

# Politics of Inclusion and Empowerment of Women. The Post-Seventy Third Amendment Scenario in India

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## ABSTRACT

*Since independence the Government has been continuously pursuing policies of inclusive development of the excluded including women which received a renewed focus in 'Towards Equality'. But it was not a smooth sailing in view of the constraints imposed by the forces of social exclusion. Hence, the constitutional amendments were passed in 1992 to provide reservation for elected women representatives in self-governing bodies at local levels. The Amendments were followed by certain legislative and policy measures to strengthen the process. Emphasis has also been placed for women's empowerment in the Twelfth Plan in tune with the objectives of the MDGs. This paper seeks to examine the areas of achievements, failures and constraints. It also tries to find out an alternative strategy.*

*Keywords:*

### **Introduction**

The issue of inclusive development has been recognized as one of the major areas of concern in both policy-making and in implementation in India. As a result, considerable progress in the spheres of social inclusion and democratic functioning based on the principles of equality and social justice, solemnly declared in the Preamble and subsequently outlined in Parts III and IV of the Constitution, has taken place. The philosophy of extending equal benefits to all the disadvantaged and excluded categories of people including women is worked out in letter and spirit throughout the provisions of the Constitution. It may be stated that the Constitution provides for fundamental

equality, not merely formal, which aims at removing both the structural and organized constraints imposed on the disadvantaged groups, though the policies and strategies adopted by the Government over the years are not free from debates and deficiencies. The debates and dissensions are not confined only to the scope and nature of such policies but extend also to the mode and method of their implementation. Particularly, the efficacy of the criteria of identification and classification of the target groups has sometimes raised serious questions.

The politics of inclusion got a violent twist in different parts of the country during 'mandalization' in 1990 and since then the issue of electoral gains

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has become the sole determinant for most of the political parties. The Women's Reservation Bill is the victim of the politics of vested interests. The controversy on the appropriateness of the criteria like caste, economic backwardness, concept of 'creamy-layer', status of earning female-headed family, demand for 'quota within quota' in case of reservation of seats for women, and the like, has been perplexing the issue time and again and a national consensus is still beyond the perception.

### **Perspectives**

During the last seven decades of planned development, all round progress has been achieved in diverse fields of economy, society and culture. With a robust economy of more than 1.9 trillion US dollars combining around 8 per cent annual GDP in 2011-12 representing 2.8 per cent share of global GDP, India represents the fourth largest economy of the world. But there are critical areas where India still lags behind. There was an allocation of Rs. 7500 crore in social sector and poverty eradication programmes in 1991 when economic reform was introduced and now at the time of commencement of 12<sup>th</sup> plan it has crossed the magic figure of 2 lac crore, almost 26 times more. On the contrary, India now (2011) occupies 136<sup>th</sup> place in Human Development Index of the United Nations as against 134<sup>th</sup> in 1991. The Human Development Index is prepared on the basis of three parameters by the UNDP: *life expectancy*, *access to education* and *income level*. According to the 12<sup>th</sup> plan, the rate of elimination of poverty currently stands at 1.5 per cent while it was 0.8 per cent ten years before. Quite obviously, the soft target of injustice, malnutrition, poverty, ill health, illiteracy, unemployment is the women of all categories, more within the

disadvantaged groups. The plan document itself admitted the bare fact that the growth was not sufficiently inclusive for the excluded and that 'gender inequality remained a pervasive problem' and some of the structural problems were taking place having adverse effects on women.<sup>1</sup>

The Approach paper of the Twelfth Plan is more direct and focused, it is entitled: 'Faster, Sustainable and more Inclusive Growth'. It aims at inclusive development of women and children which constitutes around seventy per cent of the population. The main planks of the approach paper aim at elimination of poverty, inequality, regional imbalances through people's participation and empowerment. The Plan document also declares to give particular attention to 'the needs of the SC, ST, and OBC population, women and children as also minorities and other excluded groups.'<sup>2</sup>

The issue of inclusive development as projected in both the plans is more relevant in the context of the Millennium Development Goals (MDGs) initiated by the U.N. General Assembly in September 2000, which include eradication of poverty, universal primary education, gender equality and empowerment, reduction in child mortality rate, improvement in maternal health, combating malaria, HIV/AIDs and other diseases, environmental sustainability and development of a global partnership for development to be realized by 2015.<sup>3</sup> Recently, in January, 2014 the UNDP has also adopted 'Gender Equality Strategy – 2014-2017,' which highlights the issue of women's empowerment and declares to integrate gender equality and women's empowerment into every aspect of its work and to support the member states to abolish poverty and reduce inequalities and

social exclusion.

The renewal of emphasis on inclusive development in policy approach of the 12<sup>th</sup> plan has specific implications in the context of alarming child sex ratio as reflected in Census-2011, which is lowest in last fifty years. The last census (2011) has revealed that the ratio of girls to boys up to six years of age has dropped to 914 for every 1000 boys from 927 girls counted in the previous census of 2001 though the overall sex ratio has improved since 1991, rising from 933 females to 1000 men in 2001, to 940 females in 2011. The decline in child sex ratio has been persisting unchecked since the 1961 census and this reflects the failure to stop selective abortion of female foetus despite preventive laws and campaigns, which again indicates the cultural preferences for male child and general attitude of people towards gender socialization. The picture also depicts that girls are made for household work and boys for the outside world which belittles the question of women's empowerment.

Over the years, the State has taken diverse inclusive programmes and varieties of affirmative actions with huge resources and robust implementing machinery at its command to bring fundamental transformation in accomplishing the goals outlined in the Constitution. The constitutional provisions are exhaustive in themselves to ensure equal status and dignity for women. The scope of the right to equality enshrined in Article 14 is extensive since the article guarantees 'equality before the law or the equal protection of the laws' for all persons within the state. It is the key provision to protect against social exclusion and is followed by a host of other such related

provisions including prohibition on discrimination on grounds only of sex, race, caste and religion (Art. 15), equal opportunity in respect of public employment (Art. 16), abolition of untouchability (Art. 17), equal pay for equal work for both men and women (Art. 39-C), humane conditions of work and maternity relief (Art. 42), prohibition on practices derogatory to the dignity of women and the like. The Constitution also empowers the state(s) for enacting special provisions for welfare of women and children. Thus, it is quite clear that the Constitution itself seeks to abrogate all sorts of exclusionary and discriminating norms and practices which provided a subordinate position for women.

Beside these mandatory provisions, the government has been trying to promote social inclusion of the excluded through various affirmative and legislative measures since the beginning for promoting social inclusion through development programmes in both rural and urban areas. Affirmative actions have been initiated on various occasions to rectify past discriminatory practices against the traditionally and historically disadvantaged groups. After independence, the state has passed various acts in order to secure women's status in law and in society in tune with the constitutional provisions, as a result of which women's position has improved considerably in certain respects including life expectancy, health and hygiene, enrolment in elementary and secondary education, level of employment, participation in social activities and extension in traditional role as well. But again, there are certain major problems which demand a fresh thinking. The problem is that the traditional paradigm of

development is still standing on its head and as such the institutions, which are promoting equality and modernity in some directions, are strengthening the traditional dichotomy of gender roles. The role of *khap* panchayats or the cases of rape and assault on women is on the increase day by day. Hence, the strategy of inclusive development needs to be reviewed so that it does not only refer to deprivation from past historical prejudices but also includes the happenings of recent origin.

#### **Exclusion and Inclusive Development**

Inclusive development refers to social and economic inclusion of major components of the society – women, marginalized groups like Scheduled Castes, Scheduled Tribes, OBCs, marginalized and unorganized wage earners, marginal farmers and landless agricultural workers – in the process of mainstream development of the country through neutralizing such elements and factors as may create, sustain and promote social exclusion in diverse fields of social, economic and political life of the people. The main objective of the inclusive policies is to empower the excluded groups in the process of development to overcome the inherent limitations and societal constraints that hinder their full and equal participation in civil society. It may be noted here that for more than 15 per cent of the rural population, a half of which is women, poverty is the most retarding force. Though there is a debate on the role of poverty as a major cause of social exclusion due to its differential, varying and transient effect, there is no doubt that most of the marginalized people in India are also poverty-stricken.

The concept of social exclusion is highly debatable. But it has attracted the attention of a

large number of scholars and social scientists after its origin in France in the 1970s, when it was used to identify the conditions of disabled persons, lone parents and unemployed who remained uncovered and unprotected by social security measures. The UNDP has been engaged since the middle of 1990s to conceptualize the idea in the context of development strategies in the developed and the developing countries. In fact, the concept is both complex and multidimensional. It encompasses the broader aspects of deprivation, discrimination and marginalization. It also refers to both individuals and groups, subject to organizational disadvantages, social alienation and lack of individual freedom.<sup>4</sup> It is sometimes characterized by certain historically determined criteria like ethnicity, gender, caste, ownership of property, religious faith and commitments. Excluded people are sometimes identified by certain prevalent social criteria: if they fulfill the criteria, they are included, otherwise they are excluded. However, there are differences in application of social justice in Indian and western contexts. In India, social justice embraces not only demand for human development, but also development with dignity. The advocates of affirmative actions claim that social exclusion can be tackled through such policies and consider these as restorative justice. The affirmative policies may eliminate the discrimination in the long run, but there is the urgent need for more drastic measures for progress in the short term. Social inclusion is not just an attempt to correct the past wrongs but, on the contrary, it strives for a good society based on the idea of equal entitlement arising out of membership of that society. Inclusive policies are followed with a view to including the

excluded due to the inherent value of a civilized and inclusive society.

Thus the concept of social exclusion is based on diverse ideological persuasions. However, some of the features may be traced out in the discussions involving various aspects associated with the concept. Lack of participation in institutions of civil society on the part of excluded group is the most prevalent characteristic of social exclusion though there are differences over which aspects are important and identification of responsibility for non-participation. Secondly, social exclusion includes income and poverty but also refers to other kinds of disadvantages related to low income like unemployment and poor self-esteem. Thirdly, it is multi-layered in the sense that the causes operate at various levels like individual, household, institutional and community. Lastly, the concept is dynamic one directing analysis in both the causes and effects as well as in examining the feedbacks.

#### **Social Exclusion and Politics of Inclusion**

Some critics point out that the concept of social inclusion is incomplete in absence of understanding it in the context of exclusion. Viewing the relationship between exclusion and inclusion simply in terms of pure dichotomous relationship does not help to completely overcome the pervasive effects of exclusion on society, politics and economics. In fact, there is a dialectical relationship between exclusion and inclusion when we notice the trend towards reverse exclusion in some cases. Inclusive programmes put emphasis on the victims of exclusion but neglect the question about the kind and degree of exclusion – the factors and forces responsible for promoting exclusion. In such a situation, we fail to consider exclusion as a social

process. Issues of social exclusion in India are varied and multifarious. In the context of neo-liberal phase of development, social exclusion is both latent and manifest in exposition. When it is expressed it takes different forms specific to the situation and places. This trend of unevenness in the process can be traced if we examine and compare implementation of children immunization programme (2011) in the BIMAROU states in India. It is found that the percentage of immunization is 23 per cent in UP as against 26.5 per cent in Rajasthan, 32.8 per cent in Bihar, 40.3 per cent in Madhya Pradesh and 51.8 per cent in Odisha.<sup>5</sup> *Secondly*, the neo-liberal argument in favour of market as promoting equality can never be equated with justice. It stimulates the opening of new outlets of sale and exchange and thereby promote doorstep-marketization but cannot evenly empower the needy purchasers. It has been found that in Mumbai certain buildings are exclusively identified 'vegetarian' in which only vegetarians can buy or rent property in those buildings.<sup>6</sup> *Thirdly*, it has been pointed out by some scholars that the "... concept social exclusion is inherently problematic as it faces three major challenges in India: the first relates to the historical discrimination of certain groups and their exclusion; the second is about the political economy of the excluded, and the third questions the way in which equality responses are restricted within the framework of social exclusion."<sup>7</sup> *Fourthly*, social exclusion may take different forms in different situations. Its manifestation may include the form of communal riots, class conflicts chauvinist terror, ethnic hate and conflicts and even organized genocide. In all these cases, women are the soft targets. In the terrible Godhra incident, of

all the 58 victims, 43 were women and children.<sup>8</sup> In most of the third world countries like ours, it is visible in terms of low agricultural growth, low employment opportunities, low level of human development, gender based unequal wages, rural-urban differences, regional imbalances, high level of migration to urban centres, emphasis on ascribed status and gender inequalities. Thus, the phenomenon is problematic and, therefore, requires specific programmes to eliminate social exclusion. The traditional perception of economic development as an antidote to social exclusion is no longer effective in such countries, 'a redefinition of development must not only be about economic growth, but ensure a redistribution of resources, challenge the gender based division of labour and also seek to provide for an egalitarian basis in social arrangements.'<sup>9</sup>

Whatever be the nature and contents of the debates on exclusion and inclusion, there is no doubt in the fact that rural women, constituting more than 70 per cent of India's women, are the most excluded within the excluded due to their sufferings from the 'triple handicap' – *as women, as rural persons and as scheduled castes and tribes*.<sup>10</sup> It may also be pointed out that the vicious circle of social exclusion is far more consolidated in rural areas due to some factors like traditional and historical discrimination, mode of production and the nature of economy of the marginal people and prevalence of diverse socio-cultural norms and agencies of social control.

#### **Inclusive Policies and Women's Empowerment**

Women's empowerment has become a serious concern since the last quarter of the last century. Even there has been a demand for and justification

of forming a women's party for long time. Though the idea of an exclusively party of women has not elicited much support in political circles, it has occasionally become an issue of hot debates at different women's conferences. In the feminist perspectives of empowerment, emphasis is always placed on 'power on' and 'power with' and not on 'power over'. In this sense, empowerment aims at granting power and authority to an individual or a group of persons who are denied of the same. The idea of empowering women is a bottom up approach with greater positive implications on development programmes and is directed towards enabling them to participate actively in decision-making and implementation of programmes directly affecting their lives through strengthening autonomy and self-governing capacities. Empowerment may also take place through innovation to enable people to comprehend the reasons of their vulnerability and the possibilities of turning the table to their side. The inherent objective here is to empower women to control the forces and situation that shape their lives and livelihood. Thus transfer of power and building consciousness are the two inseparable aspects of the same process, though the second is more vital.

Herein lies the role of the state, though the feminist approach denigrates the state as promoting masculine virtues and patriarchy. Feminists (first-wave) are specifically critical of the liberal state in view of its accommodative attitude towards diverse shades of opinions and practices in its attempt to ensure liberty, equality and freedom for all. It is the usual thesis that a liberal state has the potentiality to create spaces for women against exploitation, fundamentalism and socio-cultural oppression

notwithstanding the fact that it possesses patriarchal and bourgeois bias which has been argued by both the Marxist feminists and the radical feminists. Second-wave feminists are not merely concerned with political emancipation but also with 'women's liberation. Marxist feminists try to explore the inherent economic character of women's oppression while the radicals criticize liberal political notions like equality and autonomy as inherently 'masculine'. They view politics as 'power-structured relationships, arrangements whereby one group of persons is controlled by another' (Kate Millett) and accordingly they consider the issue of women's empowerment.

In general feminist theories, women's empowerment depends on several factors like ownership and control of property, income and employment opportunities, infrastructure and public policy, education, access to public goods and services etc, which can only be provided and maintained by the state. The progress in building and strengthening women's empowerment in India over the years thus leads us to construct a premise that in spite of all criticisms and also the fact that liberal democracy is never absolutely uncommitted and free from contradictions and pressures, it offers the maximum possible option for strengthening movement for women's empowerment.

The debates on the perspectives of women's movement and an urge for securing a space for them in political arena of the country has compelled most of the political parties as well to adopt, though half-hearted and inconsistent sometimes, an approach in promoting the cause of women's empowerment. Absence of a clear policy direction in most of the political parties in respect of

reservation of seats for women in Parliament and state legislatures has also percolated through their organizational structures and selection of party candidates for elections at the central and state levels. Only in case of local bodies' elections, the volition of the parties in nominating candidates is restricted in view of reservation of seats and compulsions of competitive politics.

The idea of empowerment of women has become a regular issue at public forum more in view of the meager percentage of women representing Indian Parliament since 1952. The representation of women in the Lok Sabha remained remarkably low ranging from an average of 4.4 per cent in 1952 to 8.83 per cent in 1999 coming down to 8.1 per cent in 2004 and at last climbing to 10.8 per cent in 2009.<sup>11</sup> The ratio of women-representation in Rajya Sabha is in no way better. In 2010, there were 27 women members in Rajya Sabha which came down to 24 in February 2012, while in 1980 the number of women members was 29 in the Upper House.<sup>12</sup> It is reported that the percentage of women members in the Lok Sabha has marginally increased to 11.23 per cent (61 members) at the 16<sup>th</sup> election, just held in May, 2014.<sup>13</sup> But, most of the women elected members of Parliament belong to the politically established families of the country or to middle-class professionals having no direct links with the people and specifically the excluded categories including women. Thus women's representation in Parliament is a case of selective inclusion excepting one or two cases. It is now acknowledged academically that Indian polity has failed to give due representation to women in Parliament even after six decades.

After independence, there have been various

attempts on the part of the government to address women's issues from welfare to development. But a major shift became evident by the end of the Fourth plan, when it became clear that the benefits of development did not percolate down to the bottom level, which was historically identified with the marginalized groups including women. During this period, the Government appointed the *Committee on the Statuses of Women in India* (CSWI) to look into the conditions of women in India and the committee submitted its report 'Towards Equality' in which a grim picture in women's development and empowerment became visible: "Parties have tended to see women as appendages of the males ... Though women, do not constitute a minority numerically they acquiring the feature of one by the inequality of class, status and political power."<sup>14</sup>

To overcome the situation, the committee recommended introduction of a certain quota for women candidates by respective political parties. Pending the introduction of quota system, it recommended allotment of seats for women in municipalities and establishment of women panchayats with autonomy and resources at the village levels. Following the report of the CSWI (Towards Equality), the Government became serious in introducing women-specific programmes during the Sixth plan period. The Sixth plan document incorporated a separate chapter on women and development and a host of development programmes including Development of Women and Children of Rural Areas (DWCRA), Integrated Child Development Service (ICDS), Support for Employment of Women Programme (STEP) and the like with emphasis on health,

education and employment were launched replacing the previous social welfare approach. With the creation of a separate ministry for women and children in 1984, the whole emphasis on development of women was shifted in focus by according priority to programmes directed towards ensuring equality and enhancing the level of their status and empowerment so as to bring them in the mainstream of national development. During the period under U. N. Decade for Women (1976-85), certain legislations were also passed including the Equal Remuneration Act, 1976 and the Dowry Prohibition Amendment Act of 1984 and 1986. But the decade was also marked by an increase in number of cases involving crime and violence against women.

The incidents like custodial rape of Mathura (1972), dowry murder of Sudha (1977), Shah Bano case (1985) and the so-called practicing of *Sati* by Roop Kanwar (1987) also took place during this phase which forced the Government to think positively and seriously. Thus the attempts made by the Government over the years failed to ensure legitimate entitlements to the excluded categories as citizens. The rural poor, mostly women "remained largely untouched by legislation, because they have neither the information, nor the machinery to claim their privileges or dues under the law (such as minimum wages, or maintenance of deserted wives."<sup>15</sup>

#### **Politics of Empowerment : The Seventy Third Amendment and After**

The developments that took place in 1980s reflect the critical role of citizenship associated with 'a masculine construct based on male supremacy' as claimed by the feminists, which cannot be



denounced at the present situation. Rather attempts need to be made to make citizenship and its dependents, rights and freedoms of the individuals, as agencies of social change and women's empowerment. It has been rightly observed that "the challenge of modern era ... is the creation of a moral and political order that expresses and enables an active citizenship" in building a level playing field for equal participation of all people living in a state.<sup>16</sup> India has all along been a witness to the struggle between the fundamentalists and the moderates on the critical issues relating to women and this struggle came to a head-on collision in 1980s following the Shah Bano case of 1985 and the stated *practice of sati* by Roop Kunwar in 1987 in which the Parliament first passed the Muslim Women's Divorce Act in 1986 and then the Sati Prevention Act in 1987, the first one a retrograde law to appease the Muslim fundamentalists, and the second one comparatively a progressive, though both were the products of political expediency. The attitude of the Government reflected a lot of confusions and contradictions in creating an autonomous social space for women. In fact, the Muslim Women's Act passed by Parliament and a judgment and more specifically the observations of the Supreme Court in a custodial rape of Mathura, a minor orphan girl on 26 March 1972 gave a heavy jerk to the entire society.<sup>17</sup> The judgment of the Supreme Court utterly destroyed the human values and civic sense of the community and forced even the academics headed by Professors Upendra Baxi and Lotika Sarkar to make an open appeal to the Supreme Court to review the judgment. Though the case was reopened, there was no reversal of the previous

judgment. In such a situation, the Parliament came forward to overcome to nation-wide resentment by enacting the Criminal Law Amendment Act in 1983 enlarging the scope of redressal in rape cases.

The perspectives of women's empowerment and the developments taking place in two decades after the report of the CSWI, *Towards Equality*, finally culminated in formulating a constitutional framework for representation of women in decision-making. Even some major political parties made commitments before the elections in 1989 for keeping thirty per cent seats reserved for women. Though the promises were not kept after the elections, a consensus was reached by them to provide for reservation of one-third seats for women in local elected bodies in tune with the unanimous recommendation of the Committee on status of women, and accordingly the Seventy-third and Seventy-fourth Amendments were passed by Parliament in 1992. The 73<sup>rd</sup> Amendment Act has far reaching implications for social inclusion in so far as it relates to the weaker sections and women of the society. The Act (Article 243D) makes room for (i) reservation of not less than one-third of the seats for women (including SC and ST), (ii) reservation of not less than one-third of the seats allotted to scheduled castes and tribes for women within the category, and (iii) reservation of not less than one-third of the total number of seats for the offices of the chairpersons at each level for women. Thus, the constitutional provisions no doubt empower women to participate in panchayat raj bodies (municipal bodies in urban areas as well) as members and also as functionaries. In fact, the twin amendment has put in motion a process of empowerment for women securing gender balance

and sought to deepening democracy at the grassroots. Within a decade after the amendments, more than one-third seats were occupied by women.

Now women constitute more than 47% of the elected representatives in the panchayat raj bodies across the States and Union Territories in India.<sup>18</sup> There are at present twelve states in which the percentage of women elected representatives (EWR) has been raised to one-half of the total seats in the PRIs. In Sikkim, reservation for women is 40 per cent. "As a result of this initiative, ... the last fifteen years of Panchayati Raj in India have seen women go from strength to strength in terms of their political participation."<sup>19</sup> It is also to be noted that the percentage of EWR in Himachal Pradesh and Manipur exceeds 51 per cent now (March 2013). But the disheartening fact is that the Amendment proposed and the bill introduced in the Lok Sabha in 2009 (110<sup>th</sup> Amendment Bill) seeking to increase the number of EWR in rural and urban local bodies from one-third to half of the total number of seats lapsed to be passed due to dissolution of the 15<sup>th</sup> Lok Sabha in May 2014. Similar is the fate of the 108<sup>th</sup> Amendment Bill, 2010 which seeks to reserve 33 per cent seats for women in Parliament and legislative assemblies, though it had already been passed by Rajya Sabha in March 2010 amid stiff opposition from some key heartland parties like the Rashtriya Janata Dal, Samajwadi Party, Bahujan Samaj Party, and Janata Dal (U).<sup>20</sup> The bill has seen a political tug-of-war for more than a decade, drawing stiff opposition from these parties on the plea that it would lead to election of women from the society's elite groups in legislatures at the expense of those from the underprivileged sections. The parties have demanded separate sub-quotas

for women belonging to dalit, tribal and minority communities within the larger 33 per cent reservation.

From a report of the UNICEF based on the findings of the MIT, it is revealed that 'more than the mandatory one-third women' are elected to the village panchayats.<sup>21</sup> Not to be solely judged from the viewpoints of numbers of elected women representatives in the PRIs, an interesting story from Kerala's Poovachal Panchayat of Thiruvanthapuram indicates the extent of women's empowerment when one Mrs Suni (39) got herself elected as president of a village panchayat and her husband Soman had been the driver of the jeep of that panchayat, used for travel of its president, she nor her husband had any problem to adjust in their new roles.<sup>22</sup>

However, there are other sides of the picture. There is a story from Rajasthan in which Mukesh Sharma's wife (even her name was not known) stood from rural Alwar and, thanks to the constitutional obligation, won the election, but her husband wore garlands and celebrated the victory with his friends. It was only when someone realized that her signature was required by the counting personnel that they sent for her.<sup>23</sup> The story of Phootwati, an elected sarpanch of Bamari gram panchayat in Hoshangabad district of Madhya Pradesh is more pathetic. The post was reserved for SC women and she was elected. After passing her days for several months as a bonded sarpanch to the majority in the village (upper-caste people) she was forced to sell her house and to live in a hut in Banskhapa, a few kilometers away from the village she had been representing. The upa-sarpanch and the panchayat secretary used to visit her for taking

her thumb impressions on cheques and other papers.<sup>24</sup>

Thus the post-Seventy Third Amendment experiences exhibit a picture of having both the positive and negative aspects in the process of women's empowerment calling for further supportive measures to get gender into the mainstream of development. As a result, the *National Policy for the Empowerment of women, 2001* was declared with nine-point objectives that included: (i) creating an environment through positive economic and social policies to enable women to realize their full potential, (ii) enjoyment of all human rights and fundamental freedoms in all spheres on an equal basis with men, (iii) equal access to participation and decision-making, (iv) changing social attitudes and practices, (v) main-streaming gender perspectives in the process of development, (vi) elimination of all sorts of discrimination and violence against women and children, and (vii) building and strengthening civil society organizations, particularly women's organizations. The declaration also emphasized changes in laws relating to ownership of property and inheritance to make them gender just and to bridge the gaps in policies and programmes through women-specific interventions as catalysts, participants and recipients. The policy also called upon the central and the state governments to draw up time bound 'Action Plans' specially including (i) achievement of measureable goals by 2010, (ii) identification and commitment of resources, responsibilities for implementation of actions, (iii) building of structure and mechanisms for implementation, monitoring and review, and (iv) gender-perspective in budgeting for both economic and social

empowerment of women by 2010.<sup>25</sup>

Following the declaration of the policy statement and objectives of the national policy for women's empowerment, the major guidelines were widely disseminated so as to encourage all stakeholders for achieving the goals. Simultaneously, beside the programmes for self-employment and income generating schemes like MGNREGS, other programmes aiming at universal education through National Literacy Mission, Total Literacy Campaign and *Saskhar Bharat Aviyan*, decent livelihood for rural community (NRLM), national social assistance (NSAP), rural sanitation, supply of drinking water (NRWP), eradication of poverty, development of infrastructure and the latest initiative for food security etc have also been taken up in which the issues concerning gender priorities occupy a central place. Inclusive measures for facilitating decent living and human dignity through programmes for micro-finance and micro-enterprises have been in the agenda for implementation which serve as checks on social exclusion. Inclusion of gender-sensitive provisions for women like equal wages, engagement of at least one-third women as workers, arrangement for crèches for children of working mothers, opening of bank accounts for all job card holders including women (Swabhiman Programme 2011), provision for works within 5 kilometres in employment guarantee schemes (MGNREGS) have transformed unpaid women workers into paid workers having positive implications on their empowerment through enhancing their role in selecting consumption baskets and spending on choice inside the family.<sup>26</sup> Now they are considered as assets in most families.

The process of their inclusion and participation

in public work schemes have effects at the community level also which make women active participants at the grassroots level functioning of PRIs. But behind the curtain, there is another story. In 2012-13, the percentage of women in NREGS was 51.5 per cent. The provision of the Act (Sch. II, para-6) raises doubt in the commitment of the policy-makers in realizing the objectives of the national policy on women's empowerment, 2001 through NREGS when the Act (NREGA) provides scope for inclusion of at least 33 per cent of women workers as against the national male-female ratio of 51.6: 48.4 as per census-2011.<sup>27</sup> This is possibly the unintended consequences of the Act: inclusion of women workers in some states like Kerala (93 per cent), Tamil Nadu (74 per cent), Rajasthan (69 per cent) and West Bengal (34 per cent) in NREG Schemes during this period exhibits inter-state variations in sensitization of the issue of women's empowerment. Similarly, the programme of mobilization rural women for income generating self-employment schemes of micro-finance and micro-enterprise with a trinity of objectives of building *self-confidence*, *self-reliance* and *self-esteem* among women has brought about progressive changes in the upward direction in realizing the objectives in four southern states of Kerala, Andhra Pradesh, Tamil Nadu and Karnataka, though the progress is marginal at the all-India level (32.2 per cent).<sup>28</sup> But there is a serious concern and it relates to a process of reverse exclusion: the percentage of dropout of girl students aged 11-14 years is increasing for two reasons: (i) they are engaged in household works when their mothers are engaged in working in these programmes, (ii) absence of sanitation and toilet facilities at the schools to provide safety and

privacy for the grown-up girls at the schools.

Education has always been considered as having an empowerment effect on the society and especially on women in view of the declining child sex ratio in favour of boys since 1990s. Girls are not a homogenous entity and hence the diverse dimensions of caste, class, religion, rurality and other disabilities complicate the situation that creates cumulative process in exclusions. The Seventy-Third Amendment was passed just after the Census of 1991, which reflected only 30.62 per cent literacy rate for women in rural areas as against 64.05 per cent in case of urban areas.<sup>29</sup> The total literacy programme launched by the government in 1990 converting National Literacy Mission into TLC was further strengthened by introducing free mid-day meals for students at the primary level in 1995 in order to increase enrolment of all children, particularly those from the marginalized groups. The programme helped in building consciousness among girls themselves and their families on the need for girl's education. After two decades, the achievement reached 58.75 per cent in rural areas as against 79.92 in urban sectors in quantum terms.<sup>30</sup> The progress is the result of concerted attempts at establishing schools at physical proximity, mid-day meals (MMS), free tuition fees, supply of free school dresses, and, in some cases, provisions for other incentives like supply of books, cycles etc and creation of infrastructural facilities at the campus. But still there are intra-group and inter-gender differences in terms of GER and quality-level belonging to different excluded groups and also at different levels – primary, middle school level and at the levels of graduation and above in rural India.<sup>31</sup> Total sanitation scheme introduced in 2003-04 as

an inclusive programme for women has not been fully successful in reaching the majority of women in rural India. According to a WHO report released last year, around 48 per cent of India's population does not have access to sanitation and 65 per cent of the villagers relieve themselves in the open<sup>32</sup> and women defecating in the open is more vulnerable. Hence, women are still the prisoners of darkness.

The above facts and figures establishes the stated premise that the process of women's empowerment is passing through a process of movement in a forward direction, occasionally marked by certain retarding developments which are on the decline. The stories of Mukesh Sharma's wife and Phootwati are things of the past; the overall situation has changed significantly. A sense of confidence, the gateway to women's empowerment, now flows continuously to assert "padhe likhe nahin hain, par dimag to hai na (I may not be a literate, but I do have a brain)?" This is an assertion from Ms Badam Bairwa, a scheduled caste panchayat sarpanch from the district of Tonk in Rajasthan, the state to which Mukesh Sharma belonged. Women have realized the difference themselves that while their male counterparts can contest in only 50 per cent of seats, they may stand for election in all the seats of panchayats and municipalities and none even in Rajasthan dare to dig at women today 'by saying ghunghatwali kya kar sakti hai' (what can you expect from veiled women)?<sup>33</sup>

Rather the upper-caste men have to face the challenge now, "only justice can fill my belly, not awards", thundered Bhanwari Devi, a *sathin* (VLW) worker in Rajasthan who was gang-raped for opposing child marriages in 1992, but who got no

justice in 1995 since a sessions court acquitted the men on the ground that "upper caste men could not have raped a dalit women." Today Bhanwari Devi is an icon for struggling women' and is a symbol of women's empowerment.<sup>34</sup> Women have to undertake regularly certain major responsibilities in family's sanitation related activities and now it is established from different studies on rural water supply and sanitation programmes that they are better educators and performers in this sphere.<sup>35</sup> A nation-wide survey was conducted by AC Nielson – ORG – MARG at the instance of the Ministry of Panchayat Raj to overview the extent of quantitative and qualitative progress in respect of participation of elected women representatives (EWR) which reveals that "sizeable portion of elected women representatives perceive enhancement in their self-esteem (79 per cent), confidence (81 per cent) and decision-making ability (74 per cent)."<sup>36</sup>

#### **Need for Serious Retrospection**

The movement for empowerment of women and, in fact, for the whole of the excluded groups has been going on in the right direction but still certain problems loom large. Proxyism, male supremacy, social constraints, upper-caste domination, primordial relations, patriarchal attitude, low level of awareness and other social constraints in their interacting linkages and mutual effects are standing like a rock on the way of total empowerment of women in India. Lack of ideological commitment and open support on the part of the political parties coupled with dilemmas in government policies sometimes weaken the movement for women's liberation and empowerment.

The paradox in women's empowerment

programmes is reflected in the fact that the political elites of the country are guided in two opposite directions: they are reluctant to give adequate representation to women at the macro level – Parliament and State legislatures, while eager to enhance the percentage of reservation of seats for them at the micro levels – panchayats and municipalities. This is because of the fact that politics continues to be a male dominated affairs, both empirically and symbolically and women are always at the receiving end. They may only enjoy the benefits whatever assigned for them by their male counterparts – in family, in community, society and politics. An empirical study conducted in Maharashtra reveals the emergence of a new arrangement in the post-amendments period in which the husband discharges the responsibilities of the women-*sarpanch* ‘particularly in dealing with the outside world’, while the *sarpanch* herself attends and chairs the meetings, and signs all papers beside meeting people on official purposes.<sup>36</sup> However, in-depth studies may further be necessary to find out exclusively the extent of formal and actual participation of women members in decision-making position of various political parties from micro to meso and macro levels. Women are indoctrinated and coerced by ideological-societal apparatuses, when necessary; to develop and maintain such values and behavior-pattern as could keep them in subjugated and subordinate positions. The social taboos and psychological conditioning restrain them from taking up new roles. Actually the society always expects women to conform, but not to resent and never to think playing in unsolicited terrain due to the deep-rooted structures of patriarchy followed by atrocious practice of female infanticide.

In case of violations of serious nature, women are made subject to verdicts of *Khap Panchayats* or *Kangaroo Courts* still in some parts of the country.

Women’s empowerment in such a situation demands prevailing over the patriarchal base on the one hand, and overcoming the forces creating new forms of gender discrimination. Basically, there is a difference between advanced capitalist countries and the developing countries like India having strong linkages with pre-capitalist socio-economic structures. Indian society is passing through a cultural lag based on an economy of ‘lumpen capitalism’ under the neo-liberal dispensation which gives birth to lumpen proletariats. The environment is thus becoming more congenial for criminal and adventurous behavior and activities threatening women’s safety, privacy, rights and empowerment. The recent incidents of rape and murder taking place in different parts of West Bengal indicate the growing culture. Feminization of agriculture ( 80 per cent of rural women are now engaged while the male members of the family have gone outside in search contract jobs), sexual prostitution and sex tourism are emerging phenomena in our economy. Development of new technology also seeks to narrow the space for women’s autonomy and empowerment which needs to be countered through joint and organized women’s movements. Introduction of highly sophisticated technology is also a general problem for the excluded groups and common people as a whole. This gives rise to a case for appropriate and women-sensitive technology to empower them for taking greater role in mode of production. Thus the struggle for women’s empowerment becomes a part of the broader struggle of the working and

marginalized groups to transform the existing social structure.

However, the scope of improving women's status and increasing the level of their empowerment cannot be ruled out within the existing political framework of Indian society. Hence arises the issue of gender sensitization, gender mainstreaming and gender budgeting. In the period following the adoption of the national policy for the empowerment of women (2001), different measures have been undertaken to sensitize gender issues in both academic and public policy spheres. Establishment of centres for women's studies has been dominating the higher academic landscape for long. Gender mainstreaming has also become a part of the policy objectives of the government. In view of the growing feminization of agriculture in our country, urgency in gender mainstreaming is felt in all quarters. Simultaneously, globalization has brought new challenges for women for which there is the immediate need for their capacity building. Gender budgeting aims at disaggregating government's mainstream budgets according to their impact on men and women in order to promote capacity building in women. The government has also been trying to prepare gender responsive budgets and policies for attaining the objectives of gender equality and human development, but the 'budget for 2013-14 ... falls far short of what is required to fulfill some of the commitments made in the Twelfth Plan – both in terms of effective implementation of existing programmes / schemes as well as rolling out the new interventions. ... India seems to be trapped in a paradox: while on the one hand it has taken several steps towards gender responsive budgeting, on the other budgetary allocations for

promoting gender equality and women's empowerment has actually registered a decline."<sup>38</sup>

But in spite of these limitations and shortfalls, because of the inclusive policies pursued over the years, women have at least been able to move step by step through the following stages: (i) coming outside the family to attend public offices and interact with outsiders; (ii) acquiring symbolic features of power through presiding over meetings or signing official papers; (iii) exercising power in sharing the benefits of development; (iv) initiating actions for common benefits of the community and society; and (v) having the scope for doing something for the whole community through mobilization.<sup>39</sup> In fact, a process of churning has started in all spheres of social and political framework of Indian democracy, which cannot be stopped right now by one or two retarding incidents taking place here and there.

## References

1. *Eleventh Five Year Plan, 2007-2012*, Planning Commission 2008, Oxford University Press, New Delhi, , Vol. I, p. 1.
2. *Twelfth Five Year Plan, 2012-17*, Approach Paper, Planning Commission, 2011 2013, Vol. I, Sage Publications, New Delhi,
3. UNDP 2003, *UN Millennium Declaration*, 2000, New York, USA, pp. 1-3.
4. Ajit Bhalla and Frederic Lapeyre 1997, "Social Exclusion Towards an Analytical and Operational Framework", *Development and Change*, Vol. 28, No. 3, pp. 413-33.
5. Ram Chandra Guha 2014, "The Sick State of India",

- Telegraph*, Kolkata, 8 February, p. 12.
6. Gayatri Nayar and Menon 2013, "Structure of Discrimination – A Response", *Economic and Political Weekly*, Vol. XLVIII, No. 15, 13 April, p. 77.
  7. Vidhu Verma 2011, "Conceptualizing Social Exclusion: New Rhetoric or Transformative Politics?", *Economic and Political Weekly*, Vol. XLVI, No. 50, 10 December, p. 90.
  8. *The Statesman* 2002, Kolkata, 7 April, p. 5.
  9. Vidhu Verma 2004, 'Engendering Development', *Economic and Political Weekly*, Vol. XXXIV, No. 49, 4 December.
  10. Sakuntala Narsimhan 1999, *Empowering Women*, Sage Publications, New Delhi, p. 1.
  11. Government of India, *PIB and Election Commission of India*.
  12. Government of India 2012, Rajya Sabha Secretariat, *Information at a glance*.
  13. *Ei Samay* (Bengali Daily) 2014, Kolkata, 18 May, p. 7.
  14. Government of India 1974, *Towards Equality*, Department of Social Welfare, New Delhi, p. 372.
  15. Sakuntala Narsimhan, *op.cit.*, p. 44.
  16. Steward Ranson 1997, Quoted in Andy Green, *Education, Globalization and the Nation State*, Macmillan, London, p. 186.
  17. Tukaram V. The State of Maharashtra, 1979 AIR 185 SCR 1(810), Criminal Appeal No. 185.
  18. Indian Institute of Public Administration 2013, *Strengthening of Panchayats in India: Comparing Devolution Across States-2012-13*, Table 2.2, 'Representation of Weaker Sections and Women in Panchayats', New Delhi.
  19. *Annual Report 2011-12*, Government of India, Ministry of Panchayati Raj, p. 27.
  20. *The Hindu* 2010, 9 November.
  21. *Panchayati Raj Update* 2007, Vol. XIV, No. 4<sup>th</sup> April.
  22. *Panchayati Raj Update* 2010, Vol. XVII, No. 12<sup>th</sup> December.
  23. Sakuntala Narasimhan, *op.cit.*, p. 45.
  24. *Panchayati Raj Update* 2001, Vol. VIII, No. 5<sup>th</sup> September.
  25. Government of India, *The National Policy for the Empowerment of Women*, 2001, Ministry of Women and Child Development, 'Goals and Objectives', pp. 1-2.
  26. Ashok Pankaj and Rukmini Tankha 2010, "Empower Effects of the NREGS on Women Workers: A Study in Four States", *Economic and Political Weekly*, Vol. XLV, No. 30, 24<sup>th</sup> July.
  27. Government of India, *website and portals* of the Ministry of Rural Development, New Delhi. Also, P. Dutta, R. Murgai and others, "Does India's Employment Guarantee Scheme Guarantee Employment?", *Policy Research Paper*, Washington DC, World Bank, 2012.
  28. Government of India, *website* of the Ministry of Rural Development, 2013.
  29. Government of India, *Selected Education Statistics*, Ministry of Human Resource Development, 1997.
  30. Government of India 2012, *Census of India, 2011*, Provisional Population Tables, New Delhi.
  31. Government of India, *NSSO – 2007-08 and Annual Status of Education Report (Rural)*, Ministry of HRD, New Delhi, 2012.
  32. *Telegraph* 2014, Kolkata, 2<sup>nd</sup> June, p. 4.



33. Abha Sharma 2013, "Unveiling the Women power in Panchayats", *Panchayati Raj Update*, Vol. XX, No. 7<sup>th</sup> July, p. 6.
34. Laxmi Murthy 2013, "From Mathura to Bhanwari", *Economic and Political Review*, Vol. XLVIII, No. 23, 8<sup>th</sup> June, pp. 16-17.
35. *Panchayati Raj Update* 2013, Vol. XX, No. 8<sup>th</sup> August, p. 5.
36. Government of India, *Annual Report 2011-12, op cit*, p. 27.
37. B. S. Baviskar 2009, "Including the Excluded: Empowering the Powerless through Panchayati Raj" in Baviskar and George Mathew eds, *Inclusion and Exclusion in Local Governance*, Sage Publications India Pvt. Ltd., New Delhi, 2009, pp. 24-25.
38. Bhumika Jhamb, Yamini Mishra, Navanita Sinha, "The Paradox of Gender
39. Baviskar, *op.cit.*, p. 39. Responsive Budgeting", *Economic and Political Weekly*, Vol. XLVII, No. 20, 18 May, 2013, p. 38.