

WOMEN AND POLITICAL PARTICIPATION IN INDIA - A STUDY

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Abstract:

Political space has always been the male domain. Issue about women's equal participation in the political space has been debated for a long time. At independence the Indian constitution granted women equal rights of participation in political process as in democracy all the citizens should be active partners to make it a vibrant one. Women low status in society, low level of literacy, awareness of their constitutional right and responsibilities amounted for their invisibility in political space and low participation. The domination of caste system, patriarchy and combination of power equations restrict women to exercise their political rights. The 73rd constitutional amendment which gives women 33 percent reservation of the seats at all levels of panchayat systems has been widely perceived as a crucial steps empowering women through political participation.

Keywords: Women Status, Political Participation, 73rd Constitutional Amendment, Fundamental Rights, Equality, political rights

INTRODUCTION

The Constitution of India is based on the principles of equality and guarantees equality before law and equal protection to all its citizens. It not only guarantees fundamental rights and freedoms, but also prohibits discrimination on the basis of religion, race, caste, sex, and place of birth. However, these rights have remained de jure and have not been translated into de facto rights. As such, women have been denied social, economic, civil and political rights in many spheres.

WOMEN & POLITICAL PARTICIPATION

Women's participation in mainstream political activity has important implications for the broader arena of governance in any country. Governance relates to a set of rules, institutions, and values that are involved in the management of state and society. Governance institutions and processes include political parties, parliaments, government and their interactions with society. Although governance is a generic term which could mean good government or management, the governance values, types of government, the nature of political processes, the political parties and organizations, which/whose interests are represented and protected, and the extent of power that the masses have to challenge the state or in suggesting alternatives in methods of governance etc may vary in different political systems. Liberal democracy is founded on reason, law, and freedom of choice but the position of different social groups in the social and political space where power is located is not always equal in practice. This is particularly so in the case of women. The nature of society or state has a decisive impact on the extent and effectiveness of women's political presence and participation. Notions of democracy, governance and the state are often not gender neutral constructs but result from both historical factors and experiences. The state and its organizational entities reflect the same social forces as other social organizations. It is thus necessary to examine the gender balance in women's participation in the political process, decision making and policy formulation. The limited nature of female participation and representation in national decision making institutions has important consequences for women and for the legitimacy of the institutions. Where women constitute half the population in a political system which supports equality and where both women and men are legally eligible for political office, women's participation should be equal to that of men. If this is not the case, it signifies deep flaws within the political system.

Representation is not only a means of ensuring individual participation. It is also the responsibility of the representatives to act on behalf of the constituents, including women, who elected them and reflect their ideas and aspirations.

Women's disproportionate absence from the political process would mean that the concerns of half the population cannot be sufficiently attended to or acted Rtd Principal, Daulat Ram College for Women, University of Delhi, Delhi An important area where women have been in adequately represented is in the political sphere. Articles 325 and 326 of the

Constitution of India guarantee political equality-equal right to participation in political activities and right to vote respectively. While the latter has been accessed, exercised and enjoyed by a large number of women, the former i.e., right to equal political participation is still a distant dream.

Lack of space for participation in political bodies has not only resulted in their presence in meager numbers in these decision making bodies but also in the neglect of their issues and experiences in policy making.

Structure of Governance

On attaining independence in the year 1947, India became a republic country and adopted the parliamentary form of Government. The Government functions at different levels. At the Apex is the National or Central Government, followed by 29 State Governments and 7 Union Territories. Each State has its own local self-government. These three levels of Government jointly discharge the functions of administration. At the centre there is a parliamentary form of Government consist in go two Houses, i.e., the Upper House called Rajya Sabha (Council of States) and the Lower House called Lok Sabha (House of People). The structure of the State Legislative Assembly is unicameral. The Upper House is the Legislative Council and the Lower House is the Legislative Assembly. Local Self-Governance is an effective method of governing through which the National policy is administered at the grass-root level. The local self-governments known as the Panchayat Raj Institutions (PRIs) are under the control of the State Governments. In the rural areas a three-tier structure has been adopted. They are:

- Gram Panchayat consisting of a village or group of villages having a population of not less than 5000 and not more than 7000, or the geographical distance of an area within a radius of 5 km. from the centre.
- Taluk Panchayat for every taluk
- Zillah Panchayat for every district.

In the urban areas there are the Municipal bodies called the Nagara Palike i.e., Nagara Panchayats (transitional area - an area in transition from a rural area to an urban area).

There are also the Municipal Councils for smaller urban areas and Municipal Corporations for larger urban areas, based on the size of population.

Evolution of Women's Participation in Political Activities:

The roots of women's participation in politics can be traced back to the nineteenth Century reform movement. This movement emerged as a result of conflict between the Indian bourgeoisies, trying to wrest control from the British. This class made attempts to reform itself, mainly by campaigning against caste, polytheism, idolatry, animism, purdha, child marriage, sati etc., perceived as elements of primitive identity. Raja Ram Mohan Roy focused on two issues, namely women's education and abolition of sati. In the early 1850s, a campaign on widow remarriage was launched resulting in the passage of a Bill in 1856, which allowed widow remarriage. This Bill though helped the situation of widows, denied them the right to their husbands' or his family's properties. Several eminent women reformers participated in this movement as well as in the religious reform movement of this period.

Pundit Ramabai, Manorama Majumdar, Sarala Debi Goshal who started Bharata Stree Mahamandal for the education of women, Swarna Kumari Debi who started the women's organization Sakhi Samiti in 1886 for widow sare are few examples.

These activities gave momentum to women's participation in public spaces, which paved the way for their entry in to the independence struggle. Swarna Kumari Debi, one of the two delegates elected from Bengal to represent the State at the 1890 Congress session is a case in point.

Women in Independent India:

Though the foundation for political participation of women was laid down during the nationalist movement, there was no follow up or concerted effort to broaden the political Base by incorporating women into political processes after independence. The space for women in the political arena has declined since independence and their participation in

politics has been limited to family connections rather than convictions and commitment. Women have been promoted to political positions only when there were no other male member available to continue the family's distinctive place and thus, as a device to perpetuate the privilege of the family. By putting women in these positions, the family could still have control over the powers rested with the office

The framers of the Constitution perhaps believed that law would lead to social change and ring about equality between the sexes. Yet inequality and discrimination continues to persist in all spheres of public and private life. This is quite evident from the fact that the articulation of women in politics and in other decision-making bodies after attaining independence is very limited.

Given this situation, the State has to take some corrective actions to ensure that women participate equally in the political sphere. Also, it is imperative to adopt certain affirmative action to eliminate the existing discrimination to ensure political equality as guaranteed in the Constitution.

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 its three tier Panchayat Raj system (institutions of local self-governance) in the year 1983; adopted an affirmative action for providing reservation for women in these institutions in the year 1993. The 73rd Constitutional Amendment Act introduced not less than 33 per cent reservation for women in the Panchayat Raj institutions in the rural areas. Similarly, the 74th Constitutional Amendment Act introduced similar reservation for women in Nagara Palike and Municipalities in towns and urban areas. 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. However, such affirmative action is lacking at the higher echelons of governance at the State and Central levels.

Prior to the 73rd and 74th Constitutional Amendments, only the State of Karnataka had reservation for women in institutions of local self-governance. 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 (Congress-I) announced 30 per cent of seats in Municipal Corporations and the Panchayat Raj Institutions to be reserved for women in Maharashtra (Desmukh, R.J.1991). Following these initiatives, the 73rd and 74th Amendments were passed.

It became mandatory the elections to these bodies be held once every five years. However, many states have sought to and even succeeded in circumventing this provision.

Assam, Arunachal Pradesh and Pondicherry have not held panchayat elections since the 73rd amendment came into force.

In the case of Assam, where elections were due in 1997, they have been postponed first due to the budget session, then owing to the monsoons and, finally, Because of the law and order situation in the state. Until recently, even Andhra Pradesh and Bihar belonged to the same category and held elections only after the intervention of the High Court and Supreme Court respectively. Further, states implementing the Panchayati Raj/Nagarplaika Acts show variation in their numbers as well as in their participation.

The Women's Reservation Bill:

The question of reservation for women had surfaced even before Independence because women from the elite classes of that period - who wanted to play some role in public life, realized the hurdles in their way. This view was again reflected during the review of the Committee on the Status of Women in India, (CSWI) in 1974. The Committee observed that “the rights guaranteed by the Constitution have helped to build an illusion of equality and power which is frequently used as an argument to resist protective and accelerating measures to enable women to achieve their just and equal position in society”. Social scientists also who undertook studies on the Committee's request came back with a uniform finding that while women's participation as voters had been increasing at a faster rate than men's, their representation as candidates - successful or unsuccessful -Registered in fact an opposite trend.

The marginalizing trend has continued till date. In Lok Sabha elections between 1952 and 1996, the percentage of women contestants remained virtually stagnant at 3.2 per cent. The exception was in 1957, (the second general election), where their percentage was 4.4, the stagnation was very marked. In the success ratio on the other hand there was a definitive decline from 43.1 per cent in 1952 and 50 per cent in 1962 to the lowest ever 7.9 per cent in 1996. In state assemblies there were variations in representation, ranging from 1.8 in 1952 to the maximum of 6.3 in 1957, and stagnation around 4.5 per cent in the rest of the elections. In the state averages covering the period 1952 to 1997 the variation is negligible, again showing stagnation around 4 per cent. Surprisingly the CSWI, while recommending unanimously reservation for women in statutory women panchayats at the village level rejected the demand for reservation in legislative bodies. The majority decided to stand by the position taken by their seniors and ignored the junior cadres of women political activists, who

complained bitterly to the CSWI about the discriminatory treatment meted out to them by political parties in offering nominations. Only three members of the Committee (all women) dissented on this, because they felt the Committee was being unwise in ignoring the need for institutionalized measures to eliminate or at least weaken institutionalized inequalities which universal adult franchise had failed to dislodge.

The draft recommendations of the Government of India's National Perspective Plan (NPP) for Women 1988, acknowledged the problem of under-representation and Recommended 30 per cent reservation for women in local governance, panchayat, Zillah and in local municipal bodies.. There was however a provision that in the initial years this quota may be filled in by nomination/co-option. National women's organizations called for a national debate to discuss the NPP.

When the Government disregarded the call, they organized themselves and critiqued it. They rejected outright the recommendation regarding nomination of women/co-option on the ground that it was 'Subversion of the Constitution'. They demanded 30 percent reservation for women in panchayats and municipalities 'with due representation for women belonging to Dalit and Tribal communities' but to be filled only by election.

Thus, final version of the Government's NPP recommended reservation for women in panchayats and municipalities, to be filled in by elections. This version was then incorporated in the 64th Constitutional Bill of 1989. The late 1980s and the early 1990s witnessed three changes of government at the national level, with two general elections in 1989 and 1991. The Panchayati Raj Amendment Bill went through successive revisions, and finally emerged as the 73rd and 74th (Constitutional) Amendments in 1992. The response of women to these two measures in the elections that followed in several states, and the political dynamism demonstrated by them persuaded women's organizations into putting forward a joint demand for one-third reservation in state assemblies and Parliament. The plan too like the CSWI did not raise the issue of women's reservation in Parliament and State Assemblies.

The demand was accepted and almost all pre-election party manifesto contained promises to implement 33 per cent reservations for women as well as The Common Minimum Program me. The newly formed coalition government to the United Front which introduced the 81st (Constitutional) Amendment also knows nabs the Women's Reservation Bill. In September 1996, a private member's bill was moved, introducing reservations for

women, a day before the closing of the monsoon session. However it was this move that subsequently led to the introduction of the present Reservation Bill.

The 81st Constitutional Amendment Bill 1996, seeking to reserve one-third seats for women (including within the two already reserved categories - for Scheduled Castes and Scheduled Tribes) has become a highly debated issue. It is worth noting that none of the arguments that have been brought up against the 81st Amendment Bill came up during the passage of the 73rd and 74th Amendments (1989-92).

The motion for consideration was mooted on May 16, 1997, but it lapsed, following the dissolution of the 11th Lok Sabha. The Bill was again brought before the House during the 12th Lok Sabha on July 14, 1998, as the Constitution (84th Amendment) Bill, 1998, when the Union minister sought leave of the House to introduce the Bill. Permission for this was granted only on December 14, 1998. The Bill did not reach the consideration stage and therefore lapsed, following the dissolution of the 12th Lok Sabha. Then, the Constitution (85th Amendment) Bill, 1999, popularly known as Women's Reservation Bill was introduced on December 23, 1999.

On December 22nd, 2000, it was once again shelved. On May 5, 2003, during the Budget Session of Lok Sabha that the Women's Reservation Bill was last resisted amidst loud protests from many opposition parties and some sections of the ruling NDA alliance. The house was forced to adjourn and when it returned after an hour and a half, the speaker of the Lok Sabha announced that he would call for an all-party meeting to generate unanimity/consensus on the Bill in order that the house may agree to its smooth passage.

The 81st, 84th and 85th Constitutional Amendment Bills providing for reservation for women in Parliament and State Legislatures has not been passed for not having reservations within reservation for women on the basis of caste.

The Bill was referred to the Joint Select Committee, headed by the late Gaeta Mukherjee, who present either report to the House on December 9, 1996. The Joint Select Committee accepted two Provisions of the 81st Amendment Bill. They are: one third of the seats in the Lok Sabha and Legislative Assemblies must be reserved for women; and there will be no reservation for States with less than three seats for the Lok Sabha for a period of fifteen years (for three elections). Amendments that were not accepted included reservation for women of other backward classes (OBC). This committee also recommended the

following: the Bill be passed without delay; the OBC reservation for women be considered by the government; and a modus operandi for reservation of seats for women in the Rajya Sabha and Legislative Councils be introduced.

In the discussion with the Select Committee of Parliament, the delegation of the national women's organizations countered all charges of elitism for not recommending reservations for women of 'other backward classes', they point out that (a) they had requested the quota within the sections which already enjoyed reservation within the Constitution; and (b) they saw the need for a Constitutional amendment to force all political parties to undertake the much needed reforms within their own structures. This is because little had been achieved in more than two decades since the CSWI's recommendations to the political parties and resolutions made by many political parties themselves. The women's delegation emphasized the crisis facing India's democracy with increasing political instability and growth of irresponsibility, fragmentation and criminalization. Despite their efforts, the Bill was not passed due to the lack of a majority in the parliament, and strong opposition from members across parties. In this context, the lapse of the women's reservation bill, seeking one-third of the parliamentary and legislative seats is extremely distressing.

The most recent dialogue regarding reservation for women is now suggesting an amendment to the People's Representation Act. The new formula suggested seeks to reserve 33 per cent tickets for women. This could be achieved by an amendment to the People's Representation Act, enjoining political parties to allocate 33 per cent tickets to women candidates.

This reveals that women will continue to be under-represented, unheard and excluded from decision making processes. In the almost total absence of a conducive environment for women to enter into politics and lack of empathy by the larger society and the mainstream political culture, the government must take immediate action to ensure that the Bill be passed immediately.

It is for the women's movement to demonstrate their political responsibility, not merely through the politics of protests, but also through direct intervention in the tasks of governance. And this is not possible unless larger numbers of women are present in all these bodies to collectively engender politics.

Objectives of the Study

(A) To identify the indicators and substantiate the existence of disparity and disadvantage women face in their political participation.

(B) To examine the obligation of the State to ensure and facilitate the participation of women in politics and the initiatives taken by the State in terms of legislative actions, policies and programs and their effectiveness.

(C) To identify the lacunae in the initiatives of the State and evolve strategies to enhance the involvement of women in all activities of the political processes.

Methodology

The definition of political participation encompasses a large arena comprising a wide range of activities, such as in trade unions, co-operatives, collectives, informal and formal political action. However, the scope of this study is limited to addressing women's participation only in electoral politics (formal politics) and women's constituencies at various levels from the grassroots to the State Legislatures and Parliament at the Centre. At the grassroots level of local self-governance, the study has attempted to provide an analysis based on a region-wise representation of various states in India. The States included are Punjab, Himachal Pradesh and Rajasthan in the North, Madhya Pradesh in Central India, Gujarat and Maharashtra in the west, Kerala and Karnataka in the south, and Orissa and West Bengal in the east.

Sources of Information:

The information for this baseline report was primarily collected from secondary sources and has been supplemented with primary information, in certain areas. They range from statistics regarding women's political participation at all levels of governance to qualitative information that includes individual case studies, debates and critiques of women's political participation. While the information on the 73rd Constitutional Amendment Act is adequate that for the 74th Constitutional Amendment Act and for the 85th Constitutional Amendment Bill, information is scarce and inadequate, thus limiting the scope for analysis at the levels of urban local bodies, the State Assemblies and the Parliament. At this point we would like to reiterate and emphasize the need for generating a database through micro studies and documentation to enable further analysis of issues. The material collated in

relation to women's participation in politics has been analysed using the framework of substantive equality.

Equality and Political Participation

Equality can change and improve the situation if all the members have equal bargaining power in society. In the primitive society sexual division of labor was based on somewhat equality. Women also worked outside the home and their contribution to work outside the home was equal to that of the male of their society. Agriculture revolution expanded opinion for men, making their role and contribution more important. Women were slowly pushed to periphery from the centre and it worsened the position of women in India, land rights were exclusively in men's hands. Women became subjugated, dependent and were denied access to economic as well as political space.

In this context EWR/ Women do not get enough public and political space due to clout within family and society and their perception regarding contribution to it. Women have low self-esteem and awareness due to which they do not pursue unconventional goals. Another reason for this attitude being mental and social conditioning. Keeping this view in mind, one can say that women have lesser choices. Women in a patriarchal society as a strategy use co-operation and maternal altruism to minimize risk and conflict (Kabeer, 1994) but when they get the right opportunity they try to make optimum use of it. A directive change can become reality when there is some policy intervention to ensure access of political rights and education to women. Their opportunities can transform and improve women's life through building capabilities, access to space and power. This in turn, can improve their political participation and remove preconceived notions about them. While the 73rd amendment has constitutionally given political space and rights to women but it must be confessed that PRIs are not a solution for all problems. Thus, acquiring a space of her own in society as a person with her special capabilities is very important for women.

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