

GRASS ROOT LEVEL MECHANISMS FOR WOMEN AND CHILDREN- AN EVALUATION OF JAGRATHA SAMITHI

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Abstract

Violence against women and children are increasing at an alarming rate throughout the world. The causes, consequences and possible solutions are being debated and discussed in different platforms including that of international and national conventions and conferences. It is also true that genuine actions are being taken up to tackle this grave injustice globally as well as regionally. Jagratha Samithi is a vigilance committee formed in local bodies of Kerala to take care of such issues. In the context of increasing gender based violence in Kerala society it is important to evaluate the role of Jagratha Samithi in addressing the women's issues and eliminating the root causes of factors enforcing discrimination against women. This paper analyses the scope of local self government bodies in addressing women's issues, especially those of violence against women through Jagratha Samithi in the state of Kerala. It also analyses the gaps in the performance of the Samithi in the present milieu and put forward some recommendations for better performance of Jagratha Samithi.

Keywords : *Women's Issues, Jagratha Samithi, Kerala State*

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Violence against Women and the Gender Paradox of Kerala

There is a steady increase in the rate of the crime against women in India. The rate of crime committed against women was 52.2 in 2013 and it has increased to 56.3 in 2014. Delhi UT has reported the highest rate of crime against women at 146.8 during the year 2013 and it continues to be in the same position with crime rate at 169.1 in the year 2014. According to State Crime Record Bureau, Kerala witnessed registration of 8,674 offences against women up to July 2014. 790 of these were rape cases while 2,760 were connected with molestation charges. A total of 1,336 crimes, including 427 rapes, against children had been reported, according to SCRB figures. The state of Kerala has always been unique when compared to other states of the country in terms of its achievements in human development especially that of women. Kerala has achieved commendable milestones in terms of human development indicators with women who constitute 52% of the state's population. Literacy rates and health indicators are quite impressive with 92% literacy and impressive rate of life expectancy for women along with low maternal mortality and infant mortality. It is a well known fact that the state has achieved such quality of life with a high rate of unemployment and low per capita income, which is often quoted as "Kerala Model of Development". At the same time, marginalization of women in the economic process and their lack of control over resources have been major impediments in improving the social status of women in Kerala. The reproductive role assigned to women and unequal sharing of household responsibilities between men and women and the impact on decision making and control over resources which continue to perpetuate women's social and economic vulnerability. These factors have impaired women's development in the state. In short, there exists a "gender paradox" which is reflected in high human development indicators favourable to women and actual low level of women empowerment.

Studies conducted in Kerala reveals shocking facts about the trends in violence against women, especially that of domestic violence. A study conducted by INCLIN and ICRW on domestic violence in Kerala found that as high as 62.3% and 61.61% of the women in Kerala are subjected to physical torture and mental harassment as compared to 37% and 35.5% at the national level. A study by Sakhi for the Department of Health reports an average of 2 women patients coming to the Out Patient Departments (OPD's) with injuries due to violence (Sakhi, 2004). There are increasing reports of dowry related violence, rape and other atrocities against women in Kerala (Women's Commission, 1999). Wife beating has been found to be the most common and yet the least reported of atrocities against women in the State with only one out of ten cases being reported to the police.

In a collaborative study conducted in Thiruvananthapuram and Kozhikode districts by SAKHI, UNWOMEN and JAGORI and Anweshi, "Sexual harassment has been

pointed out as the main safety problem by 98% women and 99% common witnesses. This was followed by robbery, as reported by 60% common witnesses and 51% women. The respondents have shared their experiences of robbery by young men in bikes wearing helmets and snatching ornaments and in some lanes they even sexually harass women. Verbal and visual abuse is the most common forms of sexual harassments, as reported by 80% women respondents and slightly more by common witness. This is followed by physical harassment, as reported by 60% women. Only 26% women reported stalking and 21% flashing" (Aleyamma et al, 2011).

Jagratha Samithi : An Effective tool for ensuring Democracy and Gender Equality

The term Jagratha Samithi literally means a Vigilance Committee. The initiatives taken by the local governments by the name "Jagratha Samithi" to redress the atrocities against girls and women are of great importance. It was formed under the umbrella of Kerala State Women's Commission (KWC). The fundamental duty of the Jagratha Samithi is to lift up local support by strengthening the support networks available at the local level and to coordinate the different networking systems to arrive at a proper solution. As women's issues are getting addressed in the local level, the follow-ups are also trouble-free, thus offering an opportunity for uncomplicated redressal of the issue. Women can, thus, overcome the concerns of non-accessibility of the other centralized systems and it removes the obstacle of distance as distance from the Commission affected its effectiveness in the delivery of services to the women in far-flung places especially from the northern part of Kerala.

Jagratha Samithis, along the lines of the three-tier decentralised governance system were constituted to benefit a larger number of women in all parts of the State. They were intended to help in reducing the distance between women in the villages and the services provided by the Commission. "Jagratha Samithis are committees formed at the level of every local government in Kerala and under their umbrella. It acts as a quasi judicial mechanism from the Panchayat Ward level upwards to protect the rights of women and children. Built on the principles of gender equity and justice, the Jagratha Samithi pro-actively, as well as by responding to complaints, takes steps to ensure the safety and security of women by addressing matters related to violation of women's rights" (SDC-Cap-Deck,2003).

It was in 1997 that the Government of Kerala issued orders on setting up district level committees for redressal of atrocities against women and to protect women's rights. It works in District, Village and Ward levels in the Panchayats and at Municipality/Corporation level in the urban Local Self Governments. In Panchayat Jagratha Samithis, the Panchayat President is the President and ICDS supervisor is the Convener of the Jagratha Samithi. The other members are a lady elected representative, a lady lawyer, CI or SI of the local Police Station, a Social Worker or Elected

Representative who belongs to SC/ST. Apart from them, Doctor from the Primary Health Centre, a woman representative of Ward Vigilance Committee and CDS Chairperson also should be permanent invitees.

The complaints could be written, oral (such complaints must be registered in writing by the convener with the signature of the complainer and a witness), by post or through the complaint box. Apart from this, Jagratha Samithi can file a case if any of the members feel that the Samithi has to take up any particular issue. In such circumstances, the issue has to be discussed in the Samithi. The issues should, as maximum as possible, be resolved at the ward level, if not, could be taken to Grama Panchayat level. Higher level consultation, where required, would be taken up first with the District Committees and then with the State Commission.

Programme on Capacity Development in Decentralisation in Kerala (Cap Deck) supported the starting and functioning of Jagratha Samithis in Kerala. The establishment of Jagratha Samithis were through the support of few NGOs in six selected Grama Panchayats like Pananchery (Thrissur) Madavoor (Thiruvananthapuram), Varappetti (Ernakulam) Mukkom (Kozhikkode), Payyoli (Kozhikkode) and Meenangadi (Wayanad). This marked the beginning of fruitful functions of Jagratha Samithis in many Panchayats of Kerala.

Because it has got mandatory support from police department, social welfare department and other judicial aids, the Samithi's reliability also exerts a pull on the womenfolk. Thus, it empowers women and helps them to seek help from other judicial mechanisms. Moreover, the credibility and acceptability it establishes in the local area cannot be undermined by issues women used to have with other centralized legal mechanisms because of the Jagratha Samithi's approachability and friendly attitude.

Identifying Gaps in the functions of Jagratha Samithi

Jagratha Samithis were to be constituted at each Grama Panchayat as per the instructions issued by the State Women's Commission. But contrary to the expectations they were constituted in a limited number of Grama Panchayats, albeit there was enormous call for such a mechanism throughout the State. Even where it was formally constituted, no serious attempt was made to strengthen its functions. The Orders, Guidelines and Circulars did not help in activating the Jagratha Samithi at different levels. It is also a matter of concern to examine the functions of the Samithi where it is still running.

In many Panchayats where the Jagratha Samithi was formed, the initial motivation deteriorated when there was a change in the Panchayat leadership and officials. In Panchayats where the newly elected representatives or the transferred officials showed no interest in the functions of the Jagratha Samithi, the vigour and

momentum weakened later on. Because it is the judiciary of poor people, the Jagratha Samithi can function well only if there is a strong political will from the part of the Panchayat committee.

Jagratha Samithi was expected to prevent the atrocities against women and children, to bring various issues hampering their upward mobility and growth into the forefront, to improve the capacity development of women and to elevate the overall status of women in the society. But it is a matter of disappointment that the general public are still not aware about the functions of Jagratha Samithi. If the public had known that the only thing they have to do is to report the abuse they came to know to any one member of the Samithi, many of the shocking cases capturing our attention today through mass Medias wouldn't have happened.

In fact, in many Panchayats most of the cases coming in Jagratha Samihti are of civil nature which has nothing to do with the actual women issues existing in the grass root level and sadly, the issues which need to be addressed are still covered up and people still hesitate to come forward and register such cases, especially that of domestic violence. This clearly proves that Jagratha Samihti has failed in gaining the confidence of the public especially that of the women, whose issues it was supposed to address.

Some Suggestions and Recommendations

There exists a strong need of having tremendous efforts in deconstructing gender roles and reshaping gender attitudes in our society. The Jagratha Samithis have to ensure that the general public, functionaries and elected representatives approach issues of social concern with a gender eye. Such an orientation should be the base on which the Samithi has to work because without eliminating the basic reasons for the issues, the conflict resolution happening in the Samithi would end up as simple 'compromises', mostly from the part of women. Women empowerment is a social process and for that matter, alienated activities here and there will not result in concrete results. Step by step planned efforts are necessary to create gender awareness and for enhancing gender equality in our society. Such efforts could be incorporated in almost all the activities of the Panchayats. Many Panchayats don't have any data regarding the status of women in their respective places. A basic data regarding the status of women is necessary as effective planning could be done only on the basis of concrete data. For this, conducting gender status study in every ward of the Local Body and carrying out discussions on the findings of the study at various levels are indispensable. The data should be the base for the future projects and programmes and could be used effectively to address the issues of women and children of the area.

In many Panchayats, the activities of Jagratha Samithi are confined to filing

and hearing cases. There are many possible avenues to create gender awareness among the public. Establishing Gender Desks in schools and colleges with a view to sensitise and create gender issues among children will be fruitful. Conducting monthly meetings and trainings on relevant social issues and asking the children to develop solutions to resolve them will also be of assistance. They should be provided with a feeling that they are responsible to create a society based on justice and equality.

The Participation of all the female elected representatives must be ensured in the activities of Jagratha Samithi. A pool of master trainers within the local body could be developed so that they can provide training to other groups of men and children along with providing community based trainings and trainings to other vulnerable groups. The local body can set up a Women's library and Training centre which can provide information on Women's issues and the ways to resolve them. Also they can make use of audio visual materials, inspirational books, collection of case studies and real life stories which can motivate women and children. The Panchayat can also make arrangements for study classes for teenagers, pre marital counselling, family counselling etc. Along with this, the members of Jagratha Samithi should also be capacitated with effective trainings so that they can handle difficult situation with clarity. The activities of Ward level vigilance cells have to be strengthened under the leadership of the Ward elected member with a trained social worker as the Convenor. These Cells should function as the eyes and ears of the Jagratha Samithi.

Concluding Remarks

The department of Social Justice of Kerala has already taken initiatives to modify the way Jagratha Samithi functions by drafting a new guideline according to which the Samithi ceases to be under the Kerala Women's Commission and it starts functioning as a Panchayat mechanism reporting to the department with no other strings attached with it. The secretary of the Panchayat shares the responsibilities of Convener with the ICDS Supervisor. The new guideline, along with other existing members, has included a school counselor as well as the member of the Samithi. This, in fact, is an appreciable step as psycho social issues are the underline factors for many cases and many women also may be in traumatic conditions that they need psychological help and further referral services to overcome their issues. Jagratha Samithi becomes an essential duty of the Panchayat under Panchayati Raj Act when this becomes an ordinance and interestingly, the ward member has to convene the Samithi once in a month, which is mandatory. There are many other recommendations which might contribute in strengthening the functions of Jagratha Samithi. Hopefully, the ordinance will get passed at the earliest and through which, the newly elected Panchayat representatives coming to power in November 2015, would be able to make a difference in their Panchayats when it comes to the upliftment of

status of women and children.

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