

Gender, Custom, and Authority: Examining Women's Roles in Traditional Governance Systems within Jharkhand's Evolving Social Fabric (1857–2025)

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Abstract

This paper explores the role of women within traditional governance systems in Jharkhand, placing it within the larger context of continuity and change in the region's social fabric from 1857 to 2025. Jharkhand's indigenous institutions such as the Munda–Manki, Manjhi–Pargana, and Parha systems have long played an important role in managing community life, resolving disputes, and preserving cultural identity. While these systems are often seen as more community-oriented and inclusive than formal state structures, a closer examination reveals that women have historically remained on the margins of formal decision-making and leadership. Despite being deeply involved in agriculture, household economies, and everyday social life, women have rarely occupied positions of authority within these traditional systems. Their contributions have been essential yet largely unrecognised in institutional terms. This paper argues that such exclusion is not accidental, but rooted in long-standing connections between land ownership, lineage, and ritual authority, all of which tend to privilege male leadership. Colonial interventions further reinforced these patterns by formally recognising male representatives and codifying customary practices, making these structures more rigid over time.

In the post-independence period, legal and political developments such as constitutional guarantees of equality, the Panchayats (Extension to Scheduled Areas) Act, 1996, and reservations for women in local governance have opened up new spaces for women's participation. However, traditional systems continue to coexist alongside modern democratic institutions, creating a complex situation where change is gradual and often contested.

Keywords: Jharkhand; Traditional Governance Systems; Women's Roles; Gender and Governance; Tribal Society; PESA Act, 1996; Dual Governance; Women's Agency.

Introduction

Any discussion on the politics and society of Jharkhand will need to address the basic question of governance – Who governs and on what terms? Jharkhand, despite its recent formation as a distinct state in November 2000, has a much older legacy of self-governance. The traditional systems of governance, such as the Munda-Manki system of the Munda community, the Manjhi-Pargana system of the Santhal community, and the Parha system of the Oraon community, have continued to govern these tribes in their own unique ways. These governance systems are responsible for addressing issues of dispute resolution and controlling access to natural resources. To consider participation in these

systems as equal and unbiased will be misleading. Participation, in general, has always been hierarchical and restricted due to considerations of gender, lineage, and age. Thus, any discussion about women in the context of these indigenous governance systems needs to consider the status of women in relation to these governance systems. This paper will try to answer this question within the timeframe from 1857 to 2025, covering the aspects of colonial administrative intervention, constitutional reforms after independence, as well as the gradual, albeit uneven, developments of the present day. This research will be driven by a desire to depart from the conventional narrative of complete exclusion. The role of women in Jharkhand has never been limited to mere absence from politics; on the contrary, they have had to fulfill important functions in their communities regardless of whether they were perceived politically or not. What is required of this research is an exploration of what kind of presence was allowed to women and how it shaped their possibilities.

Indigenous Systems of Governance in Jharkhand

Indigenous governing systems have often been mischaracterised in academic literature, being regarded either as paradigms of egalitarian democracies or atavistic relics that are out of place in modern politics. None of these characterisations do the subject of this study justice, as they fail to grasp its essential nature. The indigenous systems in Jharkhand have demonstrated great resilience and adaptability at once and are distinguished by an exceptional social legitimacy.

In the case of the Munda-Manki system, there is a hierarchical structure of territories: the Munda stands above a village tola or patti, whereas the Manki oversees a group of villages called pir. In terms of decision-making processes, such communities strive for agreement and derive their authority from being recognized within the community, without being formally appointed to certain positions. For the Santhals, the Manjhi-Pargana system is characterized by the presence of a village chief along with other community members who act as officials dealing with administrative tasks and regulating behaviour of young people, whereas disputes that cannot be resolved at lower levels are sent to the next level of the community structure called Pargana. Finally, the Parha system among the Oraons involves villages organized into federations under the jurisdiction of Parha Raja, whose role is closely related to rituals.

All of these systems have in common their dependence on precedent and custom norm. In other words, authority in such social groups is implemented through following norms which embody knowledge accumulated by ancestors; however, this can also be seen as an explanation of the very nature of authority structures existing in such societies.

Indeed, the nature of these systems involves participatory processes where members of the community engage in discussions, and voices can be raised. However, participation and power should not be mistaken for each other. In both cases, the capacity of the community to determine policies and rules which are to be binding is vested in a certain group of individuals considered leaders by the community, all of whom happen to be men.

The Historical Position of Women within Customary Governance

It would be an understatement to say that women have been, and remain the bedrock of economy in Jharkhand tribes. Not only are women responsible for working in agricultural farms, but also in managing natural resources such as forests as well as ensuring domestic provisioning for families. Nonetheless, these roles which women have played have not only coexisted alongside the lack of

representation in politics and governance, but have also served as an excuse as to why they were never included in the latter.

The connection of women to governance has been and will continue to be an indirect one, exercised through male members of their families, who carry out the duties of their office, effective and valid as its effects are, but only contingently so, and fundamentally distinct in character from the legitimate power conferred through formal recognition. Women's lives and responsibilities have not been limited exclusively to the home; they have had a role in village deliberations, have a recognized place in rituals and ceremonies, and, in particular cases, a widow acting as head of a household could become involved in deliberations which other women were not party to. This diversity demonstrates that the status of women was never static, depending as it does upon a number of factors such as gender, age, marital status, and lineage. However, the constant factor in all of these situations is that of formal power, which is understood as being male.

Colonial Intervention and Institutionalization of Gender Hierarchies

Colonial intervention brought about significant changes in the indigenous governance structures in Jharkhand that continue to reverberate. While colonial officials showed genuine paternalism towards tribal culture, the translation of fluidity and flexibility of indigenous institutions into legal codes necessarily entailed some loss. The Chota Nagpur Tenancy Act of 1908 provides an excellent example of this phenomenon. As legislation to safeguard the tribes' interests from the threat of alienation, the Act offered the communities legal security beyond what could be afforded by their customs alone. However, for the Act to operate, it was necessary to identify specific persons who would speak on behalf of the tribe – and they were, without exception, the men who governed the tribes according to customary practice. By officially recognizing them as the custodians of tribal lands, the colonial state accorded them additional power and legitimacy that they did not have before colonization. Women who had formerly taken part in the decision-making processes associated with land within their communities informally observed that this space became increasingly smaller as male authority was formalized. It would be misleading to contend that colonialism invented gender hierarchies in such societies. The information presented reveals a more nuanced phenomenon in which the experience of colonialism reinforced existing hierarchies, transforming flexible institutions into rigid formal institutions that were supported by the state. Colonialism did not invent an entirely new set of gender hierarchies; rather, it reinforced a preexisting system, making it more rigid, less likely to generate internal resistance, and more entrenched within the governing apparatus.

Post-Independence Legal Framework and the Emerge of Contradictions

The Indian legal tradition post-independence is based on principles of equality and democracy. However, the Indian constitution has always remained at odds with the indigenous traditions. Article 244 of India's constitution includes a schedule that recognizes certain areas inhabited by indigenous people. The Indian Constitution guarantees the right to equality and prohibits discrimination based on sex among other fundamental rights. However, it must be understood that, in practice, both the judiciary and administrative agencies have often been hesitant to interfere with customary practices, considering them to be internal matters of community life beyond judicial purview.

The Panchayats (Extension to Scheduled Areas) Act 1996 (PESA), which attempts to combine customary and formal governance the most effectively, has granted powers of management over the

resources of the community to Gram Sabhas as well as reserved seats for women in panchayat offices. Implementation has been very inconsistent, however. Traditional leaders sometimes saw themselves as having their own jurisdiction in areas covered by panchayat powers, thus rendering elected institutions weaker than otherwise possible. In the state of Jharkhand, there has been an important move toward 50 percent reservation for women in Panchayati Raj Institutions, resulting in greater representation of women in formal governance institutions than before. However, formal representation does not mean power automatically, as shown by the common practice of proxy representation, whereby a woman holds an office while decisions are made by another member of her family.

Dual Governance and the Issue of Women's Authority

In the case of Jharkhand, the existence of two forms of governance in one state is not an exceptional circumstance. Panchayats receive their legitimacy on the basis of the constitution and statute, operate according to officially established procedures and are controlled from outside. Customary systems are based on the recognition of legitimacy, which is formed according to traditional norms and not controlled from outside, but at the same time remains binding on the community. It can be noted that this dual governance system is beneficial for women since it provides them with an opportunity to take up positions, and gives legal grounds to challenge discrimination; however, the traditions of customary systems still resist the recognition of the women's leadership position.

In field researches, one can see that there are always difficulties related to exercising legitimate authority by women in panchayats. Community members can appeal to the male members, avoiding official channels, or disregard the contributions women make within the panchayats' discussion process. However, some women panchayat representatives have found ways to assert their authority and gained a reputation as effective leaders – a clear indication that constraints are not insurmountable. Empirical studies show that the success of women's performance as political actors is determined by educational level, membership in Self Help Groups, social networks, and perceptions regarding women's leadership in communities. It can be stated that while being formally present in the decision-making process is essential, it alone is not enough for effective leadership. Moreover, the gap between the two factors is largely affected by the impact of customary norms.

Women's Agency and Transformations

A narrow view that emphasizes exclusion and constraint might ignore the degree to which women have acted as agents in their environment. The emergence and spread of Self Help Groups in Jharkhand within the last twenty years is probably the most important event in the history of women's organizing in India. These groups have generated alternative spaces for collective activity that are neither formal nor customary. These groups allow women to become financially literate, make democratic decisions, and gain the self-confidence and competencies that can make them effective political participants. Several studies indicate that women who have been active in SHGs tend to participate in elections, actively engage in panchayat meetings, and raise community concerns with government authorities more often than women who did not have this experience.

Apart from the activities within SHGs, women have also been involved in grass-roots campaigns related to forests, displacement due to development activities, and implementation of the provisions of the National Rural Employment Guarantee Act and the National Food Security Act, among others.

In some cases, women in such campaigns have assumed leadership positions and asserted their rights vis-a-vis the state and traditional leaderships with respect to community welfare issues. Welfare schemes and legislation enacted by the state have created certain entitlements that women have accessed independently, thus getting involved with the state institutions. Such changes are uneven in nature – women in communities where there is better educational and organisational infrastructure have benefited much more than women from remote areas. Nevertheless, such changes have occurred. It is not enough to say that women of Jharkhand merely adapt to the governance structures created by someone else, rather the fact remains that they are actually designing those structures through their involvement in the process. They are not just participating in the system of governance but at the same time contributing towards the transformation of the system itself.

Conclusion

In this research paper, an attempt has been made to highlight the status of women in the governance system of Jharkhand, beginning with the period of 1857 until 2025. The interplay of traditional practices, colonialism, constitutional development, and participation of women has been discussed. There are three important findings emerging from this discussion. First, the exclusion of women from governance systems was never complete because they have always participated in the social activities and processes associated with the maintenance of those governance systems. What they lacked was the formal right to represent and decide for their communities. Secondly, the colonial interventions further institutionalized the existing inequalities and strengthened the gender hierarchy prevalent among the tribals of Jharkhand. Thirdly, the present era can be said to constitute an authentic if incomplete transformation, since reservations, collectives, and civil society movements have increased awareness of women's involvement in governance as never before seen throughout this long history, albeit still falling far short of actual empowerment.

The case of Jharkhand shows that change in governance takes time, is partial and unpredictable, and involves both structure and agency. In order to attain greater gender equality through these structures, it will not be enough to focus simply on the formal institutions that decide what position someone can hold; it will also involve understanding what enables or prevents them from exercising power through those positions. And it involves the potential for women, whose presence as agents of change and development is increasingly recognized in their own right.

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