, Inequality*

Introduction

Panchayati Raj is a system of local self-government followed in India in order to bring governance closer to the people. Local administrative issues are best resolved through local government agencies. The Panchayati Raj now functions as a system of governance in which Gram Panchayats are the basic units of local administration. It has great importance as it helps the people of villages in order to get political, economic and social justice. Caste discrimination can be seen everywhere now a day. SCs and STs remain largely excluded from the mainstream of development and they continue to suffer inequalities. It is observed that democracy cannot happen without developing local governance with a sense of urgency. Constitutional provisions for SC/ST are directed to serve two main purposes: (a) to protect SC from discriminative social practices prevalent in society, and (b) to offer them opportunities that secure for them a better position in society. While first leads to SC/ST's equalisation, the second results in their empowerment. In this background the government of India enacted two major acts like 73rd and 74th constitution amendment Act in 1992.

However, the 73rd amendment and the reservation for the SC/ST in the Panchayat Raj Institutions have not completely changed the situation. It proved the dividing line in the history of rural development in which representation of the SC women in Panchayati Raj bodies were guaranteed in the constitution itself. The groups, which were so far marginalized, have come to occupy a center stage and women constitute the largest number among them. A more significant was the fact that one third reservation of seats of SC women was made applicable not only at the level of members but it at the level of Presidents / Chairman. This offered the SC women a unique opportunity not only for changing the rural conditions but also for their own self-development governance and empowerment. The political empowerment gained thereof from the Amendment has greatly.

Traditionally, SCs is discriminated primarily as a caste entity and accordingly, the Article on SC women's issues were not restricted to sexuality, marriage and Verbal abuse; historically and sociologically, SCs are supposed to play attributed weaker roles and are, therefore, assigned subordinate position to that of upper caste. The Article exposed that their reservation cannot treated equally and not empower SCs beyond a limit; there are other factors as well which need to be addressed to the Caste discrimination and lack of colleagues and government official's participation and co-operation in SC women PRIs. Thus, there emerged two schools of thoughts on the subject opposing each other. The characters hold that in a caste dominated political system, which refuses to provide space for SC's, reservation for them would help to remove imbalances and lead to social mobilization among them. The opponents, on the contrary, feel fearful about the significances of the measures considering structural cleavages in rural India and argue that the position of SCs as Chairpersons' under-cuts the age-old caste-dominated landed class, upper caste-based power structure and the latter will not be able to join themselves to this idea.

The Government of Tamil Nadu reserved 50% of the posts in rural and urban local bodies to women, to empower them in governing the local bodies in 2016. While around 4,700 panchayat head positions were allocated to women from general category, another 1,650 positions were reserved for SC women and 127 positions for ST women out of the total panchayats in the state. Though women from SC, ST communities are elected to the post, the dominant caste vice presidents and ward councillors continue to deny them the power to run the administration. The Tamil Nadu state has a history of practicing untouchability practices, with more than 600 villages continuing the inhuman practice. The practice includes even the construction of untouchability walls and fences to prevent SCs from entering the areas occupied by the dominant caste, in addition to two tumbler systems in shops, attack on funeral possession among many others.

The prevailing practices, often justified as a tradition, are reflected in the public offices as well. The discrimination is not new in the local bodies, as the state has reported many cases in the last decade. The SC women panchayat presidents are continuously facing caste discrimination from the dominant caste representatives. More often, the vice presidents from the dominant caste in the panchayat want to run the show, overshadowing the SC women heads leading to disputes as well. The present Article is based on case study which is discussed with content analysis.

Issues and Challenges of SCs women Panchayat President

For SCs in Tamil Nadu, political empowerment at the grass-roots level is a lie and will remain so because fixed returning caste Hindu groups strongly attack attempts at dismantling the power structures they have established over the years. In an offer to refresh the democratic process, the Tamil Nadu government reserved 34 per cent of all village panchayat president posts for women and 25 per cent for Scheduled Castes in the 12,618 village panchayats in the State but Many elected SC women panchayat presidents were killed, driven out of their villages or forced to remain puppets of dominant caste lobbies, forced to sit on the floor during a panchayat meeting denied the right to unfold the national flag on Independence Day and Republic day also .Worried over the disagreeable developments in villages like Pappapatti and Keeripatti, where it could not conduct elections until 2006, the government brought about an amendment to Rule 7 of the Tamil Nadu Panchayats (Reservation of Seats and Rotation of Reserved Seats) Rules, 1995, on September 1, 2006, in which it specifically stated: "The offices of the presidents of the Pappapatti, Keeripatti and Nattarmangalam Panchayats in Madurai district and Kottakatchiyendal village panchayat in Virudhunagar district reserved for Scheduled Castes shall continue to be reserved as such until the government direct otherwise". In fact, only after the amendment were elections held there. It is unfortunate that in a country where SCs are able to become the President, they are not allowed to function as village panchayat presidents.

Fundamental rights had been denied and violated to the SC women Panchayat president. SC/ST (Prevention of Atrocities) Amendment Act was not protected by the SC Women. As a Woman and As a SC community wise she has suffered by the upper cast and man dominated patriotically based in the traditional system of society. Psychologically, they have to suffer by their family shouting and casteist elements in the village

Methodology

The present study is based on case study method. Many other incidents on discrimination of SC women panchayat presidents have been reported from different districts including Tiruppur, Tiruvallur, Cuddalore, Nagapattinam, Pudukottai, Mayiladuthurai and Salem.

Case:1

Rajeshwari Saravana Kumar aged 37, belongs to Scheduled Caste's women and was elected in Therku Thittai village panchayat in the Mel Bhuvanagiri block of Cuddalore district in 2020. The village panchayat is reserved to SCs. She was forced to sit on the floor at panchayat meetings in July. She has never been allowed to sit on a chair during our meetings. There were four meetings in their village panchayat since she was elected as the president. The panchayat vice president and panchayat secretary belong to Vanniyar Caste, have never allowed sitting on a chair and all the chairs will be reserved for the people from the dominant caste in this panchayat. They think she should be under them even if she was an elected representative.

Case: 2

Ms. Amrithama was elected from the Scheduled Caste's women panchayat president, in Athupakkam panchayat, Tiruvallur District. 60 age old, Amurtham was invited over phone by the headmistress of the elementary school, Dhanalakshmi, to hoist the National Flag as part of the Independence Day celebrations and not allowed to hoist the flag. The former panchayat president, V. Haridoss belongs to Vanniyar Caste, verbally abused her in front of everyone and the Vice-president and secretary also abused her. Since she was elected was not allowed to hoist the flag on Republic Day and on Independence Day too. She did not have a voice even in Gram Sabha meetings. In Tiruvallur district, SC woman president, V. Amurtham said that she was invited to hoist the flag at a government school in her own Athupakkam village. However, at the last moment the school authorities told her not to come and mentioned COVID as the reason. The flag hoisting ceremony was held at the school despite COVID but without the president. Amurtham claimed that she was not allowed to hoist the flag because she was a SC Women. She said she had been denied the right to hoist the flag on Republic Day too

Case: 3

V. Saridha, SC Women president of the J. Krishnapuram panchayat, Coimbatore district, was allegedly harassed and discriminated against. She told media persons that she was not allowed to function because of a band of casteist elements in the village. She said, but one person, Balasubramaniam, who belonged to a dominant caste in the Kongu region, pushed into my office one day and started threatening me with terrible moments. He insisted that whenever he came to the office I must stand as a mark of respect to him," she said, that she tolerated their casteist disgraces since she wanted peace in the village.

Case: 4

In 2006 Krishnaveni, SC women Panchayat president, aged 42, was elected in Thalaisyuthu Village panchayat, in Tirunelveli district of Tamil Nadu. During her period, she has solved one among major problems of toilet construction. Huge demand of the people, she planned to construct a common toilet and she approached the district head office. District office has refused her demand and said no money for construction of toilets. She fought against India Cements for CSR funds and also fought against common land encroached people.

Case: 5

Priya. P, SC women panchayat president, aged 23 was selected village panchayat president in Mannampandal, Nagapattinam district of Tamil Nadu. Priya alleged that she was sidelined and insulted by her non-Dalit colleagues. At the workplace the panchayat vice-president had been threatening Priya and not allowing her to use the chair allotted to her at the office. Priya also alleged that the husband of the vice president hurled verbal abuses.

Case: 6

Karuthakannan won the Keeripattati village panchayat president election in Madurai district, The caste Hindus were forced to sit on the floor of the village tea stall to drink tea, opposing the reserved status, refused to participate in the election process. They either did not allow a Dalit to file papers or fielded a puppet candidate who would be asked to resign immediately. This continued until 2006. The State intervened through legislative action to hold elections. It extended the reserved status of these village panchayats and forced all concerned to participate in the elections. However, to date the SC presidents of these two villages have not been able to function independently. In fact, in 2002, the then village president of Keeripatti, Karutha Kannan was forced to sit on the floor of the village tea stall to drink tea.

Content Analysis

Panchayat raj institutions are one among the political institutions to promote people participation. After a long journey of Panchayat raj institution, the 73rd and 74th constitution amendment acts were implemented in 1992. In spite of government policies to promote SCs, they are still now excluded from mainstream political development. The Article found that crimes against SCs have been increasing in Tamil Nadu as well as India. Government of India had passed two major acts, PCR and Atrocity Act, in favour of Scheduled Caste and Scheduled Tribes. Even though these acts did not properly answer atrocities against SCs. Present researchers notice that SSL, IPC and constitution have silence in the context of civil rights towards SCs safeguards. NHRC and NCSCs shall not be involved independently investigating such a case like crime against SC in Tamil Nadu.

The Constitution of India guarantees equality and equal protection under law to all its citizens under fundamental rights. At the same time, it throws responsibility upon the state to give special protection for Scheduled Castes in order to improve their status which includes political, social, and economic development. The reservation policy in panchayat raj institutions is one of the instruments to improve the political development of Scheduled Castes. The social justice is provided to remove man-made inequalities, political, economic and social, particularly by guaranteeing equal opportunities to all citizens in various types of political, economic and social activities. Social justice is still an impossible fruit for the SCs people. Even though the number of laws passed, violence against SCs has not been removed.

The Indian political system gives power to the SC people through local government to give them political power, but it cannot be used by those people because of caste Hindu. Untouchability and political discrimination can be removed by contraction the laws which can be assured by state. When reservation is given to SC people in panchayat systems, reservation should be given on the basis of their population which may be reduced caste-based discrimination. But the sad thing is that no government is doing that. No action has been taken to protect the SC as political parties require SCs voting. The Indian political system is dead when such violence is questioned in the current context of the on-going debate on devolution power across India. How SC women were excluded from entering public places in the early days. In such a scenario, the dominant caste people are still speaking out against the panchayat system. It should be prohibited.

Recommendations

Women suffering from caste and gender discrimination are particularly vulnerable to various forms of violence. Steps must be taken to increase protection from these crimes and to address punishment and discrimination in access to justice. Legal and structural mechanisms can only work effectively if people's attitudes and opinions change. Law enforcement agencies, the judiciary, civil society and other stakeholders must coordinate efforts to implement such change and take decisive action by government agencies to punish the officer for ignoring or violating legal and other legal provisions.

The SC spanchayat president is still suffering from caste based discrimination due to reservation. The reservation should be changed on the basis of population and allocation of Reservation seats in panchayat level should be given to SCs in villages with large numbers of SCs. While reservations should be made on the basis of population, reservations should not be made for SC people in village panchayat with high Non-SC population density. Reservation should be made only for those panchayats where there is a large SC population. Union and state government should me documented that more powers shall be given to SC panchayat women leaders which controls crimes. New laws and acts must be enacted to prevent violence against SCs/STs in favour of rural SC people. PCR and atrocity acts should be modified based on SCs/STs voice.

Conclusion

It is concluded that the constitution provides equal rights to every citizen of the state. It is observed that till now few communities like SCs/STs are excluded from mainstream political development. In spite of 73rd constitution amendment act, the reservation policy for women and SCs/STs have not been properly executed and implemented by the state/central government. Moreover, it is people centric and contributes to the development process of the village so as village panchayat is considered as an extension mechanism for social justice and rural development for women welfare and development.

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