

Impact of the 73rd Amendment of the Indian Constitution on Women Empowerment: An Analytical Study

Sumitra

Asst. Professor, C.R. Institute of Law Rohtak, Haryana, India

I. Introduction

This is argued that women need to be 'empowered' in the realm of political decision making so as to facilitate their 'real' empowerment. There can be no real progress if women of a country are not made partners in this process of development. Mahatma Gandhi also believed that full and balanced development of the nation and establishment of a just society is possible only when women participate actively and fully in the political deliberations of the nation. The Balwant Rai Mehta Committee on Panchayati Raj System emphasised that rural women should not become mere beneficiaries of development but should be made equal partners in its affairs as contributors.' This kind of constitutional provision (73rd Amendment) has created a scope for accomplishing development with social justice, which is the mandate of the new Panchayati Raj system. The situation created by the Act was so drastic that it brought out women straight from the kitchen into the fray of politics & administration with no training or experience whatsoever in public life. Women have been given power but they are not seen as political entities. They are seen as a source of status enhancement. Thus, these elected women were mere fronts for their father or husbands or father-in-law or sons & very often did not attend the Gram Panchayat (village governing body) out of fear or ignorance. As a result, they are considered as proxy members or absentee members. New appellations such as "Sarpanch Pati" are used to describe husband chairpersons & members of Gram Panchayats, implying that they performed the Panchayat's work on behalf of their wives. Elected women Sarpanch in many villages could not answer questions posed to them since their husbands would answer on their behalf.

Now the question is here as: Whether the women empowerment of rural women have been increased by the Panchayati Raj or not? If yes, up what extent. There is no doubt that Panchayati Raj has increased the women empowerment but it has been different according to place and circumstances. Panchayati Raj Institutions in which women representative observe the matters, take active participation in decision-making process themselves and make development programs of society accomplish and maintain by external agencies then it can be said the full women empowerment has been done. On other side, if women representatives are not allowed to go outside, they cannot lift or remove their veils, and they are making signature only by the order of her husband and relative then it can be said that women empowerment has not been done. In India, both types of situations are being prevailing in Panchayati Raj Institutions. Thus, the result and quantity of women empowerment has been different at different places and in circumstances.

II. Impact and Experience of the Panchayat Raj

At present, across the country today, there is a marked presence of women in the Panchayats. There are estimated more than 10 millions women in all three tiers of Panchayat Raj Institutions (PRI). Women's entry into local Government in such large numbers has shattered the myth that women are not interested in Politics & have no time to go to meetings or to undertake all the other work that is required in political processes.

Women's experience of being involved with the PRI has transformed many of them. They have gained a sense of empowerment by asserting control over resources, officials & most of all, by challenging men. They have become articulate & conscious of their power. Despite their low- literacy level, they have been able to tackle the political & bureaucratic system successfully. They have used their elected authority to address, critical issues such as education, drinking water facilities, family planning facilities, hygiene & health, quality of healthcare & village development. They have also brought alcohol abuse & domestic violence onto the agendas of political campaigns. In these & other ways, the issues that women have chosen differ from conventional political platforms, which are usually caste/ethnic/religion based.

Sushma Bhadu A woman sarpanch addressaie mahapanchayat of a number of villages at Bibipur in Jind and resolved to save the girl child in a "Beti Bachao Abhiyan" launched a initiative. Sushma said, "We will constitute a vigilance

committee of villagers to keep an eye on pregnant woman and report the matters to the authorities, if a case of female foeticide comes to our notice, the families found indulging will be boycotted. For decades, the Panchayats in Metikheda village in Yavatmal district of Maharashtra had done no work at all, till in 1998 the women took over & brought about a total transformation in the village. The women's Panchayat initiated & implemented water supply schemes, additional school rooms, provided fuel & sanitation facilities which reduced the burden of rural women drastically.

Further, although the reservation of 33% of seats under the Panchayat Raj system has been a morale booster for women in rural India, their husbands & other men in the village were yet to reconcile themselves with the women's new status. Women Sarpanchs who go out with men for work related to the Gram Panchayat or Zilha Parishad, are castigated as 'tad women' & they become victims of character assassination. For e.g. (1) 't4 Ratnainala Vaidya faced the bad tactics of opposition party during the district level election. Since 1994 she is winning the elections of Gram Panchayat. She has done very good village development work. People appreciate her a lot. And this created problems for her. Last year at the time of Zilha Parishad (district level) election, opposition party started spreading rumors like her character is bad, she has two husbands etc. They also published a pamphlet, which amounted to character assassination in the worst form. As a result she was defeated in the election.

Another example that one can sight is that of Ms. Sunita Agham. After being elected as the Sarpanch of Shirsgaon Pandhari village in Maharashtra she took charge of her office. On the day of first Gramsabha (public meeting in village which should be conducted once in month), Gram Panchayat Secretary was reading the information about the administrative procedures of the Panchayat. At this instance, the Ex-Sarpanch & his supporters got up & created a ruckus. They denied the appointments of Sarpanch & deputy Sarpanch & demanded to stop Gramsabha. Then after a big drama was created by Ex-Sarpanch & his men. They threw the chilly powder in Sarpanch's eye, on the Secretary, deputy Sarpanch & the members of Gram Panchayat. Soon they started beating them & abusing Sarpanch as she came from a low caste. The elected women members often faced the un-cooperative, manipulative staff & officialdom.

The other example of harassment is a Women Sarpanch in Nagpur district of Maharashtra, who was being sexually harassed by Gram Panchayat Secretary. He used to write vulgar letters to her. One day after receiving the same type of letter she committed suicide. On the other hand, participation in the political process has also helped women to break out of the traditional moulds. It is stated that the adoption of the Panchayat Raj Act by all the states would ensure the presence of approximately 7.95 millions women in the Panchayat Raj system at the village block & district level. There would be at least 15 to 20 million women contesting in the polls. A third of chairperson at three levels of Panchayat administration about 76,200 — would be women.

III. Challenges and Problems in Women's Participation in PRIs

Despite reservation for women, effective participation in PRIs has failed due to misuse and manipulation by the local power-brokers. Ignorance of women about their rights and procedures and about their potential and responsibilities has kept them far behind in the local bodies. It is very much doubtful that mere increase in the number of 'reserved' seats for women in local bodies is likely to increase the participation of women. Unless structural changes are brought about, a sincere effort is made to educate women and the power structures existing in rural areas are neutralised, nothing much can be achieved. Women representatives often run into barriers (especially of family and society) and are hindered from participating effectively. They feel inhibited to speak especially when they are in large male dominated assemblies. Those who muster up enough courage and strength to speak receive very little respect or attention. It has been observed that women are invited only to complete the quorum. Further, the officials also pay heed to the needs of upper class women in preference to the needs of peasant women. The rights of women thus get systematically nullified by the local bureaucracy²

The family, community and the state (represented by the officials) have together created a situation wherein elected women representatives are facing many operational constraints while playing their roles and discharging their functions in the PRIs. 'Women representatives have some individual weaknesses:

- Illiteracy and low education levels of the majority of the women elected to the PR's.
- Overburdened with family responsibilities.
- Introversion due to the lack of communication skills.
- Poor socio-economic background with which the women have come into the system and poor capacity building.
- Male family members and also leaders from the caste group/community come in the way of the affairs of the Panchayats.
- Indifferent attitude and behavior of officials working in the system.
- Misguidance by the local bureaucracy.

- Apprehension of no-confidence motion by the other elected members of the system.
- Mounting pressure from the political party which has vested interests in the gender reservation for positions in the PRI system.
- Women were branded as 'incompetent' in the eyes of villagers and were forced to quit r** through passing of no-confidence motions.
- Undue interference by the husband (post sarpanches) of women representatives, treating them as mere dummies.
- Widespread use of corrupt practices among the male members and local bureaucrats.laff

It is clear that mere reservation is not enough because a woman representative lacks qualitative participation due to both internal and external factors. Woman's empowerment is not something, which can be handed over to women only. This is a process, which involves sincerity, earnestness and capacity and capability on the part of both men and women. It is a challenging task in village India as even today she cannot take any independent decision. She feels subordinate to her husband and even to her son.

IV. Suggestions

There is a need to empower rural women to enhance their quality of participation. The awakening of women in India towards a society where justice and brotherhood prevail can best be achieved by woman-to-woman contact. The cultural patterns of Indian society are such that social progress among women can be promoted effectively through the medium of personal relationship among them. It is women who can inspire confidence and offer stimulus for social change especially among their sisters in the rural areas. Hence, effective leadership among women must come from the ranks of women themselves. Their qualitative participation can be achieved through training besides of course of the literacy educational programmes. Mahila Mandals could be activated for this purpose where women could learn skills and acquire confidence. Links have to be strengthened between the village and the bureaucracy at the lower level. Special programmes on the role of women in PRIs, on rights of women and procedures should be prepared and highlighted through the mass media so as to make women aware and improve the quality of their participation in the socio-political system. The government (Ministry of Women and Child Development) should take the responsibility to make the rural women aware about their rights and responsibilities. There should be a remedy for each problem of rural women participation. It should be followed by comprehensive empowerment policies and programs. Some problems and their remedies are as follows:

1. **'Low Status and Morale:** Need of Upgradation--Most of the women in rural areas feel inferior to male members of family/Panchayats. This attitude needs to change to make women as part and parcel of the family as well as Panchayats. They should retain their confidence level.³
2. **There is another major problem with the women representatives:** Women hailing from SC and ST categories may find it difficult to mix with representatives of general categories. To cope with this problem, it is necessary to inculcate confidence among them and to bring attitudinal changes through training in the psyche of the upper classes.
3. **'Dependence upon Men since Childhood:** Need of Independence from Early Stages—?, In Indian villages, girls remain dependent upon the father, brother or cousin and this very feeling continues in their married life. We must give capacity building training to girls in schools to be independent. In all kinds of public participation, the primary responsibilities of women for looking after home and children always come in the way; unless arrangements are made for child care and other domestic responsibilities, sustained participation of women in the public sphere is not possible.
4. **' Women Elected Representatives of PRIs Give Way to their Menfolk:** Need of Taking Independent Decision- -- Women representatives in PRIs must be trained in the art and science of decision-making so that they are not influenced by extraneous factors. They must develop leadership qualities. They should discuss among other women and take their opinion. All women members of Panchayats and other executive bodies must be trained and empowered to exercise their authority. Particular attention must be paid to the development of inter-personal communication skills among the community leaders. Efforts are required to elicit participation of women by establishing links between the elected representatives and the development functionaries.
5. The prevailing male dominated power structure in the village is not ready to accept women as chairpersons (Sarpanches, Pradhans of Block Samiti and Chairperson of Zila Parishad) of the Panchayats. This problem can be solved by persuading women to come forward to assume responsibilities. This requires special orientation camps for the rural elite. For this purpose women reservation bill that has been passed in Rajya sabha on 9 march 2010 must also be passed in Loksabha

6. Lack of Interest and Knowledge: Need of Enthusiasm and Training—' Women lack interest in PRIs on account of the lukewarm attitude to PRIs by the Union and State governments. They must generate enthusiasm within themselves by making a goal and attach themselves to the altar with a spirit of dedication and reverence. The women participants must be mutually able to communicate in order to be able to exchange ideas. They should be given proper training in the working of the politico-administrative institutions. It is also suggested that PRIs prepare publicity material in 7 local languages. Audio-visual and print media can contribute significantly by the dissemination of information on women related issues and prospects.

7. 'No Forum to Exchange Ideas: Need for All Women Forum—Elected women representatives of three tiers should meet once in three months and formulate integrated plans. In this way, they would be more participative while deliberating on important issues.

8. 'Women MLAs and MPs do not take Interest in them: Need of Motivation by their own Examples—Women MLAs and MPs should visit frequently the elected representatives of PRIs to solve the problems faced by the rural women members. They should encourage them to take decisions independently: A The national and regional political parties can play an important role in making them aware about the process, values and working of democratic institutions. Empowerment has multidimensional focus and its success depends on environmental forces in a given society. For that, a healthy environment is a must for women's empowerment at the grass root level. Drawing lessons from experiences and case studies at the local, national and international levels is important.

9. In the end, it can be said that 33 per cent reservation for women in PRIs is a good step but it should be supplemented with' effective measures that ensure the qualitative aspect of women's participation. As the India Panchayati Raj Report 2001 reveals: "Women's expectations and hopes for a greener, cleaner, responsive and representative politics have, gone up. They will send out more clearly and energetically the message of women's empowerment and social development. For that reservation needs to be accompanied by considerable amount of affirmative action programme." To influence and lead effectively, women representatives must develop and use legitimate power (authority). To empower is giving women the capacity to influence the decision-making process by integrating them into our political system. Hence empowerment of rural women can be made possible not only through reservations but it also requires removal of the causes of disempowerment whether social, political or psychological. There is no chance' of the welfare of the world unless the condition of women is improved. It is not possible for a bird to fly on one wing. (Swami Vivekananda)

References

- [1]. Ashok Kumar Jha (eds) (2004), "Woman in Panchayati Raj Institutions," New Delhi, Anmol Publication.
- [2]. J.C. Johari (2001), "Indian Government and Politics", Jalandhar, Vishal. Pub.
- [3]. Neelima Deshmukh (2005), "women Empowerment Through Panchayati Raj Institution", New Delhi, Indian Journal of Pub. Administration.
- [4]. R. Venkata Ravi and P. Sunder Raj (2006), "Decentralization and Development in India", in Man and Development, vol. XXXVIII, No-4,, Chandigarh, CRRID.
- [5]. S. Maheshwari (2006), "Local Government in India", Agra: Lakshmi Narain Agarwal.
- [6]. Rajesh Gill (2006), "Impawing women Through Panchayati" in man and Development, vol- XXVIII, No-4, Chandigarh : CRRID
- [7]. The M.D.U. oct -26, 2006.
- [8]. <http://rajyasbha.nic.in/bills>.
- [9]. <http://www.thp.org/india/panchayat.htm>.
- [10]. <http://homepages.wmich.edu>