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Tokenism Versus Transformative: Evaluating the Effect of Mandated Quotas for Substantive Representation of Tribal Women

Manisha
Research Scholar
Department of Political Science
Chaudhary Charan Singh University, Meerut

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Abstract

Despite the introduction of mandated quotas for women by the 73rd Constitutional Amendment in India three decades ago there exists a marked disparity in terms of the difference between descriptive representation and substantive representation for tribal women. This paper is an evaluation of whether mandated quotas for tribal women in local politics result in substantive laws being made or simply constitute token representation. Through analyzing the case of India with a particular focus on the case of Nagaland the research uncovers the "gender quota paradox" where mandates lead to the highest ever number of women participating in politics although having minimal powers thereby invalidating their role as politicians through the proxy myth.

Keywords: Tribal Women, Political Quotas, Substantive Representation, Tokenism, Panchayati Raj, Customary Law, India

Introduction

Through the 73rd Constitutional Amendment Act of 1992, India established one of the most ambitious projects of democratic deepening in the form of a quota system, where at least one-third (or fifty percent in several states), of seats in PRIs had to be reserved for women. Such affirmative action was supposed to allow the involvement of marginalized communities women, SCs, STs in the politics of the country. In case of tribal women, facing the phenomenon known as a “triple malediction,” the quota system came out as a solution to their problems. However, after 30 years, a paradoxical situation emerges: although now there are over 1.4 million women representatives in local government, and India can boast its success, in comparison to any other country, in providing female representation in such large quantities, it becomes apparent that this descriptive representation is highly questioned regarding the influence of women on policy formation and governance . At times, quotas seem to “entrench inequality” in Indian society .

Significance

This research holds significance for a number of reasons. First of all, the tribal women belong to a very marginalized demographic with its own culture, socio-economic vulnerabilities, and political history which gets sidelined in mainstream analyses

focused on gender. Secondly, the growing spread of the gender quotas internationally calls for an assessment of their effectiveness beyond quantitative measures. Lastly, with the enactment of the Nari Shakti Vandan Adhiniyam (Women's Reservation Act) 2023 making reservations for 33% seats for women in national and state legislatures it has become crucial to study local quota politics.

Methodology

The methodology used in this study to explore the gap in terms of representation of tribal women from the perspective of their roles in governance will be discussed in this section. Considering that the topic is inherently multifaceted in its structure, which covers not only the institutional but also the cultural dimension of the research question, the research strategy involves a combination of qualitative and quantitative approaches.

Conceptual framework: Descriptive and Substantive Representation

According to Pitkin's pioneering classification, the former is defined as 'representation in the sense of standing for' on the basis of certain common features (such as gender and ethnicity), whereas the latter implies representing someone by acting for their interests in the political process. What is important is whether women members, once elected into power, are able to act in favor of women's policy concerns. The findings of

empirical studies conducted through parliamentary data (1999-2019) show that female parliamentarians indeed put forward more issues related to women than their male peers, especially among the SC/ST women MPs.

Gender Quota Paradox: An Empirical Study

Numbers Game: Achievements in a Quantitative Sense

The success in quantitative terms of the 73rd Amendment cannot be understated. According to current numbers, India has 3.1 million members of the Panchayati Raj system, out of which 1.4 million are women . India has, at present, the largest number of female-elected members anywhere in the world. States such as Bihar led the way in adopting 50% reservations in 2006 , which was subsequently done by 20 other states. In Telangana, where 50% reservation was made mandatory, the elections held in 2025 in local bodies saw only 45.41% sarpanch posts going to women.

The Problem of Proxy Representation

Literature proves that the representation of women in local bodies often turns out to be nominal and not substantive. In their research, a study on Village Development Board (VDB) showed that 25% representation of women is only nominal and not substantive, meaning that it does not carry any decision-making power. There was

an interesting case where the money allotted for women VDB members during the pandemic – 25% of the total money – was pocketed by the village council to distribute essentials with the women members being told not to expect the money back.

The "Sarpanch-pati" syndrome where wives hold posts in formality but men, in substance, make decisions has been reported extensively. For instance, in a study carried out in 600 villages in Maharashtra, the researchers noted that women leaders had no genuine right to participate in forums involving both genders since men engaged in government affairs while women attended such forums only to affix their signatures usually without knowing anything about the agreements they have signed . Also, MIT researchers discovered that 43% of female panchayat leaders relied on help from their husbands when doing their work .

Gender Quota Paradox – A Theoretical Approach

This concept has been identified by scholars in recent times (2025) as the “gender quota paradox,” whereby gender quotas empower women politically like never before, although they have little real power in action and, furthermore, disempower women’s political representation as a society-wide process in accordance with the “proxy” theory. This issue is not just the effect of something unintended, but rather emerges from

incongruous policymaking; that is, there is a disparity between the progressive desires and the regressive motivation behind the reform.

Customary Law and Structural Exclusion

The Case of Nagaland: Tradition as a Blockage

There is no doubt that the example of Nagaland is the most illustrative one showing the destructive impact of customary law on women's representation. The Nagaland Village Council Act of 1978 requires establishment of councils following customary practices and traditions which among all Naga tribes have in common one thing the absence of women as their members. The election process is "rarely followed" as members of the council are appointed by clan chiefs in Ao, Sumi chieftainships and Konyak Anghdoms.

Although there was an amendment made to the Nagaland Municipal Act, guaranteeing that at least 33% of the seats in Urban Local Bodies would be reserved for women, implementation was postponed for several years. In the case of the 2017 ULB elections, protests were initiated by tribal bodies at the apex level against nominations coupled with the right to vote instead of reservation. Protests took the form of violence, leading to two deaths and burning of the council house in Kohima, compelling the Chief Minister to resign.

Customary Courts and Gender Justice

The continued use of customary courts further contributes to political exclusion in several ways. As customary courts in Nagaland are always led by men and run only by men it creates problems because the judgments are likely to involve a certain degree of gender bias favouring men which will result in very low fines for gender-based violence cases (typically an animal such as pigs or minor monetary fine). As there are no written rules governing customary laws decisions about them can be interpreted selectively by a certain privileged group of people (mostly men). Cases of gender-based violence remain undisclosed for fear of long and tedious legal process through the formal judicial system.

Resistance and Backlash

Measuring Resistance to Quotas

Various studies have shown that quotas trigger backlash among dominant groups. In a field-based survey experiment with a sample size of 1,989 Indians living in villages, it was observed that while quotas help to activate groups benefiting from quotas, it is simultaneously observed that they deactivate dominant groups where dominant groups were seen to exhibit higher levels of discrimination against women and ethnic groups exposed to quotas.

In the case of Nagaland, the survey results showed that while 62.1% of men and 88.8% of women felt that there should be women in

decision-making forums, a considerable number of 30 percent of the male population, along with some percentage of women, remained skeptical about this issue. What is more telling is the fact that most men and women believed that it would be difficult for women to occupy these forums as they would always be bound by their traditional practices.

Tribal Apex Bodies as Hindrances

The tribal apex bodies have acted as the chief institutional agents for this resistance. The Ao Senden denounced the election of ULBs in 2023 as a dictatorial and authoritative gesture and demanded that the proposal for women's reservation should be deleted. Instead, they preferred nomination and voting rights for women. The apex body of other tribes such as the Rengma, Chakesang, and Sumi were also similarly opposed to this measure. Importantly, these apex organizations do not oppose the practice of reserving seats for women but only object to it on the ground that it should conform to their custom and tradition.

The Problem of Political Parties

The hierarchical nature of the organization of the tribes is also present in the political party system in the state where most of the political parties have a women's wing which is run by male members of the political parties thereby ensuring that women continue to be marginalized from leadership roles.

Towards Transformative Representation Moving Beyond Tokenism: A Multi-Faced Approach

In order to address the mismatch between descriptive and substantive representation, it is important that one move beyond quotas alone. This is evident from the literature that has been reviewed above that quotas alone are not sufficient but require accompanying reforms as well. Below is a framework for this based on what the evidence suggests Capacity Building and Political Literacy. Studies conducted in North Maharashtra reveal that capacity building measures and political literacy are crucial to transform representation into meaningful participation.

Customary Law Reform: The Nagaland example reveals the significance of customary law reform. Apex bodies of women such as the Naga Mother's Association and Konyak Nyupuh Sheko Khong (customary women organizations for all tribes) bear the responsibility for women's wellbeing and protection, acting as "moral custodians," arbitrating conflicts, and fighting against social evils. Empowerment of customary women spaces could provide an innovative model.

Intersecting Quotas Design: The call of Mayawati for sub-quota provisions for SC/ST/OBC women within the proposed 33% parliamentary reservation till 2026 emphasizes the importance of intersecting

quotas design. Without sub-quota provisions there is the danger of benefiting the elite women at the expense of poor women through gender quotas. Studies indicate that SC/ST female MPs tend to voice women policies more than others.

Mitigation against Elite Capture and Backlash: Given the possibility of quotas to result in the political disenfranchisement of the dominant groups as well as fueling their discriminatory tendencies, there is a need for measures which can mitigate the backlash. Invisible controls imposed by the reform writing elites call for monitoring.

Transformative Possibilities Through Case Studies

Though the process is beset with problems, there have been instances where individuals managed to make their quota experience transformative. Bhagirathi Devi was a Dalit women from Bihar, who served as a sweeper but later entered politics via panchayat reservations and emerged as a BJP MLA and Padma Shri recipient. In the same manner, Sulata Deo from Odisha and Satyavathi Rathod of Telangana were both sarpanches who made it into high-level politics.

Logic Behind Incongruous Policy Making

The lesson drawn by scholars recently is that there may be a structural limitation built into quotas because the attitude of reform writers during the development of the reform was not in line with the egalitarian aim they claimed

to advocate and rather had private interests that went against quotas' aim for gender equality. At the same time, the quest for "numerically spectacular" reform happened alongside desires for reform that were weak enough to give them influence over political institutions. Acknowledgment of this incongruity is fundamental to the creation of meaningful reforms.

Conclusion

In this paper, the discussion on the mandated quota system for women from tribes in local governance showed an impressive numeric success story, but one which has failed to materialize into meaningful representation and participation in decision-making. This "paradox of the gender quota system" is explained by four inter-related factors, namely: the inconsistent approach to reform initiated by elites having conflicting interests; the dominant and exclusionary nature of customary laws; the proxy role of men for women; and active opposition from the male-dominated traditional structures. Quotas, if they are to become transformative rather than token policies, require a different type of policy architecture, one that builds women's political capability, reforms customs and customary institutions, embraces an intersectional approach to quota design, and recognizes the strategic interests behind institutional design. The voices of tribal women themselves, through apex women's

bodies and personal trajectories of leadership, provide other ways of thinking about representation. It is not enough simply to increase numbers but also to create policy changes and actual power in women who have been given political roles. In light of India's plans to introduce a 33 percent reservation in national and state assemblies, the experience from three decades of local reservation policy has never been more timely numbers alone are not enough if women are prevented by customary laws from participating in politics, while token institutions need to be transformed too.

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