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2. 73rd Constitutional Amendment and its Impact on Women's Empowerment

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....Let us enter politics,
Continue our struggle
And take leadership

Introduction

We live in the age of democracy. Political participation and representation are the hallmarks of democracy. Women in India constitute nearly half the population of the country. However their representation in the various governance and decision making bodies is not up to the mark. Rather it seems to be poor. In spite of Constitutional guarantee of equal political status, women in India are unable to exercise their right to participate in political affairs. Women are not adequately represented in Lok Sabha and State Legislative Assemblies. They have started playing an important role in local self-governing institutions only after that 73rd Constitutional Amendment.

73rd Constitutional Amendment Act was passed in 1993. This act provided that out of total number of seats to be filled by direct election in every Panchayat not less than 1/3 of the seats shall be reserved for women. It further provided for one-third reservation of posts for Presidents and Vice-presidents in these political institutions. This reservation was implemented through a process of rotation, by identifying different constituencies as a reserved constituency for each election term.

Rationale :-

The reservation policy envisaged in the year 1993 is about to complete two and half decades. It will be worthwhile to review some of the following issues to know its efficacy and success.

Guiding Questions :-

- Is the policy successful in enabling women to enter politics?
- Are women well equipped to participate in the political process?
- Have they played the role of decision makers?
- What are the strategies adopted for their empowerment?

Research Methodology :-

Feminist frame of context will be used in this study. One of the widely accepted definitions of feminism is given by New Encyclopaedia Britannica. It defines feminism as the movement that tries to change roles of women. Feminism can be referred as political, cultural and economic movements that aim at establishing greater, equal, or among a minority, superior rights and participation in society for women and girls. All feminists want to redefine the boundaries of the public and the private, the personal and political. Gender is socially constructed that leads to distinctions between men and women, a system for the distribution of power and resources that favours men over women. Feminist consciousness believes that women are unjustly deprived of power and influence through systematic or structural factors. Still how women became part of power and how do they exercise it is an important part of this study.

The study will be based on a genuine appraisal of articles through Critical Analysis. The study will be based on secondary sources. Different articles published under reputed titles will be appraised. The articles are selected from different periods and from different parts of the country. An analysis of these articles will bring out the varied dimensions regarding the impact of reservation policy for women.

Limitations of Study :-

The paper is based on analysis of reputed articles and does not involve any findings based on primary study by the researcher.

Background of the 73rd Constitutional Amendment Act :-

The Constitution of India has guaranteed equal civil and political rights to both, men and women. Article 325 and 326 of the constitution guarantee political equality - equal right to participate in political activities and right to vote respectively. While the right to vote is exercised and enjoyed by large number of women, the right to participate, especially in the national and state level politics, is still a distant dream.

In 1972, the Government of India constituted a committee on status of women to examine the multifaceted problems faced by women of India at every stage of their life cycles. The report of the committee titled 'Towards Equality' was published in 1974. The question of women's reservation as a remedy to underrepresentation came up. The idea of reservation though not accepted was discussed for the first time.

The National Commission for Women was set up in 1992 to look into cases of discrimination against women.

The Janata Party Government in Karnataka in 1991 passed a Bill to implement 25 per cent reservation for women in local elections. This spurred a national debate on the issue of reservation for women in several other states. For example, Sharad Pawar announced 30 per cent of seats in Municipal Corporations and the Panchayat Raj Institutions to be reserved for women in Maharashtra.

The Government of India noting the low participation of women in politics; acknowledging the recommendations of the Committee for Status of Women Report, 1974; and drawing from the pioneering experience of Karnataka which provided reservation for women in the three tier Panchayati Raj system (institutions of local self-governance); adopted an affirmative action for providing reservation for women in these institutions in the year 1993.

With these Constitutional Amendments, over three million women are now actively participating in shaping the policies and programs of the country, though only at the local levels of governance.

Concept of Empowerment :-

Empowerment of women would mean equipping women to be financially independent, self-reliant, have positive attitude to enable them to face any tough situation and they should be able to participate in developmental activities.

Discussion about conclusions of articles :-

Spirit of Feminism is to change the role of women. It tries to redefine the boundaries between public and private sphere and between personal and political. But Manu Bhaskar's conclusions from samples indicate the influence of traditional factors on women entering public field.

- The first article is by **Manu Bhaskar** titled '**Women Panchayat Members in Kerala- A Profile**'. Manu Bhaskar has given importance to factors like age, marital status, educational background, occupational status and their impact on women contestants. The ideal age for women in political roles is found to be between 36-45. It indicates that women generally take up political roles only when they can combine family and political roles together, mostly after completing their reproductive roles. Generally young women are kept away from public sphere in rural communities. Division of labour obstructs the actual political participation of women at local level. The article being written immediately after reservation policy is silent about measures to increase political participation of women.

The role of political parties is important too. Parties are not playing any significant role in motivating women to enter politics. Male control of the party hierarchy severely reduces any hope of equality of status for women in all aspects of public life.

- Next article on this topic is by **SudhaPai**. It is titled as '**Pradhanis in New Panchayats**.' This article is based on her study in Uttar Pradesh. According to SudhaPai, female literacy, independent voting rights, changes in the status of family and society are important for women to fully participate in political process. SudhaPai has written the article in the year 1998. Almost two decades has passed now.

Has there been any positive change in the status of women? Sex ratio is declining. The no. of women in organised section is very less. Drop out number among girls is higher. The discrimination extends to nutrition and healthcare. The proportion of male children who are fully immunized is 4% higher than female children.

According to the **UNDP Report 2014**, India ranks 135th in Human Development Index that is among the 'medium developed countries.' This shows that SudhaPai's observations hold good even today. Not only developing participatory mechanisms of empowerment is enough, but it is also important to overcome structural inequalities of social power.

- **Gail Omvedt** in her article **Women in Governance in S. Asia**, states that the obstacles to women's equal participation in governance are deeply rooted in patriarchal structures. Patriarchy is related to caste boundaries, control over sexuality and independence of women. Women's place is primarily in the home. Public space

and work outside home are secondary. But after reservations there has been a significant and perhaps qualitative change as millions of women not only from India but from S. Asia emerged into politics at local level. Instead of breaking power centric, male dominated structures, women are trying to fit themselves in these structures. How far it is fulfilling the purpose? This is a million dollar question.

- As per the **Report of the Ministry of Panchayati Raj (2011-12)**, the performance of EWRs had greater positive correlation with three factors:
 - When they were elected for second time
 - When they had received training for capacity building
 - When they were educated beyond school level.

It is not enough to give reservation to women, but it is essential to equip them to carry on these roles effectively. This thought is reflected in the report of the Ministry of Panchayati Raj. The same line of thought is expressed in the next article.

- **ChanpreetKhurana's** article titled '**The Counsel of women**' also emphasises importance of training. One aspect of training is focus on gender equality. Unless and until they are socialised in different manner, they will not be able to play expected role. From viewpoint of working for women they will also be oriented to reproductive healthcare and family planning. With example she quotes how it has brought changes in the personality of women. Now they have started carrying out developmental activities in their area. Still they lack role models. Therefore they try to find solutions through mobilization.

Remarks

The reservation policy definitely helped lakhs of women to enter politics. But their entry directly will not lead to their empowerment. No policy or decision operates in vacuum. It has to take into account societal framework where it will be implemented. In Indian society with patriarchal structures women find it difficult to work and prove them in public sphere initially. Therefore bringing societal changes was essential. This process has already started. The efforts have been initiated at the capacity building of these women, educating them; inculcate in them the principle of gender equality. It is not the task of one single person. The need is to bring them together. Attempts have been made to develop networks among them. All this will bridge gap between law and its implementation and will empower women.

The intention behind 73rd CAA is to deepen the roots of democracy. When not only women but all underprivileged will be empowered, democracy will be successful in true sense of terms.

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