



# Constitution Heralded a New Era of Equality for Women of India – A Study

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## Abstract

This paper attempts to study how in India, women's engagement in governance empowers them via active political participation. The sub-index for political empowerment measures the gap between women and men at the highest level of political decision-making through the ratio of women to men in ministerial positions, the ratio of women to men in parliamentary positions, and the ratio of female to male heads of state in the past 50 years. India's positioning is strongly driven by the tenure of Indira Gandhi as Prime Minister from 1966 to 1977 and then again from 1980 until her assassination in 1984. While Gandhi's role as a prominent female leader should not be overlooked, it does somewhat skew our interpretation of India's positioning in the index. The other two measures that constitute the index see India ranked 69th with 30% of women in ministerial positions, and 122nd with 17% of women in parliament. The sub-index also fails to factor in state-level leadership, where significant powers sit. Of India's 28 states, currently only West Bengal has a female Chief Minister. Besides, the political empowerment sub-index focusses entirely on leadership. In this post, we explore the evidence around a range of areas linked to women's political participation in India, including political representation at different levels of India's political system, women as political leaders, and women as active citizens. Women around the globe, but particularly in many developing contexts, remain absent and invisible in political institutions and dialogue. As of 2015, women's suffrage in democracies was nearly universal and more than 130 countries had gone so far as to implement political quotas for women (Hughes et al. 2018). Gender quotas, for example, have been shown to increase women's representation, shift policy towards women's interests, and improve gender equality along other dimensions (Lott and Kenny 1999, Chattopadhyay and Duflo 2004, Miller 2008, Beaman et al. 2009).

*Key words: Participation, Governance, Women, politics, policy, India.*

## Introduction

In 1993, India took an important step towards deepening democracy when it passed the 73rd Amendment that put in place the Gram Panchayat (GP) (elected village council) at the village level. An important feature of

this Amendment was reservation for women in GP seats and sarpanch (elected head of GP) posts. This was indeed a crucial step considering the low status of women in India and their consequent low participation in public life. But what have been the impacts and implications of this policy? The anecdotal evidence in this context is mixed. While, on the one hand, it has been claimed that quite often, women sarpanchs are just a front for the male relatives; on the other hand, it has been argued that female sarpanchs are indeed proactive and bring about several positive changes in the village. The assurance of personal safety and fair treatment under the law are two of the most fundamental aspects of a civilised society. However, protecting these rights for disadvantaged groups, such as minorities and the politically underrepresented, has remained a challenge in many countries — exemplified by the recent horrific incidents of violence against women in India, which have generated widespread national and international outrage.<sup>1</sup> There has been much debate over how governments can intervene to avoid such outcomes. While a range of policies – from affirmative action quotas in education and jobs, to legal protection and better law enforcement – have been considered in the past, our research finds that there is another novel approach that can be effective: greater political representation for women.

In recent research with Prachi Mishra and Petia Topalova, (Iyer et al 2012), we study this link between political representation and crimes against women in the context of India's 1993 Panchayati Raj constitutional amendment in 1993. Under this law, the central government mandated that one-third of all seats in local councils (village, intermediate and district levels), as well as one-third of all chairperson positions, would be reserved for women. This amounted to a dramatic increase in the number and fraction of women in political office.

In general, political representation of disadvantaged groups may reflect the changing preferences of the electorate, or the changing social status of such groups. These factors could also directly influence crimes committed against such groups, rather than the fact of political representation for such groups. So, to measure the impact of women's political representation on crime, we exploited two features of the 1993 reform: (i) that it was mandated and (ii) that different states in India implemented it in different years, for reasons largely unrelated to crimes against women.

### Objective:

This paper intends to explore and analyze **women's representation** in government is critical, as is equitable access to participation and decision-making by women in the nation's **political**, social progress

## In State Legislatures

Women representation in State legislatures has also been equally dismal. At present the average percentage of elected women in State Assemblies is 6.94 per cent, the highest being 14.44 per cent in Haryana and the lowest being 1.34 per cent in Karnataka. States like Arunachal Pradesh, Manipur, Mizoram, Nagaland and Union Territory of Puducherry have no representation of women in their Assemblies. It is unfortunate that in India after 58 years of the working of the Constitution, women are still fighting for their empowerment; women's representation in Parliament is merely 8 per cent. It is not surprising that the Global Gender Gap Report 2007 of UNDP had placed India at a disappointing rank of 114 out of 128 countries studied, based on indicators, among others, of political empowerment.

### Reservation for Women in Local Bodies — Encouraging trends

Given the low representation of women in politics, there has been a consistent demand for more meaningful ways to increase their representation in decision-making bodies. In pursuance of this notion of empowerment of women, the Constitution (Seventy-third Amendment) Act, 1993 and the Constitution (Seventy-fourth Amendment) Act, 1993 reserved seats for women at the local level bodies, namely, the Panchayats and Municipalities with the hope that these measures will set the trend to provide women their legitimate place in public life. After these amendments, Articles 243 D and 243 T were added to the Constitution to provide that not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by the direct election in the local bodies (Panchayats and Municipalities) would be reserved for women and such seats may be allotted by rotation to different constituencies in the local bodies. This, indeed, makes a historic beginning for the effective participation of women in the decision-making process at the grassroots level. In the elections to these local bodies, more than one million women have been elected every five years. In 2006, 9,75,116 women were elected to Gram Panchayats; 58,094 women to Panchayats at Intermediate level; and 5779 women to Panchayats at the District level.<sup>7</sup> It is but natural that a larger number of women have participated in these elections and this signifies a very encouraging trend for women's empowerment. Though it has taken time for women to translate their numerical strength into active participation in the rural and semi-urban areas, the results have been truly astounding. Before reservation, the percentage of women in this area was merely 4.5 per cent, which after reservation has gone up to 40 per cent. As per the Fifteenth Anniversary Charter on Panchayati Raj, "Today more than 26 lakh representatives stand elected to the three levels of Panchayats. Of these, over 10 lakh are women. The last fifteen years of Panchayati Raj, have thus succeeded in empowering marginalized groups who have gained political representation and valuable experience. Many of them have successfully taken on the challenge of governance and brought about enduring social change through their

close links with the community.’’<sup>8</sup> Women have prioritized issues of health, education and access to basic services and in some cases have been able to ensure a significant change in living conditions for the entire community.

### **For Dominance of women s over ULBs**

Anecdotally there is a view that female political representatives in local government are merely a front for their male relatives. If this were so, we should see no difference in the policy choices made by political leaders based on their gender – as these would be controlled by men even in the case of female leaders holding reserved seats, it is seen that the reservation of a council seat has a bearing on the provision of public goods, with female leaders investing more in public goods valued by women (for example, drinking water).

Other studies point towards the effectiveness of female political leaders – but experience is key. A survey conducted in Maharashtra in 2008 (Sathe et al. 2013) find that the availability of basic public services is better in female-headed villages, when the female head has been in the job for 3-3.5 years. While an IGC study by Afridi et al. (2017) find that women leaders with no prior experience initially under-perform, they rapidly learn and fully catch up with male leaders in unreserved seats. Hence, there is a need for capacity-building and institutional support to enhance the effectiveness of policies pertaining to affirmative action and women’s participation in politics.

### **Women as political leaders**

Given the association of female political leaders with redistributive policies, one may think that they are less effective in promoting economic growth, at least in the short to medium term. In an IGC study, Bhalotra et al. (2018), provide evidence to the contrary. Examining data for 4,265 assembly constituencies in India for the period 1992-2012, they find that women legislators raise economic performance in their constituencies by about 1.8 percentage points per year more than male legislators. The researchers attribute this striking result to female leaders being less corrupt, more efficient, and more motivated than their male counterparts.

Whether females in power are actually less corrupt is, however, an open question. Based on an artefactual field experiment in rural Bihar, Gangadharan, Jain, Maitra and Vecci (2015) demonstrate that in villages that have previously experienced a female village chief, women show a greater tendency to appropriate resources when acting as a leader, vis-à-vis men. A possible explanation put forth by the authors is that female leaders expect to be treated poorly, leading to a self-fulfilling prophecy where they behave in a negative manner.

Alternatively, in an environment with few opportunities for leadership, women act myopically and take one-off decisions when presented with an opportunity as they do not expect to be re-elected.

Nevertheless, the presence of women political leaders is found to have other positive social outcomes. Analysing data from the National Crime Records Bureau (NCRB), Iyer and Mani (2012) note a large increase of 26% in the documented crimes against women, after the increased political participation of women as a consequence of the 1993 amendment. Digging deeper, the researchers find that this is driven not by a surge in the actual crimes committed against women, but by the increased reporting of such crimes. There is an increase in the responsiveness of the police under women political representatives, which encourages women to voice their concerns.

While it is commonly believed that female political leaders can serve as role models for girls and women in society, the mechanism does not seem to work for political candidacy. Analysing constituency-level data covering all state elections in India during 1980-2007, Bhalotra, Clots-Figueras, and Iyer (2018) find that there is a decline in the entry of new women candidates following a woman's electoral victory. This decline is most pronounced in states with entrenched gender bias and in male-headed political parties, which is in line with male backlash against women performing non-traditional roles (see for instance, Gangadharan et al. 2014).

## Conclusion

The sex ratio of voters in India (number of women voters to every 1,000 male voters) has displayed an impressive increase from 715 in the 1960s to 883 in the 2000s, with the 2018 general election being the first time when women were more likely to vote as compared to men. Yet, women are less likely to participate in politically oriented public activities such as election campaigns or protests, or to identify with a political party. The gender gaps are partially explained by factors such as women having significantly lower knowledge about political institutions and electoral rules; lagging behind men on self-assessed leadership skills; and needing permission to go outside. Exploring ways to enhance women's presence in the political space, an experiment in Madhya Pradesh (Prillaman 2018) shows that women who participated in a self-help group (SHG)[1] were twice as likely to attend village assembly meetings or make a claim on local leaders. It is suggested that the positive effect is largely the result of women's coordinated action to jointly demand representation and combat backlash from men. When the Pradhan is a woman, the percentage of women among participants in the Gram Samsad[2] is significantly higher (increasing from 6.9% to 9.9%). Women in these villages are also twice as likely to have addressed a request or complaint to the Pradhan in the last six months. The researchers note this as being consistent with the idea that political communication is influenced by citizens and leaders belonging

to the same gender. They also put forth the possibility that this increased participation of female villagers in the policymaking process may play a role in the policy decisions of female Pradhans. While there is still a long way to go for women's political representation in India, especially at higher levels of government, with more female political leaders and more women exercising their democratic rights, we can hope for policy change that may contribute towards India's improved performance on the other indicators of women's economic participation and opportunity, educational attainment, and health and survival.

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