



Dr. S.D. Shegaonkar¹

Dr. Babasaheb Ambedkar Memorial
College of Law, Dhule.

Mr. Aakash Nilay²

Dr. Babasaheb Ambedkar Memorial
College of Law, Dhule

Abstract

The article explores the critical role of women's reservation in strengthening India's democracy by ensuring inclusivity, equality, and representation. Tracing the journey from the 73rd and 74th Constitutional Amendments, which mandated 33% reservation for women in Panchayati Raj Institutions, to the recent passage of the Constitution (128th Amendment) Bill, 2023, it highlights the strides made toward achieving gender parity in governance.¹ The bill reserves one-third of seats in the Lok Sabha, State Legislative Assemblies, and Delhi's Legislative Assembly, marking a significant milestone in addressing systemic gender inequalities.

The article discusses the transformative impact of women leaders in governance, including improved policy outcomes in education, healthcare, and social welfare. It also examines persistent challenges such as proxy representation, cultural barriers, and delays in implementation due to census and delimitation requirements. Strategies for maximizing the impact of the reservation policy, including capacity building, awareness campaigns, and robust monitoring mechanisms, are proposed.

By emphasizing the importance of women's participation in governance, the article underscores how gender-sensitive policies can lead to a more inclusive and equitable democracy, ultimately contributing to the nation's socio-political progress.

Introduction

Democracy is a system that flourishes when it ensures inclusivity, equality, and representation. In a country as diverse as India, the active participation of all sections of society is critical for a robust democratic framework. Women, making up nearly half of the population, have historically been underrepresented in political and decision-making spaces. The introduction of women's reservation policies has been a vital step toward addressing this disparity, contributing significantly to the democratic process by ensuring broader representation and gender balance.

Historical Background of Women's Reservation in India

The journey toward women's reservation in governance began with the enactment of the 73rd and 74th Constitutional Amendments in 1992. These amendments mandated a minimum 33% reservation for women in Panchayati Raj Institutions (PRIs) and urban local bodies. This transformative legislation enabled women to play active roles in grassroots governance, influencing decisions that directly impact their communities.

In September 2023, the Indian Parliament passed the Constitution (128th Amendment) Bill, which mandates a 33% reservation for women in the Lok Sabha, State Legislative Assemblies, and the Legislative Assembly of the National Capital Territory of Delhi. This historic legislation reserves one-third of the seats for women, including those reserved for Scheduled Castes (SCs) and Scheduled Tribes (STs). However, the implementation of this law is contingent upon the completion of the next census and a subsequent delimitation exercise, meaning its effects may not be realized until after the 2029 national elections.²

Women's Reservation and Democratic Strengthening

- 1. Fostering Inclusivity in Governance:** Women's reservation plays a pivotal role in creating governance structures that genuinely reflect the demographic composition of a country. In India, where women constitute nearly half of the population, their representation in legislative and decision-making bodies has traditionally been minimal. By introducing reservations for women in governance, the nation takes a significant step toward addressing this imbalance and ensuring that the voices of all sections of society are heard. Women's reservation ensures that governance structures are representative of the country's

demographic composition. By bringing diverse perspectives to policy-making, it enhances the inclusivity of the democratic process.³

2. **Reducing Gender Inequality:** Reservation policies address systemic gender inequalities, empowering women to take up leadership roles and challenge entrenched patriarchal norms. As more women occupy public offices, societal perceptions of gender roles undergo positive transformation.
3. **Better Policy Outcomes:** Studies show that women leaders prioritize issues such as education, health, and social welfare, often leading to improved public service delivery. For instance, research by Chattopadhyay and Duflo (2004)⁴ highlighted that villages led by women sarpanchs saw better public goods provision, especially in sanitation and water management.⁵

Case Studies: Impact of Women's Reservation

1. **Panchayati Raj Institutions:** The reservation for women in PRIs has had a transformative impact. For example, a study by the Ministry of Panchayati Raj in 2022 revealed that women leaders actively address issues related to sanitation, healthcare, and education, which were often overlooked earlier.⁶
2. **Bihar and Rajasthan's Progress:** In states like Bihar and Rajasthan, the effective implementation of women's reservation policies has led to significant socio-economic changes. Women leaders in these regions have not only improved governance but have also inspired more women to engage in politics.⁷
3. **Kerala's Model:** Kerala's emphasis on women's participation in local governance has made it a model state. Women-led initiatives in Kerala have focused on improving education systems and health infrastructure, showcasing the transformative power of women's leadership.⁸

Challenges to Women's Reservation

Despite the progress made, several challenges hinder the full potential of women's reservation:

- **Proxy Representation:** In many cases, women representatives act as proxies for male relatives, which undermines the intent of the reservation policy. This phenomenon is often observed in rural governance structures. Deep-rooted cultural attitudes often view women as incapable of leadership, leading to male family members controlling the elected positions. Many women, especially in rural areas, may not have access to education or training that would empower them to take on governance roles effectively. This lack of capacity forces them to rely on male relatives to perform their duties.⁹ In traditional societies, women face pressure to conform to established gender roles, discouraging them from asserting independence in decision-making.
- **Cultural Barriers:** Cultural barriers are deeply entrenched societal norms, traditions, and values that restrict women's active participation in governance and public life. These barriers often arise from patriarchal systems that view leadership as a predominantly male domain, limiting opportunities for women to lead and contribute meaningfully. Patriarchal attitudes are reinforced by traditional family structures that prioritize men's roles in public life and women's roles in domestic spheres. Women are often burdened with caregiving responsibilities and household duties, leaving them little time or energy to participate in governance. This division of labour restricts their ability to engage actively in public life.
- **Implementation Delays:** While the Constitution (128th Amendment) Bill has been passed, its implementation is delayed due to the dependency on census and delimitation exercises. This delay highlights the need for expediting the process to ensure timely benefits. The implementation of the Constitution (128th Amendment) Bill, 2023, which mandates a 33% reservation for women in the Lok Sabha and State Legislative Assemblies, faces significant delays due to procedural prerequisites. The bill stipulates that the reservation will come into effect only after the publication of relevant census data and the completion of a subsequent

delimitation exercise. Given the current timelines, this means that the women's reservation is unlikely to be implemented before the 2029 general elections.¹⁰

Strategies for Maximizing the Impact of Women's Reservation

1. **Effective Implementation of the 33% Reservation Policy:** The recent legislation must be followed by robust monitoring and evaluation to ensure that it achieves its intended objectives. To avoid prolonged delays, it is crucial to prioritize the timely execution of the upcoming census and the subsequent delimitation exercise. Efficient management of these processes will facilitate the earlier application of the reservation policy.¹¹
2. **Capacity Building:** Empowering women representatives through training programs and education initiatives can enhance their effectiveness as leaders. Such programs should focus on skill development, governance practices, and public speaking.
3. **Promoting Awareness:** Public campaigns to sensitize communities about the importance of women's participation in governance can help address cultural and societal barriers. Conduct nationwide campaigns to raise awareness about the importance of women's participation in politics. These campaigns can help shift societal attitudes and encourage greater acceptance of women in leadership positions.
4. **Monitoring and Evaluation:** Establishing mechanisms to monitor the performance of women representatives can help identify gaps and areas for improvement. Regular evaluation reports can ensure accountability and effectiveness.

Conclusion

Women's reservation is not merely a legislative milestone or just a policy tool; it is a powerful catalyst for social transformation which is a step toward achieving the ideals of equality and justice enshrined in the Constitution of India. By ensuring that women have a seat at the table, we not only enhance the quality of governance but also inspire generations of women to break barriers and lead. By enhancing women's participation in governance, India can foster a more inclusive democracy that reflects the aspirations of all its citizens. The recent legislation mandating a 33% reservation in the Lok Sabha and State Assemblies marks a significant milestone in this journey. While challenges such as implementation delays and societal barriers persist, sustained efforts, societal support, and effective governance can ensure that the vision of a truly participatory democracy is realized. India stands at a pivotal moment, where empowering women in governance can reshape the nation's democratic landscape, making it more inclusive, equitable, and representative. The future of democracy lies in the hands of those who dare to challenge conventions and uplift every voice. Let us ensure that this vision becomes a reality.

References:-

1. The Constitution (Seventy-Third) Amendment Act, 1992 and The Constitution (Seventy-Forth) Amendment Act, 1992.
2. (Drishti IAS, 2023) - Link: <https://www.drishtiiias.com/to-the-points/Paper2/women-reservation-act-2023-women-in-politics>
3. United Nations Development Programme (2022) on "Gender Equality in Governance."
4. Chattopadhyay, R., & Duflo, E. (2004) "Women as Policy Makers: Evidence from a Randomized Policy Experiment in India."
5. *Econometrica*, Vol. 72, No. 5 (September, 2004), 1409-1443
6. Ministry of Panchayati Raj. (2022) *Annual Report on the Implementation of 73rd and 74th Amendments* – Link: <https://panchayat.gov.in/en/reports/>
7. Indian Journal of Public Administration, 2023
8. https://en.wikipedia.org/wiki/Kerala_model
9. National Institute of Rural Development - <https://nirdpr.org.in/>
10. <https://www.hindustantimes.com/india-news/the-women-s-quota-could-kick-in-only-after-2029-101695236846227.html>
11. <https://www.bbc.com/news/world-asia-india-66878565>