

Women and Water Sector Reform: Implications of Feminist Politics

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Abstract

This paper tries to understand the impacts on women vis-à-vis some of the broader feminist goals which strive for changing power relations between men and women and between different groups. It tries to look at concerns like voice, decision making, inner strength, confidence, access to a range of tangible and intangible resources and the potential it holds for challenging gender inequities. Methodologically this is not an easy issue given that women have largely been silent on the impacts of reform in domestic water sector and the irrigation sector. The paper analyses the Maharashtra government's domestic water and irrigation policies and its impact on women.

Introduction

Impacts of any program on women could be assessed in two ways; the first assessment is a simple one, which is measured against the mandate of the program, the other, is a more complex assessment, which is based on the broader feminist goals, set by the researcher or the change advocate. Much of the present research builds on synergies between feminist goals and what are the 'approved goals' by the establishment/donor agencies. Feminist vision of addressing inequities in the larger patriarchal context and measuring change vis a vis that subordination is rarely seen as a goal worth pursuing. Typically, therefore we see gender analysis undertaken using this broad framework of poverty, efficiency and welfare. Although, these are important indicators, which have a bearing on women's empowerment, in the long run the analysis usually does not proceed from there.

1. This paper draws on some initial findings from the on going study titled 'Water rights as women's rights? Assessing the scope for women's empowerment through decentralised water governance in Maharashtra and Gujarat, supported by IDRC Canada. Sneha Bhat and Ashwini Bokade from SOPPECOM have assisted in collating some of the findings required for this paper.

Theoretical interest around the relationship between women and natural resources has been there since the early 1970's. Much of this theoretical discourse was informed by larger debates around the ecological critique, the limits to growth (SOPPECOM-Utthan 2005), and the structural critique of the process of modernization and the feminist critique of marginalization of the poor women, women as victims of resource degradation (SOPPECOM-Utthan 2005, Agarwal 1992). Rural women were seen as the victims of the deepening environmental crisis as they are responsible for the subsistence of the household through collection of fuel, fodder and water. Much of this thinking was shaped by eco-feminism, which argued for a connection between women's exploitation and the ecological crisis.

There has been a shift in the debate from women as being the victims to women as the solution to the problem as they are the privileged knowers of the natural resource base. Most development thinkers picked on this theorization and increasingly argued for greater participation of women in the regeneration of the natural resource base.

One of the important critiques of this thinking was the need to see such theorization and the programs woven around it as adding burden to women's responsibility and not alleviating it. Women's access to tangible and in tangible resources was not an area that was seen as important from women's empowerment point of view. The framework for the study is drawn largely from the work of feminist political ecology (SOPPECOM-Utthan Rocheleau et al. 1996) and feminist environmentalism (SOPPECOM-Utthan 2005 Agarwal 1992), which share a number of core concerns around a more dynamic conceptualization of women's relationship with the environment. They see the relationship as being located in larger social, political structures and cultural practices, and in the symbolic construction of power. Women's special relationship with the environment emerges from the work they do (the gender division of labour). Their incentive for water management is not just related to their resource dependence, but also to social and institutional structures, which do not allow them the same access to resource rights, economic opportunities or decision-making as it does for men.

The study is located in the sector reform era of the water sector in Maharashtra and covers reforms in drinking and domestic water as well as irrigation sectors in the state. The study area for the domestic water sector covers 18 villages across six districts of Pune, Chandrapur, Satara, Sindhudurg, Jalna and Jalgaon. These six districts are from six different agro-climatic and socio-

economic zones of Maharashtra representing different water and gender contexts. For the irrigation sector seven water users associations (WUAs) are being studied in largely those that fall in western and northern Maharashtra. Most of these WUAs have been newly created under the recently Irrigation Sector Improvement Project of Maharashtra.

The paper presents some of these initial findings.

Domestic Water for Women and Irrigation Water for Men – The Ideological Divide

The domestic water sector policy says a lot more about women than does the irrigation policy. In fact, domestic water falls within the welfare arena and irrigation falls in the productive sphere, so naturally women are seen as fulfilling the welfare needs of the household. Irrigation on the other hand does not acknowledge the presence/role of women as farmers, although, women are actively engaged in agriculture and in irrigation. Their participation in committees however, has not been recognised, as is evident from the legislation, which allows only landowners in the command areas to become members of water user associations and women as we know are the largest property-less group.

If we look at some of the legislative elements in both these programs we find that the domestic water sector provides women a greater space in its design through larger membership which is 50%; independent fora in the form of a women's development committee; financial allocation for setting up some income generation activities in the form of the Women's Empowerment Fund and also a capacity-building program. Here we see that the policy has introduced a number of positive elements for women's participation yet we find little progress in terms of their participation.

The irrigation policy and legislation on the other hand is largely male dominated. Introduction of the MWRAA, MMIFSA has in fact allowed for tradeability of water and says little about equity in access to water. Here we find very little space for women to participate. Although, due to efforts of different organisations the MMIFSA has introduced a quota for women on the managing committee, but the policy design has completely missed the inclusion of women as members to the WUAs. Women from land holding families are as much or more involved in agriculture as their men. But lack of a land title decides who could be a member. This is a flaw in the design itself and women who share a larger work

burden in agriculture and have knowledge in irrigation are completely left out of the ambit. The other problem in both these legislations is related to water charges being dependent on the number of children a household has. This in a way is demeaning for the women who are rarely able to exercise any control over their reproductive rights.

Maharashtra is one of the important states in the country that has introduced sector reform process in the water in a big way. It is expected to lead the way for the reform process in the entire country through the model laws and policies launched recently supported by the World Bank. This section gives a very quick overview of the salient features of the reform process in domestic water and irrigation sub sectors.

Domestic Water Sector

The sector reform process in the domestic water sector essentially moves away from the supply driven approach followed till the mid 90's to an approach which was demand responsive, based on 'devolving' of responsibility to the PRI, leaving technological choices to the community and importantly expecting 100% O&M from the users. The reform process also emphasised importance on protection of the source as an integral part of the scheme design. Its key features include involvement of the PRIs in water supply schemes; full ownership of drinking water assets; formation of village water and sanitation committees under the *panchayat* with a third of the members being women and proportionate representation of SCs and STs community, contribution of 10% of capital cost of the project with 50% of this amount to be paid in cash; full O&M costs to be borne by the communities and an integrated approach which includes water conservation and water harvesting schemes.

Sector reforms in the drinking water and sanitation sector in the state of Maharashtra, western India, have been a long drawn process since the mid-eighties. In the years that followed the World Bank launched the Maharashtra Rural Water Supply and Environmental Sanitation Project (1991 to 1998) covering about 560 villages in 10 districts. All these schemes were centralized schemes but focussed on community participation especially of women in management. This was followed by Aple Pani (our water) program which was initiated in 2001 on the lines of the Swajaldahara launched at the Central level. This was followed by the Jalswarjya (self governance in water program) with support from the World Bank (over \$200 million dollars). It follows more or less the same principles of Swajaldhara, but varies in some other ways for

eg. Maharashtra is the only state in India where the water committees are expected to have 50% elected women members as against the 33% in other states. There is also a separate committee formed for women's empowerment called the Women's Development Committee and a special fund is allocated for women's empowerment called, the Women's Empowerment Fund. *Mahila gram sabhas* (village women's assembly) are made mandatory and have to precede the general *gram sabhas*².

Overall, the restructuring is expected to a) involve people in decision making, b) bring in women's empowerment and c) bring in source sustainability.

Irrigation Sector

Of late, the issue of equity has received increased attention through the sector reform in irrigation as a national goal. The mid 90's has brought in the sector reform agenda with a whole new set of elements together popularly known as Irrigation Management Transfer (IMT) or Participatory Irrigation Management (PIM). These set of reforms are driven by the need to address the inefficient management of the irrigation systems. The thrust, unlike in the previous decades, is on organizational and institutional reform rather than seeking solutions in irrigation technology (Zwartveen, 1998).

The salient features of this reform are

1. Decentralized management of water through formation of water users associations (WUAs) at the lowest level referred to as the 'minor' level. Unlike the *pani samitis* of the drinking water sector these are autonomous bodies with no linkage to the PRIs. This is mainly because command areas of irrigation projects do not coincide with the administrative boundaries of the village.
2. Administrative allocation of water at the minor level now to be done by the users groups/associations themselves
3. Operation and maintenance (O&M) responsibilities also shifted from the Irrigation department to the decentralized water users associations (WUAs).

In Maharashtra these elements have now been formalized through the recent legislation titled 'Maharashtra Management of Irrigation Systems by Farmers

2. Village assembly to discuss development issues in the village.

Act 2005 (MMISFA). Prior to this legislation, the state had encouraged voluntary efforts to register WUAs under the Co-operative Societies Act. But this was not a mandatory requirement yet several WUAs got formed thanks to the efforts of a few NGOs and farmer groups in Maharashtra. The new legislation comes along with a loan package from the World Bank for irrigation sector reforms (2005) under the aegis Maharashtra Water Sector Improvement Project (MWSIP). In order to operationalise the sector reform state government has created a regulatory authority for water, which is called Maharashtra Water Resources Regulatory Authority Act (MWRRA). Apparently, both MMISFA and MWSIP talk about women. The MMISFA in its rules allows for three women members of WUAs to be appointed on the managing committees and one term in every two years would have a woman as the president of the WUA. According to the MWSIP specific gender strategy (which has not been outlined in the document) has to be prepared in order to ensure active participation of women and to ensure access to project benefits at par with others (World Bank 2005). The MWRRA states in the act that water charges for those beneficiaries having more than two children would be 1.5 times higher.

Unlike Jalswarajya, the MWSIP is silent on women's participation. The terms of women's participation are not clearly spelt, membership is restricted to landowning men and women and therefore representation to decision making committees too is restricted to them. For effective implementation of the sector reforms project, the government has also introduced a new set of policies and legislation.

To sum up, it may be noted that institutional and economic reform is at the centre of the sector reform agenda. Decentralisation, pricing and cost recovery and efficiency therefore become important measures for this reform.

The Impacts: Some Initial Observations

As noted in the previous section, reform in the water sector has been packaged along with economic reforms as well. We therefore need to analyse the combined effect of these on the gender question. The impacts will have to be assessed in two ways: a) those that are dis/empowering to women themselves as a result of participation in the water program (eg. membership to water related institutions, improved access to water) which may or may not benefit the water program as understood in its current paradigm and b) those with bearing on the larger inequities as a result of female subordination such as changing power relations between men and women at home and outside. The

second kind of impact is difficult to assess in short term studies, but the two are interrelated in a way that can either challenge the present patriarchal order or can remphasise it. This impact analysis will try to see what potential the policy and the program holds for challenging the patriarchal order although it may not be so explicit at this stage.

The impacts have been captured on the following aspects:

- organization of labour;
- control over resources;
- membership to water related institutions/presence in the public sphere;
- participation in decision-making processes;
- changing power relations in the different arenas like family, state, community and market;

Organization of Labour

The field observations indicated that whereas gender division of work in the water sector has remained unchanged, there has been some reduction in the time spent by women on the various water related activities. This was observed in 3 out of 18 villages where the two schemes viz; Jalswarajya and Aple Pani have been fully implemented, and tap water was available, though on an erratic basis. In these completed villages, women's access to water had considerably improved and water was at their doorstep. This seems to have generated positive impact on women's health owing a) reduced drudgery; and b) improved quality of water.

The reform process also introduced other forms of work for women. Women's participation is central to the effective functioning of the program. Their participation in leading the campaigns to collect capital contributions, operation and maintenance is seen as critical. Their voluntary labour is sought to lead campaigns for total sanitation work. Although this has opened up new spaces for women in public domain, their participation here is a mere extension of their work at home, which is again voluntary and unpaid. Women's voluntary spirit is invoked and the time spared from water collection is largely to be put in this kind of work at least for some women. This is to increase the efficiency of the scheme implementation.

As against this in the irrigation sector we see that women's participation is silenced out as it cannot lead to efficiency or improvement in the larger program. Whereas women are engaged in agricultural operations and also

in activities related to irrigation, we hardly come across women either owning land or being members of the WUAs. The experience of women in managing committees is too recent and hence we have not been able to understand the ramifications of this on women's time in the Maharashtra context. Examples show that improved productivity leads to increased work burden for women. Given that the domestic responsibilities, including caring and rearing roles, of women remain unchanged increased productivity through irrigation implies increased work burden without any substantial gains to them (SOPPECOM 2004, Vasavada 2005, Zwartveen 1998).

Control Over Resources

Women's access to water is restricted by their ownership and control over land. Of the 39 WUAs covered under the study women's land ownership was limited only to 10 per cent. In most cases passing on the ownership to women was mainly on account of preventing the family's land from being taken away under the Land Ceiling Act. Water rights that come along with the ownership of land has not really changed women's status within or outside the family. Access to markets, credit and social relationships are still very much controlled by the men of the household. A legal title to land nevertheless offers women economic security in the event of a breakdown of the marital relationship. Control over resources thus seem to hold the potential to challenge patriarchy if of course women's capacities can be built and their social political and economic networks can be expanded.

Membership in Water Institutions

WUA, which until recently was to be registered as a co-operative society with the new legislation, would be registered under a new Act. Like entitlements, membership continues to be with those who own land in the designated command areas. If women own land in these commands they become members or else they remain outside the WUA. This not only excludes landless women but also women who come from landowning families and who may hold a stake in lands that would be irrigated. In terms of the impact of membership to WUAs, the women we spoke to were not even aware that they were members. They were glad that we went to interview them because of which they became aware of their public roles. This also shows that quotas mean nothing unless a very favourable environment is created for women to participate meaningfully.

In domestic water, the situation is qualitatively different because of the proactive efforts for ensuring their involvement in management of drinking water. Hence, women were already aware of their membership in committees, etc., and also came out to occupy the space in the public domain. This indeed is a positive step. Mobility of women however, varied across different districts and across class and caste, and was also influenced by the prior experience. The new space created for women thus holds some transformatory potential that possibly, may lead to empowerment.

Decision-Making Processes

Decision-making can be broadly defined as who has access to the rule making process, defining goals and having the capacity to pursue the goals. Within this also we need to understand what are the different levels of decision making and how are they organized. For example, transfer of rights to management to WUAs by the government can be interpreted as a very democratic step. Nevertheless, in reality the key rules pertaining to allocations, entitlements and arbitration are set by the state and it is only the implementation that is handed over to the WUAs. This suggests a clear hierarchy between the state and the communities. A similar phenomenon is also observed in relations among different social groups and between men and women.

In the WUA we do not see women at all. Although they hold positions in the managing committee as per the new rule, they are not aware of their roles or have no knowledge of their membership either and therefore cannot participate in the decision making. In the domestic sphere these women are seen taking what can be called as the smaller decisions for e.g. what food to cook, how the money allocated for domestic expenses be spent on the agreed items, supervising women's work on the field, etc. However, the more important decisions of who would go to the market to sell the goods, who would decide how financial allocations have to be made in the house, or who would participate in the key meetings of the WUAs are all taken by the men. So in a sense the decisions of consequence are taken by men while women are to remain happy with other kinds of decisions which do not necessarily threaten the existing social order or for that matter effect change.

Women seem to be quite complacent about their subordinate status in decision making processes. Selection process of these committees is arbitrary. Women who have either been active in the past, and "who have proved their mettle" in a very conventional sense of being a good wife, mother and daughter and yet have been able to function in the public sphere is preferred and selected.

If such women are not available then the selection is made on the basis of the family links ie, wife or daughter- in-law of those who hold significant influence in the community.

Participation

Participation should be measured on the basis of where the women began from. Mere presence in public meetings can also be considered an empowering measure for those women who had not stepped out of their houses, but that cannot be an empowerment measure for those who have been there in the public sphere for long. In Pune district, coming for meetings cannot be considered as empowering as making a difference to decision making. There are of course differences across the districts. Only 2–3 per cent of the woman who were interviewed revealed that their participation made a significant change in the way the programs were being designed or implemented.

It was observed that women from different castes have been brought onto the committees but what has been ignored is that there is a class within a caste as well. Poor women within different caste categories are not able to participate in the meetings as there is a severe economic constraint to do so. An issue that needs further enquiry is whether women's participation in the meetings is at the cost of their health and time. In Jalswarajya for example, women said that they had traded their saved time from drawing water with increased time spent in meetings and campaigns. Not all women necessarily complained about this as they had also gained a public presence. As a result of this, they had got an opportunity to come together and discuss some new things. But women from poorer households and scheduled caste households said that this was draining them as they had to miss their daily wages and therefore preferred to stay out of these meetings.

Women's participation in WAUs was completely missing and were eager to know more from us. They also voiced their concerns in terms of the location, timing and the culture of the meetings. Some of them suggested that the meetings should be convened in schools or at someone's residence, and also that separate meetings for women should be organized so that they can participate effectively.

Women indicated formal structures as barriers to their participation (Agarwal 1994; Loes Schenk-Sandbergen 2004). Should this mean that the formal institutions be done away with or does the culture of those networks to be

changed? Recognizing the importance of women's informal channels of negotiating their claims in decision making and participation, it is imperative that the formal institutions should also start addressing the issues of gender inequity and gender division of work, both in domestic as well as public spheres. Perhaps the formal committees should also go beyond their role of managing of water and address issues of how and who spends time on collection and utilisation of domestic water.

Final Comments

The findings show that water policy and its gender component is shaped by the current roles that women engage in and does not tread out of that framework. In that sense the state has clearly laid out its framework of not questioning the existing system. However, while doing so it has also created some spaces which need to be used innovatively. For example representation of women, introduction of *mahila gram sabhas*, etc., which can be turned into opportunities for challenging inequities. The space to be found here is to actively get involved in building capacities of these women to question and challenge the dominant frameworks. They need the physical and mental space to think and reflect and ask a set of questions that are often taken as part of the traditional customs and beliefs, which go unquestioned. In the studies around women's participation in PRIs the role and influence of traditional authorities has seen to be a major constraining factor (Kripa Ananth Pur 2004 cited in Mukhopadhyay 2005).

Women's acceptance of their status and therefore their secondary claims on all the productive resources at the household level is well known. This voice often gets interpreted as reflecting women's choice of remaining secondary. It is also a reminder that choice is often restricted by the presence power relations. The gaining of a social sanction is an important area that women see as a space, which otherwise may imply patriarchy reasserting itself.

Women's voices varied across the different areas that we visited, some where women did make very overt protests and some where women negotiated and had their way but in others where women basically believed that unequal relationship has to be accepted and not to be seen as an injustice. Obviously interpretation of these voices is a complex process and there is a thin margin between what women really believe and what they say they believe. These perceptions would not change unless there are options that these women could be made to see as real possibilities within their lived experiences. It is here that one could see a critical role for the women's movements/groups/

NGOs, and water rights movements. With an enabling framework given by the state, it is the civil society actors that really need to take the lead in facilitating a transformative agenda. Wherever such movements are active, outcomes have been positive in terms of challenging gender relations. Thus, any approach that addresses the range of issues discussed above would be of significance from the view point of gender equity.

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